

**PLANNING COMMITTEE**

10 October 2019

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 10 October 2019 at 9:30am.

Committee Members present: Councillors J. Vine-Hall (Chairman), S.M. Prochak (Vice-Chairman), Mrs M.L. Barnes, S.J. Coleman, G.C. Curtis, K.P. Dixon (substitute), Mrs D.C. Earl-Williams, S.J. Errington, A.E. Ganly, L.M. Langlands, G.F. Stevens and R.B. Thomas.

Other Members present: Councillors J.J. Carroll (in part), Mrs V. Cook, B.J. Drayson (in part), K.M. Field (in part), C.A. Madeley and D.B. Oliver.

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

Also Present: 1 member of press and 15 members of public.

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PL19/62. **MINUTES**

(1)

Subject to the following addition in respect of RR/2019/920/T – Fairlight – Toronto, Warren Road, the Chairman was authorised to sign the Minutes of the meeting held on 12 September 2019:

“It was noted at the commencement of this item that Councillor Prochak had called in this planning application to the Planning Committee and not Councillor Mier as stated in the Agenda”, be added as the second paragraph.

PL19/63. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

(2)

Apologies for absence were received from Councillors T.J.C. Byrne (Chairman of the Council), J.M. Johnson, A.S. Mier and H.L. Timpe.

It was noted that Councillor K.P. Dixon was present as substitute for Councillor A.S. Mier.

PL19/64. **DISCLOSURE OF INTEREST**

(5)

Declarations of interest were made by Councillors in the Minutes as indicated below:

K.P. Dixon	Agenda Item 7 (RR/2018/2790/P) – Personal and Prejudicial in so far as he was the Council’s appointed representative and Director of Sea Change Sussex.
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J. Vine-Hall                      Agenda Item 8 (RR/2019/604/P) – Personal in so far as he owned a property in Knights Meadow adjacent but not directly adjoining the site.

PL19/65.                      **PLANNING APPLICATIONS - INDEX**

(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 detailed below.

PL19/66.                      **RR/2018/2790/P - BEXHILL - BUCKHOLT LANE - LAND AT**

(7)

**DECISION: REFUSE (RESERVED MATTERS)**

**REASONS FOR REFUSAL:**

1. The application fails to comply with Condition 8 of the outline planning permission as it does not relate to an agreed first phase and as such is contrary to adopted Policy BX3 of the Rother District Local Plan (2006), the North East Bexhill Supplementary Planning

Document and Policies OSS4, SRM2, EN1, EN3, EN5 and TR4 of the Rother Local Plan Core Strategy and Policies DEN1, DEN4, DEN5 and BEX1 of the submitted Development and Site Allocations Local Plan.

2. The application has been submitted in the absence of an acceptable, policy compliant and robust masterplan relating to the entire policy area and as such the opportunity for such a masterplan to inform the design process and strategic layout has been lost. The application scheme does not propose an appropriate response to context, topography and landscape and is devoid of place-making qualities. The road layout and internal site circulation; significant tree and hedgerow loss; insufficient new structural landscaping, both as buffer and as green space within the development; building layout and cramped development dominated by hard landscaping; all combine to create an unacceptably poor approach to site planning. It does not deliver a place-specific, landscape-led, rural business park with a high quality design and place-making vision at its heart and falls well short of the Supplementary Planning Document and North East Bexhill Design Study objective of an exemplary innovative new type of 'eco-business park' based on sustainable design principles (both site-strategy and buildings) of respecting and responding positively to existing landscape and wildlife features, habitats, and ecology systems. Furthermore, the proposal displays little consideration of how the road and buildings of this application will affect the creation of spaces by future applications, and with pedestrian and cycle linkways seemingly unplanned outside of the reserved matters application site. As such this first reserved matters proposal is contrary to adopted Policy BX3 of the Rother District Local Plan (2006), the North East Bexhill Supplementary Planning Document and Policies OSS4, SRM2, EN1, EN3, EN5, TR3 and TR4 of the Rother Local Plan Core Strategy and Policies DEN1, DEN4, DEN5 and BEX1 of the submitted Development and Site Allocations Local Plan.
3. The application would lead to the loss of significant, protected trees, along with hedgerows and this, together with the minimal width of planting proposed alongside the North Bexhill Access Road (Combe Haven Avenue), would lead to development which would unacceptably erode the landscape character of the site and reduce its biodiversity. In this respect, the proposal would be contrary to adopted Policy BX3 of the Rother District Local Plan (2006), the North East Bexhill Supplementary Planning Document and Policies OSS4, EN1, EN3, EN5, TR3 and TR4 of the Rother Local Plan Core Strategy and Policies DEN1, DEN4 and BEX1 of the submitted Development and Site Allocations Local Plan.
4. Biodiversity has not been adequately considered on a site-wide basis and as a result, this first reserved matters application fails to mitigate for its impacts on biodiversity and to provide appropriate compensation and enhancement. As such, the proposal is contrary to adopted Policy BX3 of the Rother District Local Plan (2006), the North East Bexhill Supplementary Planning Document and Policies

OSS4 and EN5 of the Rother Local Plan Core Strategy and Policies DEN4 and BEX1 of the submitted Development and Site Allocations Local Plan.

