

**PLANNING COMMITTEE**

13 December 2018

Minutes of the Planning Committee meeting held at the Town Hall, Bexhill-on-Sea on Thursday 13 December 2018 at 9:30am.

Committee Members present: B. Kentfield (Chairman), Mrs M.L. Barnes (Vice-Chairman), A.K. Azad, P.R. Douart, Mrs D.C. Earl-Williams, R.V. Elliston, A.E. Ganly, Mrs B.A. Hollingsworth, Mrs J.M. Hughes, Mrs S.M. Prochak, G.F. Stevens and M.R. Watson (in part).

Other Members present: Councillor J.J. Carroll (in part), I.R. Hollidge (in part) and D.B. Oliver (in part).

Advisory Officers in attendance: Head of Service Strategy and Planning, Development Manager, Team Leader Development Management and Democratic Services Officer.

Also Present: 1 member of press and 19 members of public.

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PL18/41. **MINUTES**

The Chairman was authorised to sign the Minutes of the meeting held on 14 November 2018 as a correct record of the proceedings.

PL18/42. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor G.C. Curtis, T.W. Graham and J.M. Johnson (Chairman of the Council).

PL18/43. **WITHDRAWN APPLICATIONS**

It was noted that the following application was withdrawn from the agenda:

- RR/2018/2069/P – The Smuggler, Pett Level Road, Pett Level

**PART II – DECISIONS TAKEN UNDER DELEGATED POWERS**

PL18/44. **PLANNING APPLICATIONS**

(6)

Outline planning permissions are granted subject to approval by the Council of reserved matters before any development is commenced, which are layout, scale, appearance, access and landscaping. Unless otherwise stated, every planning permission or outline planning permission is granted subject to the development beginning within three years from the date of the permission. In regard to outline

permissions, reserved matters application for approval must be made within three years from the date of the grant of outline permission; and the development to which the permission relates must begin no later than whichever is the later of the following dates: the expiration of three years from the date of the grant of outline permission or, the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matters to be approved.

In certain circumstances the Planning Committee will indicate that it is only prepared to grant or refuse planning permission if, or unless, certain amendments to a proposal are undertaken or subject to completion of outstanding consultations. In these circumstances the Head of Service Strategy and Planning can be given delegated authority to issue the decision of the Planning Committee once the requirements of the Committee have been satisfactorily complied with. A delegated decision does not mean that planning permission or refusal will automatically be issued. If there are consultation objections, difficulties, or negotiations are not satisfactorily concluded, then the application will have to be reported back to the Planning Committee or reported via the internal-only electronic Notified 'D' system by means of providing further information for elected Members. This delegation also allows the Head of Service Strategy and Planning to negotiate and amend applications, conditions, reasons for refusal and notes commensurate with the instructions of the Committee. Any applications which are considered prior to the expiry of the consultation reply period are automatically delegated for a decision.

**RESOLVED:** That the Planning Applications be determined as shown in Appendix A, attached.

PL18/45. **APPEALS**  
(7.1)

Members noted the report on Appeals that had been started, allowed or dismissed since the Committee's last meeting, together with the list of forthcoming Hearings and Inquiries.

**RESOLVED:** That the report be noted.

PL18/46. **DATE FOR SITE INSPECTIONS** – Tuesday 15 January 2019 at 8:30am departing from the Town Hall, Bexhill.

**CHAIRMAN**

The meeting closed at 11:06am

pl181213jh

RR/2018/2069/P

**PETT The Smuggler, Pett Level Road, Pett Level, Pett**

**Demolition of existing public house and erection of two detached houses and public house with associated car parking**

**Statutory 8 week date: 8 October 2018**

**Extension of time agreed to: 19 December 2018**

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**APPLICATION WITHDRAWN**

[View application/correspondence](#)

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RR/2018/2282/P

**NORTHIAM Newlands, Dixter Lane, Northiam**

**Proposed demolition of existing dwelling. Erection of 3 No. four bed dwellings each with integral garage**

**Statutory 8 week date: 8 November 2018**

**Extension of time agreed to: 19 December 2018**

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**DECISION: GRANT (FULL PLANNING)**

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**CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Drawing No. 15.645/01E dated Nov '18  
Drawing No. 15.645/02D dated Sep '18  
Drawing No. 15.645/04 dated August 2018  
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.
3. Before construction work is commenced an area within the site shall be identified for the delivery and storage of construction materials and parking of vehicles the details of which shall be approved in writing by the Local Planning Authority. Such approved areas shall be retained for the duration of the development or until such other time as may be first agreed in writing by the Local Planning Authority.

