

**PLANNING COMMITTEE**

14 March 2019

Minutes of the Planning Committee meeting held at the Town Hall, Bexhill-on-Sea on Thursday 14 March 2019 at 9:30am.

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

Other Members present: Councillors K.P. Dixon (in part) and K.M. Field (in part).

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

Also Present: 1 member of press and 28 members of public.

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**PL18/58. MINUTES**

The Chairman was authorised to sign the Minutes of the meeting held on 14 February 2019 as a correct record of the proceedings.

**PL18/59. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G.C. Curtis and J.M. Johnson (Chairman of the Council).

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

**PL18/60. 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.

PL18/61.  
(7.1)

#### **APPEALS**

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.

PL18/62.

**DATE FOR SITE INSPECTIONS** – Tuesday 16 April 2019 at 8:30am departing from the Town Hall, Bexhill.

#### **CHAIRMAN**

The meeting closed at 12:00noon

pl190314jh

RR/2018/2209/P

TICEHURST Banky Field, Steellands Farm,  
Steellands Rise

Approval of reserved matters pursuant to outline permission RR/2014/1652/P for the erection of 40 dwellings and associated access and landscaping works – details of site layout, scale, appearance of dwellings and landscaping

Statutory 13 week date: 13 December 2018

Extension of time agreed to: 18 March 2019

This application was subject to public speaking.

**DECISION: APPROVE (RESERVED MATTERS) DELEGATED  
(CONFIRMATION THAT THE TECHNICAL REQUIREMENT OF THE HIGHWAY  
AUTHORITY HAVE BEEN ADDRESSED)**

**CONDITIONS:**

1. The details hereby permitted shall be carried out in accordance with the following approved documents: 23314A/-
  - Site Location Plan: 001 rev P3
  - Proposed Site Layout: 003 rev P22
  - Service Layout: 005 rev P04
  - Tenure Plan: 007 rev P09
  - Fence Types: 009 rev P17
  - Title Plan - Existing 010 rev P03
  - Title Plan - Proposed 011 rev P04
  - Refuse Plan: 015 rev P10
  - M4(2) & M4(3) Access Plan: 016 rev P08
  - Block A Proposed plans: 300 rev P1
  - Block A Proposed elevations: 301 rev P3
  - Block B Proposed plans: 302 rev P2
  - Block B Proposed elevations: 303 rev P3
  - Block C Proposed plans: 304 rev P2
  - Block C Proposed elevations: 305 rev P4
  - Block D Proposed plans: 306 rev P3
  - Block D Proposed elevations: 307 rev P4
  - Block E Proposed plans: 308 rev P2
  - Block E Proposed elevations: 309 rev P2
  - Block F Proposed plans: 310 rev P2
  - Block F Proposed elevations: 311 rev P3
  - Block G Proposed plans: 312 rev P2
  - Block G Proposed elevations: 313 rev P3
  - Block H Proposed plans: 314 rev P3
  - Block H Proposed elevations: 315 rev P5
  - Block J Proposed plans: 316 rev P3
  - Block J Proposed elevations: 317 rev P4
  - Block J Proposed elevations: 318 rev P4

- Block K Proposed plans: 319 rev P3
- Block K Proposed elevations: 320 rev P6
- Block K Proposed elevations: 321 rev P6
- Block L Proposed plans: 322 rev P1
- Block L Proposed elevations: 323 rev P3
- Block M Proposed plans: 322 rev P1
- Block M Proposed elevations: 325 rev P1
- Block N Proposed plans: 326 rev P1
- Block N Proposed elevations: 327 rev P2
- Block P Proposed plans: 328 rev P3
- Block P Proposed elevations: 329 rev P4
- Block R Proposed plans: 330 rev P1
- Block R Proposed elevations: 331 rev P2
- Proposed Site Sections (sheet 1 of 2): 201 rev P8
- Proposed Site Sections (sheet 2 of 2): 202 rev P7
- Site section as proposed through adjoining properties in Steellands Rise (indicative): 50 P1
- Landscaping Masterplan (indicative): LLD1354-LAN-FIG-002 Rev 11
- Tree retention and protection plan: LLD1354-ARB-DWG-002 Rev 04
- Arboricultural Impact Assessment and Method statement: LLD1354-ARB-REP-001 Rev 03
- rgp Design – Drainage Strategy
- rgp Transport statement

The details relating to the access with Steellands Rise are not for consideration under the reserved matters application and the details indicated on the plans and drawings, including those relating to road alignment construction and trees, are not hereby approved.

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.

2. No above ground works shall commence until details of the following have been submitted and approved by the Local Planning Authority, and the development shall thereafter be completed in accordance with the approved details:
  - a) 1:10 scale drawings of proposed details of typical fenestration, eaves details, and porches. The proposed window design details shall comprise only opening and/or fixed casements to achieve a balanced and uniform window appearance that reflects the traditional style of window design in the High Weald.
  - b) Samples of the materials to be used in the construction of all external faces of the buildings, including the clay tiles to be used for the roof tiles and tile hanging. The external materials proposed for use in the development shall be of a type and quality that is appropriate to the special landscape character and appearance of the designated High Weald Area of Outstanding Natural Beauty (AONB).
  - c) The proposed site levels and finished floor levels of all buildings in relation to existing site levels, and to adjacent highways and properties (including levels of paths, drives, steps and ramps).