5. The surface water drainage proposals do not appear to have taken into account the strategic drainage requirements of the entire site. It is not clear whether surface water runoff will be managed appropriately and this leads to an unacceptable flood risk. In addition, permeable paving is not proposed. This places greater reliance on underground storage tanks and removes a water treatment stage which had previously been proposed and this reduces the water quality improvement to the surface water runoff on site and potentially, to the Combe Haven Site of Special Scientific Interest. As such the proposals fail to comply with Policies SRM2 and EN7 of the Rother Local Plan Core Strategy and Policies DEN5 and BEX1 of the submitted Development and Site Allocations Local Plan.
6. The proposed diversion to Buckholt Lane would erode this existing route for non-motorised users and particularly for horse riders and not meet the policy requirement to create attractive pedestrian and cycle routes to the various developments coming forward in North Bexhill with the existing Bexhill Hastings Link Road and the Combe Valley Countryside Park. As such this first reserved matters proposal is contrary to adopted Policy BX3 of the Rother District Local Plan (2006), the North East Bexhill Supplementary Planning Document and Policies TR3 and TR4 of the Rother Local Plan Core Strategy and Policies DEN4 and BEX1 of the submitted Development and Site Allocations Local Plan.

**NOTE:**

1. This refusal of reserved matters relates to the following drawings:  
2217/P100.1  
2217/P101-118  
2217/P201-204  
2217/P214  
2217/P221-224  
2217/P231-234  
2217/P241-244  
2217/P251-254  
2217/P261-264  
2217/P271-274  
2217/P81

**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 discussing those with the Applicant. However, it has not been possible to resolve them. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

(Councillor Dixon declared a personal and prejudicial interest in this matter in so far as he was the Council's appointed representative and Director of Sea Change Sussex and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof, spoke on the application but did not vote).

PL19/67.

**RR/2019/604/P - BATTLE - BLACKFRIARS - LAND AT**

(8)

**DECISION: GRANT (FULL/OUTLINE PLANNING) DELEGATED SUBJECT TO COMPLETION OF A SECTION 106 AGREEMENT FOR PROVISION OF AFFORDABLE HOUSING, LANDSCAPE / ECOLOGY WORKS AND MAINTENANCE, LOCAL EMPLOYMENT AND SKILLS PLAN AND HIGHWAY WORKS.**

**In the event that the Agreement is not completed by 10 April 2020, that permission be refused for the applicant not entering into an agreement to secure the above, contrary to the relevant policies, unless an extension of time has been agreed by the Head of Service Strategy and Planning (or delegated substitute).**

**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.

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. Subject to the details required by Condition 1, the development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

23817A/01, dated March 2019  
23817A/02 rev.B, dated March 2019  
7500-304 rev.C, dated 15/08/2019  
Ecological Impact Assessment by The Ecology Consultancy, dated 16/06/2019  
Arboricultural Impact Assessment, by The Ecology Consultancy, dated 03/06/2019  
Transport Assessment by GTA Civils dated March 2019 and Addendum dated 15 April 2019  
6004/500, dated January 2019  
6004/501 rev.B, dated 02.04.2019  
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.

6. The number of dwellings permitted within the site as defined by this outline planning permission shall not exceed 220.  
Reason: To ensure a properly planned development in accordance with the application and Policy BT2 of the Rother District Local Plan.
  
7. The new spine road and site access points from The Spinney in the south and Harrier Lane in the north, shall be in the position shown on Drawing No. 7500-304 rev. C, dated 15/08/2019 and Drawing Nos. 6004/500, dated January 2019 and 6004/501 rev.B, dated 02.04.2019. The spine road shall be designed and constructed in accordance with details to be agreed under Conditions 8 and 10 of this permission, to a standard approved by the Local Planning Authority in accordance with Highway Authority's standards with a view to its subsequent adoption as publicly maintained highway.  
Reason: To ensure the safety of persons and vehicles entering and leaving the access points and proceeding along the highway in accordance with Policy TR3 and CO6 of the Rother Local Plan Core Strategy.
  
