

**PLANNING COMMITTEE**

28 May 2020

Minutes of the Planning Committee meeting held remotely on Thursday 28 May 2020 at 9:30am.

Committee Members present: Councillors J. Vine-Hall (Chairman), S.M. Prochak (Vice-Chairman), Mrs M.L. Barnes, T.J.C. Byrne (ex-officio) (in part), S.J. Coleman, G.C. Curtis, B.J. Drayson (substitute), S.J. Errington, A.E. Ganly, J.M. Johnson, L.M. Langlands, A.S. Mier, G.F. Stevens, R.B. Thomas and H.L. Timpe.

Other Members present: Councillors J. Barnes, R.K. Bird (in part), P.C. Courtel (in part), M. Mooney and D.B. Oliver.

Advisory Officers in attendance: Executive Director (TL), Head of Service Strategy and Planning, Team Leader and North Bexhill Manager, Principal Planning Officer (in part), Democratic Services Manager and Democratic Services Officer.

Also Present: 28 members of the public.

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PL19/133. **MINUTES**

(1)

The Chairman was authorised to sign the Minutes of the meeting held on 12 March 2020 as a correct record of the proceedings.

PL19/134. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

(2)

There were no apologies for absence.

It was noted that Councillor B.J. Drayson was present as substitute for Councillor Mrs D.C. Earl-Williams.

PL19/135. **DISCLOSURE OF INTEREST**

(5)

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

S. Errington                      Agenda Item 9 – Personal and Prejudicial Interest as the Applicant is a family friend.

A. Mier                                Agenda Item 7 – Personal Interest as a Member of Fairlight Preservation Trust.

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

PL19/136. **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.

PL19/137. **RR/2018/1975/P - FAIRLIGHT - 22 ROCKMEAD ROAD**

(7)

**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, Drawing No. 4608.LP dated February 2018  
Site Plan, Drawing No. 4608.SP.B dated February 2018  
Proposed Elevations and Floor Plan, Drawing No. 4608/1.G dated February 2018  
22 Rockmead Road Storm Drainage dated 27 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.
3. The development hereby approved shall be carried out in accordance with the mitigation measures as set out in section 6 of the Letter Report on Land Stability Assessment by GabrielGeo Consulting, dated 23 July 2018. If the quantities and densities of the construction materials are different than that set out in the report, or development is intended to be carried out in a different manner, no development shall be undertaken (or if development has started it shall cease), until a revised Land Stability Assessment has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out (or continue) in accordance with the approved revised assessment.  
Reason: In the interests of land stability in accordance with Policy DEN6 of the Development and Site Allocations (DaSA) Local Plan.
4. Prior to the garage being brought into use, evidence (including photographs) shall be submitted to the Local Planning Authority showing that the drainage system has been constructed as per the approved drainage details listed at Condition 2 above.  
Reason: To ensure that the drainage infrastructure for the development has been provided so as to avoid land instability in accordance with Policy DEN6 of the DaSA Local Plan.
5. Before any development on the new building commences on the site, the existing building shall be demolished and the site cleared of all resultant rubble and spoil to an off-site location.  
Reason: To ensure the satisfactory development, the prevention of overloading and the protection of the land stability in accordance with Policy DEN6 of the DaSA Local Plan.
6. All demolition, clearance and new building construction shall be undertaken using hand held tools and 'mini' digger/excavator only and the works shall be confined to the area immediately around the building as specified on the approved plans and set out within the letter on Land Stability Assessment by GabrielGeo Consulting, dated 23 July 2018.  
Reason: To ensure the satisfactory development, the prevention of overloading and the protection of the land stability in accordance with Policy DEN6 of the DaSA Local Plan.
7. No storage of materials or machinery associated with the development shall occur beyond the rear wall of the existing/proposed garage or dwelling, or a line drawn between the two.

Reason: To ensure the satisfactory development, the prevention of overloading and the protection of the land stability in accordance with Policy DEN6 of the DaSA Local Plan.