Reason: To ensure a high building appearance and architectural quality, which reflects the character of the town, in accordance with Policy EN3 of the Rother Local Plan Core Strategy and the National Planning Policy Framework.

3. No above ground works shall commence until the following public realm and hard landscaping details have been submitted and approved by the Local Planning Authority, and the development shall thereafter be carried out as approved and in accordance with an agreed implementation programme for the provision of such.
  - a) Hard surfacing materials (including footpaths, parking spaces, enclosure walls (relating to the parking courts and gardens etc.), and other areas of hard-standings and details of the colour of the approved section of coloured road surface.
  - b) Any street lighting including any other outside lighting, should this be required.
  - c) Full specification and details of play equipment proposed to the play area.  
Reason: To ensure the creation of a high quality public realm, design quality, and landscape setting, in accordance with Policies EN3 and EN1 of the Rother District Local Plan Core Strategy.
4. The boundary treatments (plot and other) and any other means of enclosure (fences, railings and walls) shall be provided in accordance with the approved plan (009 P16) prior to the dwellings being occupied.  
Reason: To ensure the creation of a high quality public realm, design quality, and landscape setting, in accordance with Policies EN3 and EN1 of the Rother District Local Plan Core Strategy.
5. The existing hedgerows and trees on and around the site shall be protected during the course of development in accordance with the measures set out in the arboricultural report and the approved tree retention and protection plan: LLD1354-ARB-DWG-002 Rev 04.  
Reason: To ensure the creation of a high quality public realm and landscape setting that protects the landscape and scenic quality of the High Weald AONB in accordance with Policies EN1 and EN3 of the Rother District Local Plan Core Strategy.
6. No above ground works shall commence until the following soft landscaping details based upon the indicative Landscaping Masterplan LLD1354-LAN-FIG-002 Rev 11 have been submitted for the consideration and approval of the Local Planning Authority, and the development shall thereafter be carried out as approved and in accordance with an agreed implementation programme:
  - a) planting plans, including landscape and ecological mitigation and buffer planting;
  - b) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
  - c) details for implementation, including written specifications for cultivation and;
  - d) other management operations associated with plant and grass soft landscape establishment.

A natural or indigenous approach shall be incorporated in particular to the planting and landscaping proposals relating to the open space in the northern part of the site and the green corridor to the west. The submitted details in relation to the green buffers shall incorporate hedge and tree planting within the 3m wide minimum strip along the eastern boundary, which shall be retained and shall not be incorporated within gardens.

Reason: To ensure the creation of a high quality public realm and landscape setting that enhances the landscape and scenic quality of the High Weald AONB in accordance with Policies EN1 and EN3 of the Rother District Local Plan Core Strategy.

7. 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 enhance the appearance of the development and the landscape of the High Weald AONB in accordance with Policies OSS4, EN1 and EN3 of the Rother Local Plan Core Strategy.
8. Prior to commencement of any below ground works in association with the development hereby approved, the following details in respect of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority (LLFA), and the development shall thereafter be completed and maintained in accordance with the approved details prior to the occupation of the dwellings:
- a) The details shall demonstrate surface water discharge rates not exceeding 3.1 l/s for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.
  - b) The detail design of the attenuation swale and how it connects into the ordinary watercourse shall be provided as part of the detailed design. This shall include the long section, cross sections and invert/cover levels.
  - c) The condition of the ordinary watercourse which will take surface water runoff from the development should be investigated before surface water is discharged. Any necessary improvements to the condition of the watercourse must be carried out prior to construction of the outfall.
  - d) The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
  - e) The detailed design of the attenuation swale shall be informed by findings of groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the ponds and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system shall be provided.
  - f) A maintenance and management plan for the entire drainage system shall be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:
    - i) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details.
    - ii) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.
  - g) The applicant shall detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or be incorporated into the Construction Management Plan for the development.

h) Prior to occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: A pre-commencement condition is required as the very nature of surface water drainage schemes can require works to be put in place prior to any other above ground development being undertaken. To control the quality and rate of run-off in relation to surface water drainage, thereby protecting water quality and reducing local flood risks in accordance with Policies SRM2 (iii) and EN7 (iii) of the Rother Local Plan Core Strategy and paragraphs 100 and 103 of the National Planning Policy Framework.

9. 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), with respect to the new dwellings identified as Plots 3, 4, 5, 6, 8, 9, 10 and 11 on the approved layout plan (drawing no. 23314\_003 rev P22) no additions or alterations to the eastern facing roof slopes (including dormers windows, other roof extensions, and roof lights) as defined within Classes B and C of Part 1 of Schedule 2 of the Order shall be carried out on the site, otherwise than in accordance with a planning permission granted by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in Steellands Rise in relation to perceived loss of privacy in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

10. No dwelling shall be occupied until the car parking spaces serving that dwelling have been constructed and provided in accordance with the approved plan Drawing No. 005 P04 and thereafter shall be retained for that use and shall not be used other than for the parking of motor vehicles. All parking spaces including visitor parking shall have been provided before the final dwelling is occupied.

Reason: To provide car-parking space for the development in accordance with Policy TR4 of the Rother Local Plan Core Strategy.