8. Prior to the commencement of development on site in respect of the spine road, (excluding the access points onto The Spinney and Harrier Lane as approved by Drawing Nos. 6004/500, dated January 2019 and 6004/501 rev.B, dated 02.04.2019 respectively), detailed drawings, including levels, sections and constructional details of the proposed road and internal connections to it, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The detailed road designs shall include an indication of the location of 'events' along and within the road, incorporating Manual for Streets place-making principles. The road shall be constructed in accordance with the approved details.  
Reason: A pre-commencement condition is required to ensure that it meets highway standards and in the interests of highway safety and for the benefit and convenience of the public and to present a quality design and place in accordance with Policy BT2 of the Rother District Local Plan 2006 and Policies EN3, TR3 and CO6 of the Rother Local Plan Core Strategy.

9. The street lighting proposed pursuant to Condition 8 shall follow a “lighting design strategy for biodiversity” that itself shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
  - a) identify those areas/features on site that are particularly sensitive for dormice, bats and badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: A pre-commencement condition is required as many species active at night (e.g. bats and badgers) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation and would conflict with Policies EN5 of the Rother Local Plan Core Strategy and DEN4 of the Development and Sites Allocations Local Plan.

10. Prior to commencement of development of the spine road, and notwithstanding the footway location details on approved Drawing No. 7500-304 rev.C, dated 15/08/2019, details of pedestrian facilities (footways and crossings) supported by a Road Safety Audit and other documentation as necessary shall be submitted to and agreed by the Local Planning Authority, in consultation with the Highway Authority and shall include facilities along the new road and the connections to it and shall be built and maintained to current standards, unless otherwise agreed. The footways are to be designed into the landscape and layout of the development and not simply form part of the road itself, i.e. the majority are not to be located immediately adjacent to the roadway itself, but instead be separated from the vehicular route by grass verges.

Reason: A pre-commencement condition is required to ensure that highway standards are maintained, that the public footpath is incorporated and is to remain accessible and in the interests of highway safety and for the benefit and convenience of the public and to present a quality design and place in accordance with Policy BT2 of the Rother District Local Plan 2006 and Policies EN3, TR3 and CO6 of the Rother Local Plan Core Strategy.

11. No development shall commence on any part of the site until details of the proposed means of foul disposal and a sustainable surface water system relating to that part of the site, including its future

maintenance and management, have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water and the Lead Local Flood Authority. The development shall only be carried out in accordance with the approved details.

Reason: A pre-commencement condition is required to ensure that the drainage infrastructure carried out in the initial stages of the development will not increase the risk of flooding, will improve and protect water quality, and ensure future maintenance of the sustainable surface water drainage system in accordance with Policy SRM2 of the Rother Local Plan Core Strategy.

12. No development shall take place on any part of the site, including any ground works, vegetation clearance or works of demolition, until a Construction & Environmental Management Plan (CEMP: Biodiversity) for that part of the site 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 routing of vehicles during construction;
  - c) the parking of vehicles by site operatives and visitors (including location and capacity);
  - 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);
  - h) details of public engagement both prior to and during construction works;
  - i) unless alternative times are specifically agreed in writing construction activities associated with the development hereby permitted shall not be carried out other than between the hours of 08:00 and 18:00 hours on Mondays to Fridays inclusive and 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank and Public Holidays;
  - j) measures to manage flood risk, both on and off the site, during the construction phase;
  - k) risk assessment of potentially environmental damaging construction activities and practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - l) identification of "biodiversity protection zones";
  - m) the location and timing of sensitive works to avoid harm to biodiversity features and the times during construction when specialist ecologists need to be present on site to oversee works;

- n) responsible persons and lines of communication and the role and responsibilities on site of an Ecological Clerk of Works or similarly competent person; and
- o) use of protective fences, exclusion barriers and warning signs.

Reason: A pre commencement condition is required from the outset because the works need to be managed in all stages of construction to maintain the safety of all road users and so as not to unreasonably harm the amenities of adjoining properties and in the interests of highway safety, and to enable the Local Planning Authority to properly ensure the protection of rare and protected species identified by EU & UK Wildlife Protection Legislation and the UK Biodiversity Action Plan having regard to Policies OSS4, EN1, EN5, TR3 and CO6 of the Rother Local Plan Core Strategy, and Policies DEN1, 2 and 4 of the Development and Sites Allocations Local Plan.