Reason: A pre-commencement condition is required to minimise conflict with traffic using the local road network having regard to Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

4. No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development preserves the visual amenities of the area in accordance with Policies OSS4 (iii) and EN1 (i) of the Rother Local Plan Core Strategy.

5. No above ground development shall take place on the site until the hard and soft landscaping details have been submitted to and approved by the Local Planning Authority, which shall include:

- a) indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development;
- b) planting plans;
- c) written specifications (including cultivation and other operations associated with plant and grass establishment);
- d) schedules of plants, noting species, plant sizes and proposed numbers/density where appropriate;
- e) means of enclosure;
- f) hard surfacing materials; and
- g) implementation programme.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policies OSS4 (iii) and EN1 (i) of the Rother Local Plan Core Strategy.

6. The new access shall be provided in the position shown on the approved plan [Drawing No. 15.645/02D] and all works undertaken shall be executed and completed to the written satisfaction of the Local Planning Authority in consultation with the Local Highway Authority prior to the occupation of the development hereby permitted.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR2 of the Rother Local Plan Core Strategy.

7. The access shall not be used until the visibility splays shown on the submitted plans [Drawing No. 15.645/02D] are cleared of all obstructions exceeding 600mm in height and kept clear thereafter.

Reason: To ensure that the proposed development and associated works provides for sufficient visibility and does not prejudice the free flow of traffic or conditions of general safety along the highway in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

8. The development shall not be occupied until the parking and turning areas have been provided in accordance with the approved plans [Drawing No. 15.645/02D] and the areas shall thereafter be retained for that use and shall not be used other than for the parking and turning of motor vehicles.

Reason: To provide on-site parking and turning areas to ensure that the proposed development does not prejudice the free flow of traffic or conditions

of general safety along the highway in accordance with Policy TR4 of the Rother Local Plan Core Strategy.

9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policies OSS4 (iii) and EN1 (i) of the Rother Local Plan Core Strategy.

#### **NOTES:**

1. The development is subject to the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision. All interested parties are referred to [www.rother.gov.uk/CIL](http://www.rother.gov.uk/CIL) for further information and the charging schedule.
2. Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is the applicant's responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working on or near the gas plant in relation to this development.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraphs 186 and 187) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

[View application/correspondence](#)

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**RR/2018/2328/P**

**BREDE**

**St Margarets, Northiam Road, Broad Oak**

**Demolition of existing dwelling and erection of four detached bungalows served by relocated vehicular access**

**Statutory 8 week date: 15 November 2018**

**Extension of time agreed to: 20 December 2018**

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**DECISION: GRANT (FULL PLANNING)**

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## CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Drawing No. 1723/01D dated 31 October 2018  
Drawing No. 1723/08A dated 31 October 2018  
Drawing No. 1723/09A dated 31 October 2018  
Drawing No. 1723/10A dated 31 October 2018  
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.
3. No development above ground level shall take place until the hard and soft landscaping details for the site, including boundary fencing and acoustic fencing as necessary, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.  
Reason: To enhance the appearance of the development and to protect neighbouring residential amenities in accordance with Policy OSS4 (ii) and (iii) of the Rother Local Plan Core Strategy.
4. No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: To ensure that the development reflects the character and/or appearance of the existing building and to preserve the visual amenities of the area in accordance with Policies OSS4 (iii) of the Rother Local Plan Core Strategy.
5. No part of the development shall be occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawings.  
Reason: In the interests of road safety in accordance with Policy TR2 of the Rother Local Plan Core Strategy.
6. No part of the development shall be occupied until such time as the existing vehicular access serving the site is closed and the highway verge and footway is reconstructed in accordance with the approved drawings.  
Reason: In the interests of road safety in accordance with Policy TR2 of the Rother Local Plan Core Strategy.
7. No part of the development shall be first occupied until visibility splays of 2.4m by 65m have been provided at the proposed site vehicular access onto the A28 Northiam Road. Once provided the splays shall thereafter be maintained and kept free of all obstructions exceeding 600mm in height.  
Reason: To ensure that the proposed development and associated works provides for sufficient visibility and does not prejudice the free flow of traffic or

conditions of general safety along the highway in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