11. No dwelling shall be occupied until covered and secure cycle parking storage/spaces serving that dwelling have been provided in accordance with the approved plan Drawing No. 005 P04 and thereafter shall be retained for that use and shall not be used other than for the parking of cycles.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies including Policy TR3 of the Rother Local Plan Core Strategy.

12. Before occupation of the buildings hereby permitted commences, the refuse and recycling storage and collection point facilities shall be provided in accordance with the approved plans, Drawing No. 005 P04 and 015 P09 and thereafter retained, with all bins and containers available for use, maintained and replaced as need be.

Reason: To safeguard the residential and visual amenities of the locality in accordance with Policy OSS4 (ii) and (iii) of the Rother Local Plan Core Strategy.

13. Prior to the occupation of the dwellings or at such time that may alternatively have been agreed in writing with the local planning authority the public footpath Ticehurst 21 shall be diverted in accordance with a formal application that shall have been made under the Planning Act.

Note: To facilitate this it will be necessary for the applicant/developer to apply to East Sussex County Council (ESCC) Rights of Way Team for an order to be made under section 257 of the Town & Country Planning Act 1990. If it is necessary to prevent public access along the existing footpath on safety grounds during the construction phase, the applicant/developer should apply to ESCC Rights of Way Access team for a temporary path closure. The applicant/developer should provide a suitable alternative route for the public during any closure of the existing footpath.

Reason: to ensure that a satisfactory means of pedestrian access is maintained in accordance with RA2 (vi) and TR2 (iv) of the Core Strategy.

14. During any forms of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads

Reason: In the interests of highway safety and for the benefit and convenience of the public at large, and in accordance with Policies OSS4 and TR3 of the Rother Local Plan – Core Strategy.

#### NOTES:

1. Southern Water Services has indicated the presence of a public foul rising main crossing the site. The applicant/developer is advised that the exact position of foul rising main should be determined on site. No development or tree planting should be located within 3m of the centre line of the public sewer. Additionally there is a decommissioned foul rising main crossing the site. Southern Water has indicated that it would wish to be contacted by the applicant once the position of this has been established. The submitted drainage layout shows tanked permissible pavement over (adoptable) foul sewer which is not acceptable to Southern Water. The design of the drainage should ensure that no ground water or land drainage is to enter public sewers. No new soakaways, swales, ponds, watercourses etc. should be located within 5m of a public sewer.

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read Southern Water's New Connections Service Charging Arrangements document which has now been published and is available to read on Southern Water's website via the following link: <https://beta.southernwater.co.uk/infrastructure-charges>

2. The proposing to discharge surface water runoff to the adjacent ordinary watercourse will require Ordinary Watercourse Consent from the LLFA. If the applicant/agent wishes to discuss any of the points raised in condition 9 please contact the case officer on [SuDS@eastsussex.gov.uk](mailto:SuDS@eastsussex.gov.uk)
3. SGN Scotia Gas Networks Ltd: has advised that its records show the presence of pipes owned by SGN in its role as a Licensed Gas Transporter (GT) in the vicinity of the site. The exact position of the facility should be determined on site by the applicant/developer to ensure that there is no damage to the facility and in the interests of safety.



4. The development shall only be carried out in accordance with Construction Traffic Management Plan that has previously been approved under Condition 11 of the outline permission RR/2014/1652/P.

[View application/correspondence](#)

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**RR/2018/2725/P**

**TICEHURST Banky Field, Steellands Farm,  
Steellands Rise**

**Provision of pedestrian footpath from Steellands Rise  
(between Nos. 10 and 11) to connect with proposed  
residential development west of Steellands Rise**

**Statutory 8 week date: 17 December 2018**

This application was subject to public speaking.

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**DECISION: GRANT (FULL PLANNING)**

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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:  
Site Location Plan: Drawing No. 23314C\_001  
Proposed Site Plan: Drawing No. 23314\_003  
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 being brought in to use the footpath shall incorporate a barrier to prevent access by motor cycles, the details of which shall have been first submitted to and approved in writing by the Local Planning Authority. The barrier as approved shall be retained thereafter  
Reason: to prevent the use of the footpath by motor vehicles in the interests of highway safety and in accordance with Policy TR3 of the 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](#)

**Use of site for pit bike practice together with parking**

**Statutory 8 week date: 8 January 2019**

This application was subject to public speaking.