13. Prior to the commencement of development, an Ecological Design Strategy (EDS) addressing mitigation and compensation for habitats and species, restoration of degraded habitats and enhancements to increase the biodiversity value of the site 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) 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 the disposal if 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 rare and protected species identified by EU & UK Wildlife Protection Legislation and the UK Biodiversity Action Plan and to ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, in accordance with the requirements of the National Planning Policy Framework and Policies EN1 and EN5 of the Rother Local Plan Core Strategy and Policies DEN1, 2 and 4 of the Development and Sites Allocations Local Plan.

14. No development shall take place (including any demolition, ground works, site clearance) until a method statement for the protection, rescue and translocation of protected species has been submitted to and approved in writing by the Local Planning Authority for each

phase of development. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant); and
- g) disposal of any wastes arising from the works.

The works shall be carried out in accordance with the approved details for each phase of the development and shall be retained in that manner thereafter.

Reason: a pre-commencement condition is required to protect habitats and species identified in the ecological surveys from adverse impacts during construction Policies EN1 and EN5 of the Rother Local Plan Core Strategy and Policies DEN1, 2 and 4 of the Development and Sites Allocations Local Plan.

15. No development shall commence until details for the protection of existing trees and hedgerows on the site have been submitted to and approved in writing by the Local Planning Authority. The details shall include indications of all existing trees and hedgerows on the land including details of those to be retained, together with a scheme for protection, which shall include protective fencing. The approved scheme shall be put in place prior to the commencement of any 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.

Reason: The site contains trees and hedgerows which contribute to the character of the area and should be conserved to ensure that the development is integrated within the landscape of the High Weald Area of Outstanding Natural Beauty. The commencement of any groundworks could potentially impact on trees and hedgerows and pre-commencement measures therefore need to be put in place to ensure that protected trees/hedgerows remain in situ as agreed and with measures in accordance with the British Standard and to accord with Policies OSS4 (iii) and EN1 of the Rother Local Plan Core Strategy.

16. No development shall commence on any part of the site until the applicant has secured the implementation of a programme of archaeological works for that part of the site, 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 to ensure that the archaeological and historical interest of the site is safeguarded

and recorded to comply with the National Planning Policy Framework and in accordance with Policy EN2 (vi) of the Rother Local Plan Core Strategy.

17. Prior to the commencement of development and subsequent to an approved archaeological site investigation a construction method statement to show the preservation in-situ of significant archaeological remains shall be submitted to and approved in writing by the Local Planning Authority and works shall be completed in accordance with the approved details.

Reason: A pre-commencement condition is required to ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and in accordance with Policy EN2 (vi) of the Rother Local Plan Core Strategy.

### **Reserved Matters Submissions**

18. Pursuant to Condition 1, 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) 1:200 scale streetscene drawings, accurately reflecting site topography, showing proposed buildings in context;
- b) 1:50 drawings of all proposed buildings including details of all fenestration, eaves details, porches, dormers, rooflights, 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);
- e) details of pedestrian and cycle links to the surrounding area including Battle Station, and proposed measures to seek to deliver such links.

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.

19. Pursuant to Condition 1, no above ground works shall commence until details of pedestrian and cycle links to the surrounding area including Battle Station, and proposed measures to seek to deliver such links, including programme, have been submitted and approved by the Local Planning Authority, and the development shall thereafter be completed in accordance with the approved details.

Reason: To achieve a well-connected, accessible development in accordance with Policies BT2, EN3, and TR3 of the Rother Local Plan Core Strategy and the National Planning Policy Framework.

20. Pursuant to Condition 1, 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.

- a) proposed finished levels or contours;
- b) boundary treatments (plot and other) and any other means of enclosure (fences, railings and walls) indicating the locations, type, design, height, and materials of such;
- c) car-parking layouts;
- d) design of other vehicle and pedestrian access and circulation areas, (including street widths, pavements and cycleways where relevant, and other strategic public realm);
- e) hard surfacing materials (including road surfaces, cycleways, footpaths, parking spaces and other areas of hardstandings, kerbs and tactile paving);
- f) a coordinated street furniture strategy (including benches, bollards, bins, planters, and signage) including proposed locations;
- g) an external lighting strategy, (including type and design of lighting equipment, and non-lighting zones) that accords with the lighting biodiversity strategy and that responds to, and reinforces, the street hierarchies;
- h) minor artefacts and structures;
- i) play areas (Local Areas of Equipped Play or Landscape Areas of Play) including full specification and details of play equipment proposed; and
- j) proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports).

Reason: To ensure the creation of a high quality public realm, design quality, and landscape setting, in accordance with Policy EN3 and EN1 of the Rother District Local Plan Core Strategy.

21.No above ground works shall commence until the following soft 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.

- 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; and
- f) details for implementation.

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 Area of Outstanding Natural Beauty] in accordance with Policies EN1 and EN3 of the Rother District Local Plan Core Strategy.