8. No part of the development shall be occupied until covered and secure cycle parking areas have been provided in accordance with the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.  
Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with Policies OSS4 (ii) and TR3 of the Rother Local Plan Core Strategy.
9. The development shall not be occupied until the parking and turning areas have been provided in accordance with the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the parking and turning of motor vehicles.  
Reason: To provide on-site parking and turning areas to ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the highway in accordance with Policy TR4 of the Rother Local Plan Core Strategy.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting this Order with or without modification), no extensions or above ground floor windows, as defined within classes A, B or C of Part 1 of Schedule 2 of the order, shall be carried out to Plots 1 to 4 on the site and no buildings or structures as defined within class E of Part 1 of Schedule 2 of the order, shall be carried out to Plot 1 otherwise than in accordance with a planning permission granted by the Local Planning Authority.  
Reason: To ensure appropriate development of the site and preservation of the amenities of the area in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

#### **NOTES:**

1. The applicant's attention is drawn to the need for a Private Works Agreement (PWA) for the construction of the access. The applicant should contact East Sussex Highways on 0345 6080193 prior to commencement of development to complete the agreement and pay the necessary fee.
2. The applicant is advised to contact Southern Water in respect of:
  - unidentified sewers found on site during construction; and
  - connection to the foul public sewerage system.Southern Water can be reached at Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
3. The proposed development has been assessed and it has been determined that the Community Infrastructure Levy (CIL) is payable. Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application

by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

[View application/correspondence](#)

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**RR/2018/2150/P**

**BEXHILL 30 & 32 Dorset Road**

**Outline: Demolition of existing builder's workshops/stores at No. 30 Dorset Road and demolition of semi-detached dwelling at No. 32 Dorset Road, redevelopment of site with 12 flats**

**Statutory 13 week date: 27 December 2018**

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**DECISION: REFUSE (OUTLINE PLANNING)**

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**REASONS FOR REFUSAL:**

1. The development of this small and constrained site as shown indicatively for 12 flats would result in two buildings of a size and form and in a position that would have an adverse impact on the amenities of facing residents at 1-5 Ashdown Road. As proposed, the scheme would involve a loss of privacy to adjoining residents by potential overlooking and a building close to the northern boundary having an overbearing impact on private garden areas. As such the scheme is contrary to Policy OSS4 (ii) of the Rother Local Plan Core Strategy and part 12 of the National Planning Policy Framework.
2. The development of the site for 12 flats with the requisite space for car parking represents an over development of the site in terms of the amount of land given over to building and to hard surfacing in the form of parking. The development allows insufficient private amenity space to serve the occupiers of the development or an appropriate landscaped interface between the parking areas and adjoining residents at 1-5 Ashdown Road. The resulting development would adversely affect the existing residents whose gardens directly face the site by reason of noise and disturbance. As such the scheme is contrary to Policy OSS4 (i) of the Rother Local Plan Core Strategy and paragraph 127(f) of the National Planning Policy Framework.
3. The provision of small two bedroom units only would not provide a satisfactory standard of accommodation for future occupiers nor respond to the identified need for the increased provision of family housing in Bexhill in an area that is suitable for that type of housing, contrary to Policies LHN1 and OSS4 (i) of the Rother Local Core Strategy and part 8 of the National Planning Policy Framework.
4. The proposal, by reason of severing Nos. 34 & 32 Dorset Road, the limited site frontage, the proposed three and four storey height, overall mass and limited landscaping, would not be respectful to the area's appearance which is



characterised for the most part by two storey houses or single storey commercial premises. In addition, the design of the apartment blocks is not considered to be of a quality that would compensate for its undue height. The development would give rise to unacceptable harm to the character and appearance of the area by virtue of its contrived and incongruous presence, contrary to Policies OSS4 (iii), BX1 (i) and EN3 of the Rother Local Plan Core Strategy and part 12 of the National Planning Policy Framework.