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**DECISION: GRANT (TEMPORARY PLANNING PERMISSION)**

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**CONDITIONS:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Sheet 001P dated 11/2018  
Sheet 002 (P) dated 11/2018  
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.
2. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 31 March 2020 in accordance with a scheme of work submitted to and approved by the Local Planning Authority.  
Reason: The use, if excessive, is potentially detrimental to the residential amenities of the surrounding area and the site is unsuitable for the specified use during the wet winter months. The restricted use provides a period of respite for both residents and the land itself maintaining the residential amenities of the area and affording some protection to the character and ecology of the local countryside, having regard to Policies OSS4(ii) & (iii) and EN1(v), (vii) & (viii) of the Rother Local Plan Core Strategy.
3. The site shall be used no more than one day per week, excluding Sundays, and shall not be used for more than 15 days per year or on more than two consecutive weekends. The use hereby permitted shall not occur outside the following times, 09:30 to 17:00 hrs, with use of the track not to occur outside the following times, 10:00 to 16:30 hrs.  
Reason: To restrict the use of the site and minimise levels of activity and disturbance to the surrounding area and thereby protect the local amenities of the area in accordance with Policies OSS4(ii) & (iii) and EN1(v), (vii) & (viii) of the Rother Local Plan Core Strategy.
4. The use hereby permitted shall be carried out only by UK Pit Bikes, in association with Mr J. Deeprise only.  
Reason: To ensure that the use is operated to a high standard, minimising the levels of activity and disturbance to the surrounding area and thereby protecting the local amenities of the area in accordance with Policy OSS4(ii) & (iii) of the Rother Local Plan Core Strategy.
5. Only 'CRF 70 pit bikes: 2 Stroke 85cc', and no other type of motor bike are to be used for racing at the site.

Reason: To restrict the use of the site and minimise noise levels and disturbance to the surrounding area and thereby protecting the local amenities of the area in accordance with Policy OSS4 (ii) & (iii) of the Rother Local Plan Core Strategy and paragraph 123 of the National Planning Policy Framework.

6. Every bike using the track shall be subject to exhaust muffler packing. The exhaust muffler packing of every bike shall be inspected prior to using the site for racing. If the packing is found to be damaged or worn it shall be replaced with new muffler packing before being permitted to race on the site. All inspections of exhausts and works undertaken shall be recorded in a log book for the site. This shall be made available to the Local Authority on request.

Reason: To safeguard the amenities of the area in accordance with Policies OSS4 (ii) and (iv) of the Rother District Local Plan Core Strategy.

7. All bikes queuing to use the track must keep engines off until signalled to enter on to the track by site marshalls.

Reason: To reduce the number of engines switched on and thus, noise levels, to safeguard the amenities of the area in accordance with Policies OSS4 (ii) and (iv) of the Rother District Local Plan Core Strategy.

8. The applicant shall maintain an up-to-date record of events held which shall include the date of the event, event hours, number of event participants and other attendees, types of bike used at the event and confirmation of the use of exhaust muffler packing on the bikes used. The applicant shall also notify the Local Planning Authority, in writing, of an event one week prior to the event being held.

Reason: To ensure that the development is not used in an unauthorised manner in the interest of neighbouring residential amenities in accordance with Policy OSS4 of the Rother Local Plan Core Strategy.

#### **NOTES:**

1. The applicant shall advise the Local Planning Authority of the proposed 2019 opening dates to facilitate monitoring of the proposed use.
2. The applicant is reminded to continue their existing traffic management measures directing the traffic to and from the site westwards along Coneyburrow Lane to its junction with Wartling Drive.
3. A noise impact assessment should be undertaken and submitted as part of any future application for planning permission at the site. Information regarding the expected sound levels and the effect on the sensitive receptors after mitigation would need to be provided. Before employing an Acoustic Consultant, the applicant should contact the Environmental Health Department for guidance.

**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 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.

**RR/2018/2666/P**

**BATTLE Land north of North Trade Road**

**Outline: Erection of 20 dwellings including seven affordable with access onto North Trade Road**

**Statutory 13 week date: 21 January 2019**

**Extension of time agreed to: 15 March 2019**

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**DECISION: GRANT (OUTLINE PLANNING) DELEGATED (SUBJECT TO A SECTION 106 PLANNING OBLIGATION RELATING TO:**

- **Provision of 35% affordable housing units and nomination rights (including 65% affordable rented).**
  - **Provision of and future management of the landscaping to the site including retention of boundary trees and replacement over time of conifers with native broadleaved trees.**
  - **Ecology mitigation and biodiversity improvements.**
  - **Off-site Highway works:**
    - **A new vehicular access into the site.**
    - **Footways alongside the access and continuing onto North Trade Road to be agreed.**
    - **Pedestrian crossing on North Trade Road close to site access to include dropped kerb and tactile paving.**
    - **Improvements to the bus stops on the north and south of the road as previously detailed.**
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**CONDITIONS:**

1. Approval of the details of layout, appearance, landscaping and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development commences on each phase of the development.  
Reason: In accordance with the requirements of Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010.
2. Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
Reason: In accordance with the requirements of Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010.
3. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be

approved, whichever is the later.

Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

5. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan: Drawing No. FD 18-1623-51-SK, submitted 15/2/2019

Proposed site access as existing position and shown on 'illustrative layout':

Drawing No. FD 18-1623-55-SK revised, submitted 15/2/2019

For the avoidance of doubt the 'illustrative layout' is not hereby approved.

Preliminary Ecological Appraisal by PJC Consultancy dated 13 April 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.

6. The following details shall be submitted pursuant to Condition 1 and the development shall thereafter be completed in accordance with the approved details:

a) 1:200 scale street-scene drawings, accurately reflecting site topography, and showing proposed buildings in context.

b) 1:50 drawings of all proposed buildings including details of all fenestration, eaves details, porches, dormers, roof-lights, chimneystacks, pipes, vents and utility meters and boxes.

c) Samples of the materials to be used in the construction of all external faces of the buildings.

d) The proposed site levels and finished floor levels of all buildings in relation to existing site levels, and to adjacent highways and properties (including levels of paths, drives, steps and ramps).