22. If within a period of 10 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 Area of Outstanding Natural Beauty in accordance with Policies EN1 and EN3 of the Rother Local Plan Core Strategy.

23. Prior to the occupation of any dwelling, 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 Area of Outstanding Natural Beauty] in accordance with Policies OSS4 (iii), EN1 and EN3 (ii) (e) of the Rother Local Plan Core Strategy.

24. Prior to the occupation of any dwelling, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) a SuDs and wetland habitat strategy;
- c) a woodland management plan;
- d) ecological trends and constraints on site that might influence management;
- e) aims and objectives of management;
- f) appropriate management options for achieving aims and objectives;
- g) prescriptions for management actions, together with a plan of management compartments;
- h) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- i) details of the body or organisation responsible for implementation of the plan; and
- j) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plans shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In order to positively manage constantly changing biological communities and to maintain their conservation value, to ensure the long term management of habitats, species and other biodiversity features, in accordance with the requirements of the National Planning Policy Framework and Policies EN1 and EN5 of the Rother Local Plan Core Strategy and Policies DEN1, 2 and 4 of the Development and Sites Allocations Local Plan.

25. Prior to the occupation of any dwelling evidence (including photographs) shall be submitted to the Local Planning Authority showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: To ensure that the drainage infrastructure for the development will not increase the risk of flooding, will improve and protect water quality, and ensure future maintenance of the surface water drainage system in accordance with Policy SRM2 of the Rother Local Plan Core Strategy.

26. No dwelling or other building shall be occupied until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 16 and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded in accordance with Policy EN2 of the Rother Local Plan Core Strategy and the National Planning Policy Framework.

27. The details of layout pursuant to Condition 1 above shall include details of the siting and form of bins for the storage and recycling of refuse within the site (internally or externally), and collection points and the approved details shall be implemented before the occupation of each relevant dwelling(s) and thereafter continued, with all bins and containers available for use, maintained and replaced as need be.

Reason: To safeguard the visual amenities of the locality and in the interests of providing a sustainable development in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

28. The details of layout pursuant to Condition 1 above shall include details for the parking and turning of vehicles in accordance with the East Sussex Residential Parking Demand Calculator and the provision of cycle parking areas, and all those approved areas shall be provided before the occupation of the any dwelling or in accordance with a programme to be agreed in writing by the Local Planning Authority and thereafter retained for those uses only.

Reason: To ensure the provision of adequate on-site parking and turning facilities that do not prejudice the free flow of traffic or conditions of general safety along the highway and in order that the development site is accessible by non-car modes and to meet the objectives of sustainable development, in accordance with Policies CO6, TR4 and TR3 of the Rother Local Plan Core Strategy.

29. Prior to the occupation of any dwelling, a Travel Plan Statement in association with this development shall be submitted to the Local Planning Authority to ensure that private car trips to and from the site are reduced. The travel plan should include targets for reduced car use and a monitoring programme to ensure these targets are met.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development and in accordance with Policies TR2 and TR3 of the Rother Local Plan Core Strategy.

30. Each dwelling shall not be occupied until the boundary treatments that relate to it as approved under Condition 20 have been completed in accordance with the approved details.

Reason: To ensure a high quality public realm taking account of the characteristics of the locality in accordance with Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy.

31. If any part of the development hereby approved, or subsequently approved under the reserved matters, does not commence (or, having commenced, is suspended for more than 12 months) within one year from the date of the planning permission, the approved ecological measures relating to that part of the development secured though the permission shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys for notable habitats and species including badgers, bats, reptiles and breeding birds, commissioned to

- i. establish if there have been any changes in the presence and/or abundance of protected species; and
- ii. identify any likely ecological impacts that might arise from the changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase. Works must then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure the protection and enhancement of wildlife and supporting habitats of nature conservation value in accordance with Policy EN5 of the Rother Local Plan Core Strategy, the North East Bexhill Supplementary Planning Document and the National Planning Policy Framework.

#### **NOTES:**

1. This permission is the subject of an obligation under section 106 of the Town and Country Planning Act 1990.
2. This permission includes conditions requiring the submission of details prior to the commencement of development. Following close consideration in the courts, it is now well established that if the permission contains conditions requiring further details to be

submitted to the Council or other matters to take place prior to development commencing and these conditions have not been complied with, the development is unlawful and does not have planning permission. You are therefore strongly advised to ensure that all such conditions have been complied with before the development is commenced.