#### **NOTES:**

1. This decision notice relates to the following set of plans:  
1:1250 site location plan  
Indicative drawings – site plan (2018/010/1A); typical floor plans (2018/010/2); elevations (2018/010/3A); party wall detail (2018/010/6)

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraphs 186 and 187) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme.

[View application/correspondence](#)

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**RR/2018/2292/P**

**BEXHILL 13 Barnhorn Road, Land at rear**

**Proposed erection of bungalow and changes to existing parking arrangements for 13 Barnhorn Road**

**Statutory 8 week date: 9 November 2018**

**Extension of time agreed to: 18 December 2018**

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#### **DECISION: REFUSE (PLANNING PERMISSION)**

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#### **REASONS FOR REFUSAL:**

1. The proposed bungalow, by reason of its large size and location in an isolated position in a largely undeveloped backland area which has a verdant character and appearance, would appear as an intrusive building causing unacceptable harm to the character and appearance of this area. The proposal would fail to maintain the area's prevailing character, in conflict with Policy OSS4 (iii) of the Rother Local Plan Core Strategy and Paragraph 122 of the National Planning Policy Framework.
2. The proposed bungalow, by reason of its close proximity to the rear garden of No. 15 Barnhorn Road and the height and bulk of its flank elevation, would be harmfully dominant in terms of the outlook from the rear garden of No.15, in conflict with Policy OSS4 (ii) of the Rother Local Plan Core Strategy, which seeks to ensure that development does not unreasonably harm the amenities of adjoining properties.

**NOTE:**

1. This refusal of planning permission relates to the following drawings:  
Drawing No. 5888/LBP (LOCATION BLOCK PLAN) dated AUGUST.  
Drawing No. 5888/1/B (PROPOSED DWELLING) dated OCT 2018.  
Drawing No. 5888/2/B (PROPOSED SITE PLAN) dated NOV 2018.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme.

[View application/correspondence](#)

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**RR/2018/2665/P                      BEXHILL      25 The Highlands, 'Harmony' – land at**  
**Erection of 1 No. two bed bungalow served by new**  
**vehicular access**

**Statutory 8 week date: 10 December 2018**  
**Extension of Time: 18 December 2018**

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**DECISION: REFUSE (FULL PLANNING)**

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**REASON FOR REFUSAL:**

1. The proposed subdivision of the existing residential garden of No. 25 for the erection of a dwelling in the manner proposed is a particularly contrived arrangement. Whilst the application has been amended since the previous application submission it remains the case that the formation of the proposed building plot pays very little regard to the existing pattern of development in the locality. It would look out of place in this part of the road, where the other houses are set back with undeveloped frontages. The proposed dwelling and its associated curtilage would sit forward of existing neighbouring properties so as to introduce new built development substantially closer to the highway than adjacent development. As such it would amount to a prominent and incongruous feature that would be detrimental to the appearance of the existing street-scene and out of keeping with the character of the area. It would be contrary to Policy OSS4 (iii) of the Rother Local Plan Core Strategy and the advice relating to the development of existing gardens in the National Planning Policy Framework at paragraph 122 (d).

**NOTE:**

1. This refusal of planning permission relates to the following plans and drawings:  
Location block plan: Drawing No. 5460/100/LBP  
Proposed dwelling: Drawing No. 5460/100/1/B

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme.

[View application/correspondence](#)

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**RR/2018/2805/P**

**BEXHILL 41 Jameson Road, Rippleside**

**Variation of Condition 1 imposed on RR/2017/1794/P to allow premises to be used as a house in multiple occupation (HMO) permanently**

**Statutory 8 week date: 31 December 2018**

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**DECISION: GRANT (PLANNING PERMISSION) DELEGATED (SUBJECT TO SUSSEX POLICE COMMENTS)**