**NOTES:**

1. The Applicant should pay attention to the items provided by Gabriel Geo consulting regarding the implementation of the drainage system:
  - (i) The surplus soils from the attenuation tank excavation and drain trench should be disposed off-site.
  - (ii) The impermeable membrane surrounding the attenuation tank and associated connections to the drains must be comprehensively sealed.
  - (iii) The structural protection of the crates is ensured from vehicle loading to prevent any collapse.
2. 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 or Tel: 0330 303 0119 or [www.southernwater.co.uk](http://www.southernwater.co.uk).
3. The Applicant's attention is drawn to the detailed information provided by SGN and UK Power Networks regarding gas and electricity services within the vicinity of the site, which should be read prior to the commencement of any works. This information is available to view on the "Viewing Applications, Decisions and Appeals Online" page of Rother District Council's Planning website (<http://www.rother.gov.uk/planning>) under planning application reference RR/2018/1975/P.

**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 Mier declared a personal interest in this matter in so far as he is a member of Fairlight Preservation Trust and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

(8)

**DECISION: GRANT (PLANNING PERMISSION) DELEGATED  
(SUBJECT TO EXPIRY OF CONSULTATION PERIOD)**

**CONDITIONS:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:  
Site Location Plan dated 27 February 2020  
Jacksons Fencing Plan received on 16-01-20  
Jacksons Fencing Quotation (Ref: 1955154) dated 17 September 2019  
MRL Acoustics Building Services Plant – Noise Assessment (Report No. MRL/100/1495.1v2), dated December 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.
2. The noise mitigation measures (acoustic barriers) detailed in the plans and documents approved under Condition 1, shall be erected within two months of the date of this planning permission and shall thereafter be retained.  
Reason: To protect the living conditions of residents in the locality from disturbance from noise, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014 and Policy DEN7 of the Development and Site Allocations (DaSA) Local Plan 2019.
3. The premises shall not be used for the production and processing of pasta before 5.30am on Mondays or after 6pm on Saturdays in any given week.  
Reason: To protect the living conditions of residents in the locality from disturbance from noise, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014 and Policy DEN7 of the DaSA Local Plan 2019.
4. No deliveries shall be taken at or despatched from the site before 7.30am or after 6pm Mondays to Saturdays, nor at any time on Sundays.  
Reason: To protect the living conditions of residents in the locality from disturbance from noise, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014 and Policy DEN7 of the DaSA Local Plan 2019.
5. At no time when the factory is operating shall the sound level rating from the plant's operations exceed:
  - +5dB above background sound level (taken as a 15 minute LA90 at the boundary with the nearest noise sensitive premises) between the hours of 7am to 11pm.
  - The background sound level (taken as a 15 minute LA90 at the boundary with the nearest noise sensitive premises) between the hours of 11pm to 7am.

All measurements shall be taken in accordance with the methodology of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound (as amended).

Reason: To protect the living conditions of residents in the locality from disturbance from noise, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014 and Policy DEN7 of the DaSA Local Plan 2019.

6. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), the premises shall only be used for the production and processing of pasta and for no other purpose.

Reason: To protect the living conditions of residents in the locality from disturbance from noise, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014 and Policy DEN7 of the DaSA Local Plan 2019.

**NOTE:**

1. With regard to Condition 5, where any changes to existing equipment or processes are proposed, a noise impact assessment should be carried out to ensure that the resulting sound level rating from the plant's operations does not exceed the sound levels specified in the condition.

**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.

PL19/139. **RR/2020/619/P - BEXHILL - 90 CRANSTON AVENUE**

(9)

**DECISION: GRANT (FULL PLANNING) DELEGATED SUBJECT TO EXPIRY OF CONSULTATION PERIOD (EXPIRES 30 MAY 2020)**

**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:

Location Plan, Drawing No. 4790.LP dated April 2020  
Site Plan, Drawing No. 4790.SP dated April 2020  
Proposed Elevations and Floor Plan, Drawing No. 4790.2C dated 13/05/20  
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in materials, colour and texture those used in the existing building unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain the characteristics of the existing building in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

4. Notwithstanding the approval of Drawing No. 4790.2C, the front elevation window fenestration is not approved. Prior to insertion of the windows, proposed window fenestration details which respect and respond to the front elevation's existing windows shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a high quality of design and in the interests of maintaining and enhancing the appearance and character of the existing dwelling and the street-scene in accordance with Policies EN3 and OSS4 of the Rother Local Plan Core Strategy and Policy DHG9 of the Rother Development and Site Allocations Local Plan.

**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.

(Councillor Errington declared a personal and prejudicial interest in this matter in so far as the Applicant is a family friend and in accordance with the Members' Code of Conduct left the meeting during the consideration thereof).

PL19/140. **APPEALS**

(10)

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.

**CHAIRMAN**

The meeting closed at 11:10am