3. For the avoidance of doubt, the applicant is advised that the design and layout of the residential development, and elevational information submitted with the application, namely
  - Drawing No. 23817A/10A, Illustrative Masterplan Vision – proposed site layout:
  - Design and Access Statement which includes the illustrative layout, written explanation, elevation sketches and illustrative sketches are not acceptable and are not approved. The site layout, internal circulation arrangements, disposition of development, public realm treatment including car parking, and internal streetscape and elevational massing and forms of buildings, do not comply with the high quality design required by the National Planning Policy Framework and by the Rother Local Plan Core Strategy.
4. The Highway Authority's requirements associated with this development proposal will need to be secured through a section 278 Legal Agreement between the applicant and East Sussex County Council.
5. The following public rights of way across the site should be retained and remain accessible at all times: Public Footpaths 76 and 77b.
6. 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.
7. 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 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.
8. Any works affecting watercourses require Ordinary Watercourse Consent and the applicant should contact East Sussex County Council land drainage section at [watercourse.consenting@eastsussex.gov.uk](mailto:watercourse.consenting@eastsussex.gov.uk).
9. Non-compliance with Japanese Knotweed management and control could render the applicant liable to criminal prosecution under the

Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

10. The archaeological written scheme of investigation, ensuing works and production of reports should accord with the relevant portions of the East Sussex County Council document "Recommended Standard Conditions for Archaeological Fieldwork, Recording and Post-Excavation in East Sussex" (2008), including Annexe B, and should be undertaken only by a suitably qualified archaeologist. For assistance and advice in seeking compliance with the requirements of the condition, please contact the County Archaeologist at East Sussex County Council, Transport & Environment, County Hall, Lewes, BN7 1UE (Tel: 01273 481608).

11. The applicant should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required 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).

**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.

(Councillor Vine-Hall declared a personal interest in this matter in so far as he owned a property in Knights Meadow adjacent but not directly adjoining the site and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PL19/68. **RR/2018/2040/P - GUESTLING - BACHELORS BUMP - LAND AT, WINCHELSEA ROAD**

(9)

**DECISION: GRANT (FULL PLANNING)**

**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:  
BBP-1007-101 Rev. H, Proposed – Site layout  
BBP-1007-104 Rev. B, Proposed – Site section Street scenes

BBP-1007-110 Rev. C, House Type A Proposed floor plans and elevations

BBP-1007-111 Rev. C, House Type C Proposed floor plans and elevations

BBP-1007-113 Rev. C, House Type D Proposed floor plans and elevations

7217\_105 Rev.C, Northern site proposed access

7217\_106 Rev.B, Northern site proposed access Refuse vehicle tracking

The following plans are also approved but only in relation to the subject details (the layout being superseded by the above plans):

NJCL 238-1 B, Tree Protection Plan

1085 Ang151, 1800mm High Close Boarded Fence

2939/1, Detailed Landscape Proposals

7217/103 Rev. E, North Site Site Drainage Strategy

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. No development shall commence until final details of the sustainable surface water drainage arrangements (SuDS) have been submitted to and approved in writing by the Local Planning Authority to ensure surface water runoff from the development is managed safely, such scheme having regard to the following:
  - i. Surface water discharge rates not exceeding 2 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, including its connection to the ordinary watercourse.
  - ii. The details of the outfall of the cellular storage and how it connects into the ordinary watercourse should be provided as part of the detailed design. This should include cross sections, bed levels and invert levels.
  - iii. The condition of the ordinary watercourse which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the watercourse should be carried out prior to construction of the outfall.
  - iv. The detailed design should include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
  - v. A maintenance and management plan for the entire drainage system shall be included to ensure that 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; and

- b) evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.
- vi. The need to 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.

Reason: These details are required prior to commencement of works to ensure the provision of an integrated sustainable drainage scheme having regard to Policy SRM2 of the Rother Local Plan Core Strategy (2014) and Policy DEN5 of the Development and Site Allocations Local Plan (Proposed Submission October 2018).

- 4. No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation and compensation for the loss of dormouse, bat and reptile habitat and enhancement of the site for biodiversity has been submitted to and approved 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 methods to achieve the 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) 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: These details are required prior to commencement of works to ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this.

- 5. The tree works associated with the development hereby approved shall be carried out in accordance with the Arboricultural Assessment and Preliminary Method Statement, ref: NJCL 238-1, dated 15 March 2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees and hedgerows during construction and the creation of a high quality public realm and landscape setting in accordance with Policy EN3 of the Rother Local Plan Core Strategy.

- 6. The construction of the development hereby permitted shall be carried out in accordance with the Construction Management Plan reference 'Bachelors Bump – Construction Management Plan

Revision 003' unless otherwise agreed in writing by the Local Planning Authority (in consultation with Highways England).