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**CONDITIONS:**

1. The use hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The use hereby permitted shall be carried out in accordance with the following approved document and plans:  
Supporting information, as submitted with Application No. RR/2018/2805/P, accepted on 05-11-18  
Site Location Plan, as approved under Condition 2 of the temporary planning permission granted under Application No. RR/2017/1794/P on 20 September 2017  
Block Plan, as approved under Condition 2 of the temporary planning permission granted under Application No. RR/2017/1794/P on 20 September 2017  
Proposed Floor Plans, as approved under Condition 2 of the temporary planning permission granted under Application No. RR/2017/1794/P on 20 September 2017  
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.
3. The use hereby permitted shall not commence until a detailed management plan and specification for the premises has been submitted to and approved in writing by the Local Planning Authority. The premises shall thereafter be

managed in accordance with the approved management plan and specification unless an alternative management plan and specification is first agreed in writing by the Local Planning Authority.

Reason: This pre-commencement condition is required in the interests of protecting the residential amenities of neighbouring properties in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

4. The premises shall be used as temporary accommodation for homeless families only and for no other purpose.

Reason: The application has been assessed on the basis of a specific use providing accommodation for homeless people and any other use of the premises should be separately assessed having regard to Policy OSS4 of the Rother Local Plan Core Strategy.

5. The number of residents shall be limited to no more than 15 persons.

Reason: In the interests of protecting the residential amenities of neighbouring properties in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

[View application/correspondence](#)

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<b>RR/2018/1638/P</b>	<b>BEXHILL 70 Seabourne Road, Pebsham Community Centre</b>
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**Change of use to D1 listed to cater for nursery (child care). Side access (entrance) moved to allow access to childcare**

**Statutory 8 week date: 18 December 2018**

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**DECISION: GRANT (FULL PLANNING)**

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**CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved drawings/details:

Drawing No. 4668.LP dated September 2018  
Drawing No. 4668.SP dated September 2018  
Drawing No. 4668.2 dated September 2018  
Correspondence from agent dated 23 October 2018

Reason: For the avoidance of doubt and in the interests of proper planning, as advised in the "Planning Practice Guidance – Use of Planning Conditions – Paragraph: 022 Reference ID: 21a-022-20140306."

3. The use of the premises hereby permitted shall be used for children (nursery school) on weekdays from 7:45am to 6:00pm only and shall be used for no other purpose including any purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the appropriate use of the premises and to protect the residential amenities of neighbouring properties in accordance Policy OSS4 (ii) of the Rother Local Plan Core Strategy (2014).

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

[View application/correspondence](#)

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**RR/2018/2452/P**

**EWHURST Dykes Farmhouse, Bodiam Road,  
Staplecross**

**Formation of sand school for private use and garden  
ground level changes**

**Statutory 8 week date: 23 November 2018**

**Extension of time agreed to: 18 December 2018**

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**DECISION: REFUSE (PLANNING PERMISSION)**

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**REASON FOR REFUSAL:**

1. The proposed sand school would be located at the top end of a currently green and undeveloped field, in a relatively isolated position away from existing buildings. Engineering works would be required to re-profile the land to provide for the manège, supported by banks, which would disrupt the natural gradient of the sloping land. In addition, the sand school would involve the replacement of a large area of grass with a mix of man-made materials that would be alien to the appearance of the area and would adversely affect the patterns of fields and meadows that characterise this part of the Area of Outstanding Natural Beauty (AONB). For these reasons the proposal would

be harmful to the rural character of the countryside and the landscape and scenic beauty of the High Weald AONB, in conflict with Paragraphs 170 and 172 of the National Planning Policy Framework, Policies OSS3 (vi), OSS4 (iii), RA2 (viii), RA3 (v) and EN1 (i) and (viii) of the Rother Local Plan Core Strategy (2014), saved Policy CF5 (i) and (ii) of the Rother District Local Plan (2006), and Policies DCO2 (i) and (ii), DEN1 and DEN2 of the Development and Site Allocations Local Plan Proposed Submission version (October 2018), which also have weight.

**NOTE:**

1. This refusal of planning permission relates to the following drawing:  
Drawing No. 5966/1/A (PROPOSED MANEGE), dated OCT 18.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme.