Reason: To ensure a high building appearance and architectural quality, in accordance with Policy EN3 of the Rother Local Plan Core Strategy and the National Planning Policy Framework.

7. The following public realm and hard landscaping details shall be submitted pursuant to Condition 1 and the development shall thereafter be carried out as approved and in accordance with an agreed implementation programme:

a) Proposed finished levels or contours.

b) Boundary treatments and other means of enclosure (fences, railings and walls) indicating the locations, design, height, materials of such.

c) Car-parking layouts.

d) Design of other vehicle and pedestrian access and circulation areas, (including street widths, pavements and cycle-ways where relevant, and other strategic public realm).

e) Footpaths, parking spaces and other areas of hard-standings, kerbs and tactile paving.

f) Street furniture, signage and lighting (if proposed), including proposed locations.

Reason: To ensure the creation of a high quality public realm, landscape setting, minimal impact upon retained trees and architectural quality in accordance with Policies EN3 and EN1 of the Rother District Local Plan Core Strategy.

8. The soft landscaping details to be submitted pursuant to Condition 1 shall include the following:

- 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) Design, layout and appearance of structural and amenity green space, including verges.
- c) Planting plans, including landscape and ecological mitigation (buffer planting and green buffers).
- d) Written specifications (including cultivation and other operations associated with plant and grass establishment).
- e) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- f) Details for implementation.

The development shall thereafter be carried out as approved and in accordance with an agreed implementation programme.

Reason: To ensure the creation of a high quality public realm and landscape setting that enhances the landscape and scenic quality of the High Weald AONB in accordance with Policies EN1 and EN3 of the Rother District Local Plan Core Strategy.

9. If within a period of five years from the date of occupation any retained tree, planted 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 enhance the appearance of the development and the landscape of the High Weald Area of Outstanding Natural Beauty (AONB) in accordance with Policies EN1 and EN3 of the Rother Local Plan Core Strategy.

10. Prior to the occupation of the development, a landscape management plan, including management responsibilities and maintenance schedules for the communal hard and soft landscape/open space areas, including any street furniture and minor artefacts therein, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: To ensure a high quality public realm taking account of the characteristics of the locality and enhancing the landscape character and quality of the High Weald AONB in accordance with Policies OSS4 (iii), EN1 and EN3 (ii) (e) of the Rother Local Plan Core Strategy.

11. No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

12. No part of the development shall be first occupied until visibility splays of 2.4m by 99.3m to the east and 2.4m by 119.6m to the west have been provided at the proposed site vehicular access onto North Trade Road in accordance with the approved plans. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

13. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
- a) the anticipated number, frequency and types of vehicles used during construction;
  - b) the method of access and egress and routeing of vehicles during construction;
  - c) the parking of vehicles by site operatives and visitors;
  - d) the loading and unloading of plant, materials and waste;
  - e) the storage of plant and materials used in construction of the development;
  - f) the erection and maintenance of security hoarding;
  - g) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
  - h) details of public engagement both prior to and during construction works.
- Reason: In the interests of highway safety and the amenities of the area in accordance with Policies OSS4 (ii) and TR3 of the Rother Local Plan Core Strategy.
14. No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework. A pre-commencement condition is necessary to avoid disturbance and damage to any below-ground archaeology during initial groundwork.
15. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 18 to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.
- Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
16. Within the details required under condition 1, the following details in respect of a surface water drainage scheme, to discharge northwards and not southwards into the Combe Haven Hydrological Catchment area, shall be submitted for the consideration and subsequent approval of the Local Planning Authority in consultation with the Lead Local Flood Authority, and the development shall thereafter be completed and maintained in accordance with the approved details:
- a) An additional ground investigation should be undertaken, to confirm infiltration rates and groundwater levels. This should include soakage testing in accordance with the BRE365 (2016 publication) and groundwater monitoring between autumn and spring. Infiltration testing

should be carried out at the same depth and location of any proposed soakaways.

- b) The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
- c) A maintenance and management plan for the entire drainage system should be submitted to the Local Planning Authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:
  - a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details.
  - b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.
- d) The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.
- e) Prior to the occupation of the development, provide evidence (including photographs) showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: The very nature of surface water drainage schemes can require works to be put in place prior to any other above ground development being undertaken and it is thus an integral part of the development which should inform the layout and design of the proposals. A scheme is required to control the quality and rate of run-off in relation to surface water drainage thereby protecting water quality and reducing local flood risks in accordance with Policies SRM2 (iii) and EN7 (iii) of the Rother Local Plan Core Strategy, Policy DEN5 of the Development and Site Allocations Local Plan Submission 2018 and paragraphs 100 and 103 of the National Planning Policy Framework with accompanying ministerial statement of December 2014.

17. Within the details required under Condition 1, a scheme for the provision of foul water drainage works shall be submitted for the consideration and subsequent approval of the Local Planning Authority in consultation with Southern Water and none of the dwellings shall be occupied until the drainage works to serve the development have been provided in accordance with the approved details.