Reason: These details are required prior to commencement of works to ensure the A259 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to minimise avoidable congestion associated with the construction phase and to satisfy the reasonable requirements of road safety.

7. No part of the development hereby permitted shall be commenced until the highway improvements to the A259 junction with the site access has been constructed and opened to traffic in accordance with GTA Drawing No. 7217\_105 (Northern Site Proposed Access) or other such scheme of works substantially to the similar effect as approved in writing by the Local Planning Authority (in consultation with Highways England).

Reason: To ensure that the A259 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

8. No part of the development shall be occupied for its permitted use until the developer has entered into a section 278 legal agreement with the County Council Highway Authority to carry out improvements to the bus stops located at the White Hart Public House to the northeast of the site. The improvements shall thereafter be carried out as agreed with the Highway Authority prior to the occupation of the third house in the development or in accordance with a programme that is otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage sustainable forms of transport coming to and from the site in accordance with Policy TR2 of the Rother Local Plan Core Strategy.

9. 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 of development in the High Weald Area of Outstanding Natural Beauty in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy and Policy DEN1 of the Development and Site Allocations Local Plan Proposed Submission.

10. No external lighting other than the motion sensor porch lights to the front of the dwellings hereby approved shall be provided in any domestic curtilage, and no street lighting shall be provided anywhere on the site, without a further planning permission.

Reason: In order to limit any adverse impact on dark night skies having regard to the character of the rural area and in accordance with Policies OSS4 (iii) and EN1 (vii) of the Rother Local Plan Core Strategy.

11. No development above ground level shall commence until details for the landscaping of the site have been submitted to and approved in writing by the Local Planning Authority. The details 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) a planting plan with schedule of plants/trees, noting species, plant sizes and positions; and
- c) such details shall specifically address the need to ensure appropriate landscaping on the main road frontage as part of the new access arrangement and appropriate landscaping on the boundaries to the site to the surrounding countryside.

Reason: To enhance the appearance of the development having regard to the rural location of the site on the edge of the High Weald Area of Outstanding Natural Beauty in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy and Policy DEN1 of the Development and Site Allocations Local Plan Proposed Submission.

12. No development in respect of any of the following matters shall commence until full details have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved and to a programme to be agreed:

- a) proposed finished levels or contours;
- b) means of enclosure (fences and walls); and
- c) hard surfacing materials.

Reason: These details are required prior to commencement of works to ensure the creation of a high quality public realm, landscape setting and architectural quality in accordance with Policy EN3 of the Rother Local Plan Core Strategy.

13. Prior to occupation of the development, evidence (including photographs) shall be submitted showing that the sustainable drainage system has been constructed in full accordance with the final agreed detailed drainage designs.

Reason: To ensure the proper completion of the integrated sustainable drainage scheme having regard to Policy SRM2 of the Rother Local Plan Core Strategy (2014) and Policy DEN5 of the Development and Site Allocations Local Plan (Proposed Submission October 2018).

14. Prior to the occupation of any of the dwellings hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;

- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
- g) details of the body or organisation responsible for implementation of the plan; and
- h) on-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plans shall also set out (were the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long term management of habitats, species and other biodiversity features having regard to Policy EN5 of the Rother Local Plan Core Strategy (2014) and Policy DEN4 of the Development and Site Allocations Local Plan (Proposed Submission October 2018).

15. Prior to the occupation of any of the dwellings hereby permitted the car parking spaces and turning areas shall be constructed and provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The parking areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles. The turning spaces shall thereafter be retained at all times for this use and shall not be obstructed.

Reason: To ensure the provision of adequate on-site parking and turning facilities that do 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.

16. No dwelling hereby permitted shall be occupied until the cycle stores/sheds have been provided in accordance with the details submitted, as shown on Drawing No. BBP-1007-102, Revision D, dated 29.05.2019. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

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

17. No part of the development shall be occupied until the new road, footways and parking areas serving the development have been constructed, surfaced, drained and lit in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is adequately serviced so that it 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.

18. All 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 and if within a period of five years from the date of the planting any tree or plant 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 enhance the appearance of the development in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

19. No development shall take place until the applicant has undertaken an archaeological field evaluation to clarify the significance of the site, in accordance with the approved written scheme of investigation, dated July 2019. A written record of any undertaken works and findings 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: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and in accordance with Policy EN2 (vi) of the Rother Local Plan Core Strategy (2014).