[View application/correspondence](#)

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**RR/2018/2212/P**

**MOUNTFIELD**

**6 Mountfield Villas, Hoath Hill**

**Proposed two storey side extension single storey rear extension, porch and internal alterations**

**Statutory 8 week date: 29 October 2018**

**Extension of time agreed to: 14 December 2018**

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**DECISION: GRANT (FULL PLANNING)**

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**CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Proposed site and Block plan  
Ground and first floor: Drawing No. P-361(18)03 Rev. B dated 8.11.18  
Proposed elevations: Drawing No. P-361(18) 04 Rev. B dated 8.11.18  
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.



3. The materials to be used in the construction of the external surfaces of the two storey extension the porch and the walls of the single storey extension hereby permitted shall match in materials, colour and texture those used in the existing building unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure that the development is in character with its surroundings in accordance with Policies OSS4 (iii) of the Rother Local Plan Core Strategy.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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**RR/2018/1235/P**

**SEDLSCOMBE Water Bailiffs Cottage, Reservoir Lane**

**A small scale, family-run glamping and camp site with 5 No. glamping pods, 9 No. tent camping pitches, facilities hut, access roads and paths**

**Statutory 8 week date: 18 September 2018**  
**Extension of time agreed to: 21 December 2018**

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**DECISION: GRANT (FULL PLANNING)**

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**CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Drawing No. 5876/LBP dated May 2018  
Drawing No. 5876/200/A dated 27.09.18  
Drawing No. 5876/201 dated May 2018  
Drawing No. 5876/202 dated May 2018  
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.

3. No development in respect of the access road, parking area, tent pitches and facilities hut shall commence until tree protection measures have been provided in accordance with the details set out in the Mayhew Consultancy Limited Arboricultural Report dated July 2018, and specifically, the plan contained within Appendix B and the protected fencing detailed within Appendix F. The protective fencing shall thereafter be retained in situ for the duration of the construction works.  
Reason: To ensure the protection of trees during construction and thus the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty (AONB) in accordance with Policies OSS4 (iii), RA3 (v) and EN1 (i) of the Rother Local Plan Core Strategy.
4. No development above ground level in respect of the glamping pods or facilities hut shall take place until additional details or samples of the materials to be used in the construction of the external surfaces of the glamping pods and facilities hut hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: To preserve the visual amenities of the area and the landscape and scenic beauty of the High Weald AONB in accordance with Policies OSS4 (iii), RA3 (v) and EN1 (i) of the Rother Local Plan Core Strategy.
5. No development in respect of the hard surfacing of any of the site shall commence until full details of permeable surfacing have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.  
Reason: To restrict surface water runoff and to preserve the visual amenities of the area and the landscape and scenic beauty of the High Weald AONB in accordance with Policies OSS4 (iii), RA3 (v), SRM2 and EN1 (i) of the Rother Local Plan Core Strategy.
6. The tent pitches hereby permitted shall not be hard surfaced and shall be covered in grass.  
Reason: To restrict surface water runoff and to preserve the visual amenities of the area and the landscape and scenic beauty of the High Weald AONB in accordance with Policies OSS4 (iii), RA3 (v), SRM2 and EN1 (i) of the Rother Local Plan Core Strategy.
7. Before the glamping pods or tent pitches hereby permitted are first occupied, visibility splays measuring a minimum of 30m x 2.4m shall be provided at the site access onto Reservoir Lane and shall thereafter be maintained and kept free of all obstructions over a height of 600mm.  
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy CO6 (ii) of the Rother Local Plan Core Strategy.
8. Before the glamping pods or tent pitches hereby permitted are first occupied, a highway scheme for the enhancement of passing places along Reservoir Lane and Brede Lane shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The improved passing places shall be provided prior to first occupation or use of any tent pitch or glamping pod and thereafter retained in accordance with the approved details.



Reason: To ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the highway in accordance with Policy CO6 (ii) of the Rother Local Plan Core Strategy.

9. Before the glamping pods or tent pitches hereby permitted are first occupied, details of the soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The planting shall be carried out in accordance with the approved details.

Reason: To protect the landscape and scenic beauty of the High Weald AONB and highway safety in accordance with Policies OSS4 (iii), RA3 (v), CO6 (ii) and EN1 (i) of the Rother Local Plan Core Strategy.