Reason: These details are integral to the whole development and are therefore required as part of the design and layout for the site and prior to commencement of works to prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the surface water drainage system in accordance with Policies SRM2 (iii) and EN7 (iii) of the Rother Local Plan Core Strategy and paragraphs 100 and 103 of the National Planning Policy Framework with accompanying ministerial statement of December 2014.

18. No development shall commence until an ecological design strategy (EDS) addressing method of site clearance, construction and enhancement of the site for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:
- a) purpose and conservation objectives for the proposed works;
  - b) review of site potential and constraints;
  - c) detailed design(s) and/or working method(s) to achieve stated objectives;



- d) extent and location/area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) the persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures; and
- j) details for disposal of any wastes arising from the works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: A pre-commencement condition is required to enable the Local Planning Authority to properly ensure the protection of protected species identified by EU & UK Wildlife Protection Legislation and the UK Biodiversity Action Plan in accordance with Policy EN5(ii), (v) and (viii) of the Rother Local Plan Core Strategy.

19. Within the details required under Condition 1, proposals for the siting and form of bins for the storage and recycling of refuse within the site (internally or externally), and a collection point, shall be submitted for the consideration and subsequent approval of the Local Planning Authority. The approved details shall be implemented prior to the occupation of any dwellings and thereafter continued, with all bins and containers available for use, maintained and replaced as need be.

Reason: In the interests of providing sustainable development and protect and safeguard the residential and visual amenities of the locality in accordance with Policy OSS4 (i), (ii) and (iii) of the Rother Local Plan Core Strategy.

#### **NOTES:**

1. This permission is the subject of an obligation under section 106 of the Town and Country Planning Act 1990.
2. The applicant/developer is advised that the submitted illustrative layout is not approved. Specific concerns are raised in respect of plots 1-4 and 13 which are not considered acceptable in terms of their layout, relationship with the access road serving the Beech Estate industrial units and parking arrangements. Proximity with trees also needs to be addressed.
3. The East Sussex County Council (ESCC) Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards
4. The ESCC Highway Authority's requirements associated with this development proposal will need to be secured through a section 106/278 Legal Agreement between the applicant and ESCC.
5. The proposed development will be subject to the Community Infrastructure Levy (CIL) at the reserved matters stage.
6. Southern Water has indicated that an application for connection to the public sewer is required.

**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/2018/1934/P**

**BATTLE 25 Tollgates, Martlets**

**Erection of four detached chalet bungalows, access and parking**

**Statutory 8 week date: 6 February 2019**

**Extension of time agreed to: 21 March 2019**

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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. 18.02.p.010 revision G dated 09.10.2018  
Drawing No. 18.02.p.011 revision G dated 06.10.2018  
Drawing No. 18.02.P.400 revision A dated 05.07.2018  
Drawing No. 18.02.P.200 revision A dated 05.07.2018  
Drawing No. 18.02.P.210 revision A dated 05.07.2018  
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 shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.  
Reason: A pre-commencement condition is required due to the risk that excavation work poses to any archaeological remains that may be present. Compliance with the condition will ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with Policy EN2 (vi) of the Rother Local Plan Core Strategy.

4. No development shall commence until details of a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and Southern Water. The approved surface water drainage scheme shall be completed in accordance with the approved details before the first occupation of any of the dwellings hereby permitted.  
Reason: A pre-commencement condition is required as the very nature of surface water drainage schemes can require works to be put in place prior to any other above ground development being undertaken. To control the quality and rate of run-off in relation to surface water drainage thereby protecting water quality and reducing local flood risks in accordance with Policies SRM2 (iii) and EN7 (iii) of the Rother Local Plan Core Strategy.
5. No development above ground level shall take place until samples or additional details of the materials, to include clay roof tiles, 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 preserve the visual amenities of the area in accordance with Policies OSS4 (iii), EN1 (i) and EN3 of the Rother Local Plan Core Strategy.
6. The development shall not be occupied until the parking and turning area have been provided in accordance with the approved plans, Drawing Nos. 18.02.p.010 revision G dated 09.10.2018 and 18.02.p.011 revision G dated 06.10.2018, 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 Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.
7. No development above ground level shall take place until the hard and soft landscaping details for that part of the site, including the proposed boundary treatments, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.  
Reason: To protect the character and appearance of the locality in accordance with Policy OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy.
8. Within three months of the completion of any archaeological investigations, a written record of any archaeological works undertaken shall be submitted to and approved in writing by the Local Planning Authority, unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.  
Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with Policy EN2 (vi) of the Rother Local Plan Core Strategy.
9. If within a period of five years from the date of the planting of any tree or plant that tree or plant, or any tree or plant 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 or plant 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 preserve the visual amenities of the area in accordance with Policies OSS4 (iii), EN1 (i) and EN3 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 fences, gates or walls, or structures of any kind, shall be erected on the southern boundary of the application site.

Reason: To safeguard the character and appearance of the locality and the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty in accordance with Policy OSS4(iii), BA1(i), EN1(i) and EN3 of the Rother District 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 <http://www.rother.gov.uk/CIL> for further information and the charging schedule.
2. A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please also read Southern Water's New Connections Services Charging Arrangements documents which has now been published and is available to read on their website via the following link: <https://beta.southernwater.co.uk/infrastructure-charges>.
3. 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.
4. 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.
5. 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.