#### **NOTES:**

1. The following plan is not approved:  
BBP-1007-102 Rev. D Proposed Materials Layout. External materials for the dwellings are to be agreed pursuant to Condition 9.
2. The proposed development will be subject to the Community Infrastructure Levy (CIL).
3. The improvement to the A259 access as shown on GTA Drawing No. 7217\_105 (Northern Site Proposed Access) has been accepted by Highways England only on the basis of the proposed development of 10 dwellings. Any further intensification of use of this access by further development would require review and potential upgrade of this junction in line with the relevant requirements of the Design Manual for Roads and Bridges.
4. Works affecting the Public Highway – Section 175(b) of the Highways Act 1980 (as inserted via The Infrastructure Act 2015) requires those proposing works affecting the public highway to enter into an agreement with the Strategic Highway Authority (Highways England). This development involves work to the public highway that can only be undertaken within the scope of a legal

Agreement between the applicant and Highways England. Planning permission in itself does not permit these works.

5. The County Highway Authority would wish to see the roads within the site laid out and constructed to standards at, or at least close to, adoption standards.
6. The County Authority's requirements associated with this development proposal will need to be secured through a Section 106/278 Legal Agreement between the applicant and East Sussex County Council.
7. The applicant is reminded that any findings from the archaeological investigations may result in amendments required to the layout and/or construction of the development hereby approved, which may require a new application to be submitted to the Local Planning Authority.
8. The developer is advised that the trees to remain on site (particularly around the site's perimeter) should remain in perpetuity and will be considered for a Tree Preservation Order.

**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, negotiating amendments to the scheme 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.

PL19/69. **RR/2019/1449/P - RYE - 42 CINQUE PORTS STREET, REGENT MOTEL**

(10)

**DECISION: GRANT (FULL PLANNING)**

**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:  
Site Location Plan, scale 1:1250 dated 12 June 2019  
Proposed Shopfront Detail, Elevation and Floor Plan, Drawing No. REG19003

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.

PL19/70. **RR/2019/1701/P - BEXHILL - BEECHING ROAD UNITS 7-12**  
(11)

**DECISION: GRANT (FULL PERMISSION)**

**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. 183871/100-01 Rev A dated July 2019  
Drawing No. 183879/01-01 Rev A dated March 2019  
Drawing No. 183879/01-02 Rev A dated March 2019  
Drawing No. 183879/01-03(a) Rev A dated April 2019  
Drawing No. 183879/01-03(b) Rev A dated April 2019  
Drawing No. 183879/01-04(a) Rev B dated April 2019  
Drawing No. 183879/01-04(b) Rev B dated April 2019  
Drawing No. 183879/01-05 Rev A dated April 2019  
Drawing No. 183879/01-06 Rev A dated April 2019  
Drawing No. 183879/01-07 Rev A dated April 2019  
Drawing No. 183879/01-08 Rev A dated April 2019  
Drawing No. 183879/01-09 Rev A dated April 2019  
Drawing No. 183879/01-10 Rev A dated April 2019  
Drawing No. 183879/01-11 Rev A dated June 2019  
Drawing No. 183879/02-01 Rev B dated May 2019  
Drawing No. 183879/02-02 Rev A dated May 2019  
Drawing No. 183879/02-03(a) Rev B dated May 2019  
Drawing No. 183879/02-03(a) Rev B dated May 2019  
Drawing No. 183879/02-03(b) Rev B dated May 2019  
Drawing No. 183879/02-04(a) Rev B dated May 2019  
Drawing No. 183879/02-04(b) Rev B dated May 2019  
Drawing No. 183879/02-05 Rev A dated May 2019  
Drawing No. 183879/02-06 Rev A dated May 2019  
Drawing No. 183879/02-07 Rev A dated May 2019  
Drawing No. 183879/02-08 Rev A dated May 2019

Drawing No. 183879/02-09 Rev A dated May 2019  
Drawing No. 183879/02-10 Rev A dated May 2019  
Drawing No. 83879/02-11 Rev A dated June 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.

**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.

PL19/71. **RR/2019/1928/P - BEXHILL - TOWN HALL, LONDON ROAD, BEXHILL**

(12)

**DECISION: GRANT (FULL PLANNING)**

**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:  
Site plan  
Drawing No. nr1585/19/01  
Velux conservation rooflight – typical section  
Velux dome roof light – typical section  
Section drawing for recessed installation, received via email on 24/09/2019  
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.

**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.

PL19/72. **APPEALS**

(13)

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.

The Committee requested that future reports indicated which applications were Member reversals or delegated decisions.

**RESOLVED:** That:

- 1) the report be noted; and
- 2) future reports indicated which applications were Member reversals or delegated decisions.

PL19/73. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**

(14)

Tuesday 12 November 2019 at 8:30am departing from the Town Hall, Bexhill.

**CHAIRMAN**

The meeting closed at 11:50am.