10. Before the glamping pods or tent pitches hereby permitted are first occupied, details of any external means of illumination within the site shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting shall be provided and thereafter maintained in accordance with the approved details.

Reason: To safeguard the special character of the rural area within the High Weald AONB in accordance with Policies OSS4 (iii) and EN1 (i) (vii) of the Rother Local Plan Core Strategy.

11. Before the glamping pods or tent pitches hereby permitted are first occupied, the ecological enhancements listed within section 5.2 of the Flag Ecology Protected Reptile Survey dated 11 October 2018 shall be implemented. For the avoidance of doubt, either option 1 or 2, together with 3 may be provided.

Reason: To enhance biodiversity at the site in accordance with Policy EN5 of the Rother Local Plan Core Strategy and paragraph 170 of the National Planning Policy Framework.

12. Before the glamping pods or tent pitches hereby permitted are first occupied, a site management plan detailing how noise and activity from the site is to be managed shall be submitted to and approved in writing by the Local Planning Authority. The site management plan shall include rules on how no large groups of people will be accepted, no stag or hen parties will be permitted, no parties will be permitted and no amplified or other music will be allowed. The site shall be managed in accordance with the approved management plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the living conditions of nearby residents and to protect the tranquil nature of this part of the High Weald AONB in accordance with Policies OSS4 (ii) (iii) and EN1 (vii) of the Rother Local Plan Core Strategy.

13. The glamping pods hereby permitted shall not be occupied for more than 56 days in total in any calendar year by any one person.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies OSS4 (iii) EC6 and RA3 of the Rother Local Plan Core Strategy.

14. The owners/operators shall maintain an up-to-date register of the names of all owners and/or occupiers of individual glamping pods on the site, and of their main home addresses, and shall make the information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies OSS4 (iii), EC6 and RA3 of the Rother Local Plan Core Strategy.

15. No amplified or other music shall be played at the site, including within the glamping pods or tents.  
Reason: to protect the residential amenities of the locality and the tranquil nature of this part of the High Weald AONB in accordance with Policies OSS4 (ii) and EN1 (vii) of the Rother Local Plan Core Strategy.
16. The site shall only be used for the accommodation of glamping pods and tent pitches and no touring caravans (including motorised caravans) or static caravans shall be stationed thereon.  
Reason: To protect the landscape and scenic beauty of the High Weald AONB and highway safety in accordance with Policies OSS4 (iii), RA3 (v), CO6 (ii) and EN1 (i) of the Rother Local Plan Core Strategy.
17. The tent pitches hereby permitted shall only to be occupied between 1 March and 31 October in any one calendar year.  
Reason: To protect the landscape and scenic beauty of the High Weald AONB and highway safety in accordance with Policies OSS4 (iii), RA3 (v), CO6 (ii) and EN1 (i) of the Rother Local Plan Core Strategy.
18. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.  
Reason: To protect the landscape and scenic beauty of the High Weald AONB and highway safety in accordance with Policies OSS4 (iii), RA3 (v), CO6 (ii) and EN1 (i) of the Rother Local Plan Core Strategy.

#### **NOTES:**

1. The applicant is reminded that under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Trees and scrub are present on the application site and should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.
2. The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning permission for a development does not provide a defence against prosecution under European and UK wildlife protection legislation. Separate licences and consents may be required to undertake work on the site where protected species are found and these should be sought before development commences.
3. This planning permission does not authorise any interference with animals, birds, marine life, plants, fauna and habitats in contravention of the requirements of the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 (CROW) and other legislation. Further advice on the requirements of these Acts is available from Natural England, Sussex and Surrey Team, Phoenix House, 33 North Street, Lewes, East Sussex BN7 2PH.

4. The highway works required under Condition 8 will be subject to an appropriate agreement with the Highway Authority. The applicant is advised to contact the Highway Authority to discuss the requirements of the condition.
5. For the avoidance of doubt, the glamping pods hereby permitted do not fall within planning Use Class C3 (dwellinghouse) and therefore permitted development rights relating to C3 dwellinghouses are not applicable.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

(Councillor Mrs Prochak declared a personal interest in this matter in so far as her husband is Chairman of the local Campaign to Protect Rural England who made comments on the application and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

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