**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.

[View application/correspondence](#)

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**RR/2019/222/P**

**BATTLE Oaklea – Land adjoining, Marley Lane**

**Formation of vehicular access and drive to serve Oaklea**

**Statutory 8 week date: 28 March 2019**

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**DECISION: WITHDRAWN**

[View application/correspondence](#)

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**RR/2018/2480/P**

**PEASMARSH Oast Cottage, Main Street**

**Demolition of one detached dwelling and the construction of 2 No. 3 bedroom semi-detached dwellings with integral carports with associated access, parking and landscaping**

**Statutory 8 week date: 2 January 2019**

**Extension of time agreed to: 20 March 2019**

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**DECISION: REFUSE (PLANNING PERMISSION)**

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**REASON FOR REFUSAL:**

1. The proposed development would be harmful to the character and appearance of the area, arising from the unjustified loss of Oast Cottage (a non-designated heritage asset) – which is typical of vernacular buildings of the period and the local area and makes a significant contribution to the character and cultural history of Peasmarsh – and its replacement with a development that would not respect the established and more spacious pattern of development in Main Street, would introduce a significant area of hardstanding in front of the houses, which would increase the extent of harsh, suburbanising features in this part of the village, and includes box fascias and bargeboards, which would fail to reflect the materials used in either the houses immediately to the north-west, or the surrounding traditional buildings. The proposal would be contrary to Policy EN2 (iii) of the Rother Local Plan Core Strategy 2014, which seeks to protect the historic built environment,

including non-statutorily protected heritage assets and preserve locally distinctive vernacular buildings. In terms of the National Planning Policy Framework, the proposal would conflict with paragraph 184, which seeks to conserve heritage assets in a manner appropriate to their significance. The scheme would also fail to comply with Policies OSS4 (iii), RA1 (i) and EN3 of the Rother Local Plan Core Strategy 2014, and Policy DHG12 (ii) of the emerging Development and Site Allocations Local Plan, which require development to be of high quality and to make a positive contribution to the character of the district's villages. In terms of the National Planning Policy Framework, the proposal would conflict with paragraphs 122 and 127, which amongst other things, seek to maintain an area's prevailing character and setting.

**NOTE:**

1. This refusal of planning permission relates to the following drawings:  
No. 027-02-01 (EXISTING SITE LOCATION PLAN) dated JUNE 2018  
No. 027-02-03 (PROPOSED SITE LOCATION PLAN) dated JUNE 2018  
No. 027-02-04 Rev A (PROPOSED SITE PLAN) dated Dec 2018  
No. 027-02-05 Rev A (PROPOSED FLOOR PLANS) dated JUNE 2018  
No. 027-02-06 Rev A (ROOF PLAN & SECTIONS) dated JUNE 2018  
No. 027-02-07 Rev A (PROPOSED ELEVATIONS) dated June 2018  
No. 027-02-08 Rev A (PROPOSED & EXISTING STREET SCENE) dated June 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 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/2018/2801/P**

**BEXHILL Bexhill Cemetery, Turkey Road**

**New entrance (opposite The Ridings) with associated drainage and landscaping**

**Statutory 8 week date: 21 March 2019**

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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 Nos. E11073/01/B; E11073/04/A and E11073/05/A, dated 19.11.18 and E11073/02/C, E11073/03/B, dated 7.12.18, 7855/103/A, dated 06.03.2019.  
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 works or development shall commence until details of how the trees proposed to be retained on the approved Drawing Ref: E11073/03/B, dated 07.12.18 will be protected in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations have been submitted to and approved in writing by the Local Planning Authority and the paragraphs below shall thereafter be complied with. Paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the first use of the access hereby approved.
- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
  - b) If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
  - c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
  - d) No fire shall be lit within 10m from the outside of the crown spread of any tree which is to be retained.
  - e) No equipment, machinery or structure shall be attached to or supported by a retained tree.
  - f) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.
- No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the Local Planning Authority.  
Reason: Full details of tree protection are required prior to commencement of the development to ensure that the retained trees are not damaged or otherwise adversely affected by building operations and soil compaction in accordance with Policies OSS4 (iii) and EN3 (ii)(e) of the Rother Local Plan Core Strategy.
4. The access hereby approved shall not be used until the existing access onto Turkey Road/St Mary's Lane has been physically closed to vehicles (but not pedestrians and cyclists) and the kerb and footway reinstated in accordance with plans and details first submitted to and approved in writing by the Local



Planning Authority. Thereafter the closed access shall not be re-opened to vehicles.

Reason: The new access is provided only as an alternative vehicular access to that existing and in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

5. The access hereby approved shall not be used until visibility splays of 2.4m by 43m and road widening have been provided at the proposed site vehicular access onto St Mary's Lane in accordance with the approved plan (7855/103/A, dated 06.03.2019). Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

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.

6. The access hereby approved shall not be used until details of proposed tree planting either side of the access hereby approved has been submitted and approved in writing by the Local Planning Authority. The details shall include the quantity, size, species, and positions of all trees to be planted and the proposed time of planting in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations. The details shall also include a schedule of maintenance of the trees until successfully established. The schedule shall include provision for replacement planting should establishment fail, such measures having regard to BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations.

Reason: To enhance the appearance of the development in accordance with Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy.

**NOTE:**

1. The applicant will be required to enter into a Section 278 legal agreement with East Sussex County Council, as Highway Authority, for the off-site highway works. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

**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](#)



**DECISION: GRANT (PLANNING PERMISSION)**

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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:  
Block Plan and Drawings submitted with application RR/2018/3036/P received on the 4 December 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

**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/2019/109/P**

**BEXHILL Finance Building, Town Hall – adjacent to, Amherst Road**

**Erection of new lift lobby extension and ramp to the rear of the finance building**

**Statutory 8 week date: 15 March 2019**

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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. E11103/01 dated 21.12.18  
Drawing No. E11103/02 dated 21.12.18  
Drawing No. E11103/03 dated 21.12.18  
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 materials to be used in the construction of the development hereby permitted shall be as described within the application, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To maintain the visual amenities of the surrounding area in accordance with Policies OSS4 (iii) 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/2018/3046/P**

**BECKLEY Knelle Dower, Rye Road, Beckley**

**Erection of a two storey extension to form a dining/family room with bedroom and bathroom over**

**RR/2018/3047/L**

**BECKLEY Knelle Dower, Rye Road, Beckley**

**Erection of two storey extension to form dining/family room with bedroom and bathroom above**

**Statutory 8 week date: 31 January 2019**  
**Extension of time agreed to: 19 March 2019**

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**DECISION: (RR/2018/3046/P) 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:  
Drawing No. R/XIX/IV 'A', dated 2004.  
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 shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within three months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.  
Reason: A pre-commencement condition is required to ensure that the archaeological and historical interest of the site below ground is safeguarded and recorded to comply with the National Planning Policy Framework and Policy EN2 (vi) of the Rother Local Plan Core Strategy.

**NOTE:**

1. The applicant's attention is drawn to the corresponding listed building consent RR/2018/3047/L.

**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 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.

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**DECISION: (RR/2018/3047/L) GRANT LISTED BUILDING CONSENT**

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1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.  
Reason: In accordance with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The works hereby permitted shall be carried out in accordance with the following approved plans:  
Drawing No. R/XIX/IV 'A', dated 2004.  
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 any development is commenced details of any proposed alterations or cutting to the historic roof structure or other structural timbers shall be submitted to and be subject to the approval of the Local Planning Authority and the work shall be carried out in accordance with the approved details.  
Reason: This pre-commencement condition is required to ensure that special regard is paid in the interests of protecting the special architectural and historic character and detailing of the listed building in accordance with Policy EN2 (iii) of the Rother Local Plan Core Strategy and paragraph 193 of the National Planning Policy Framework.
4. Before any development takes place details of windows and doors drawn to a scale of not less than 1:5 shall be submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.  
Reason: This pre-commencement condition is required to ensure that special regard is paid in the interests of protecting the special architectural and historic character and detailing of the listed building in accordance with Policy EN2 (iii) of the Rother Local Plan Core Strategy and paragraph 193 of the National Planning Policy Framework.
5. Before any development takes place a comprehensive schedule of all proposed internal and external materials and finishes to be submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.  
Reason: This pre-commencement condition is required to ensure that special regard is paid in the interests of protecting the special architectural and historic character and detailing of the listed building in accordance with Policy EN2 (iii) of the Rother Local Plan Core Strategy and paragraph 193 of the National Planning Policy Framework.
6. Before commencement of any external building works/alterations or repairs as hereby approved, full details including drawings to identify the areas to be rendered/re-rendered, the render mix, detailed method of application, and proposed finished colour are to be submitted to and approved in writing by the Local Planning Authority and the development thereafter is to be carried out in accordance with the approved details.  
Reason: This pre-commencement condition is required to ensure that special regard is paid in the interests of protecting the special architectural and historic character and detailing of the listed building in accordance with Policy EN2 (iii) of the Rother Local Plan Core Strategy and paragraph 193 of the National Planning Policy Framework.
7. Before any demolition commences as hereby approved, details of measures to be taken to safeguard those parts of the building shown to be retained on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be fully implemented and retained for the period of any demolition or construction works.  
Reason: This pre-commencement condition is required to ensure that special regard is paid in the interests of protecting the special architectural and historic character and detailing of the listed building in accordance with Policy EN2 (iii) of the Rother Local Plan Core Strategy and paragraph 193 of the National Planning Policy Framework.

8. No works shall be carried out until the following details have been submitted to and approved in writing by the Local Planning Authority and the works thereafter shall be carried out in accordance with the approved details:
- a) Details of the flexible joint to be provided between the proposed new structure and the existing listed building.
  - b) 1:10 scale drawings illustrating proposed eaves and ridge detailing, indicating the provision of eaves and ridge level ventilation and the specification of any roofing felt and insulation where proposed.
  - c) Details of all proposed external flues and vents, including their method of fixing and interface with the existing structure.
  - d) Details of all rainwater goods and other external pipework, drawn to a scale of 1:5, indicating section sizes and profiles.

Reason: This pre-commencement condition is required to ensure that special regard is paid in the interests of protecting the special architectural and historic character and detailing of the listed building in accordance with Policy EN2 (iii) of the Rother Local Plan Core Strategy and paragraph 193 of the National Planning Policy Framework.

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