

PLANNING COMMITTEE

18 June 2020

Minutes of the Planning Committee meeting held remotely on Thursday 18 June 2020 at 9:30am.

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

Other Members present: Councillors Mrs V. Cook, P.C. Courtel, K.M. Field (in part), Rev H.J. Norton, D.B. Oliver and H.L. Timpe.

Advisory Officers in attendance: Head of Service Strategy and Planning, Development Manager and 2 x Democratic Services Officers.

Also Present: 25 members of the public.

PL20/1. **ELECTION OF CHAIRMAN**

(1)

RESOLVED: That Councillor J. Vine-Hall be elected Chairman of the Committee for the ensuing municipal year.

PL20/2. **ELECTION OF VICE-CHAIRMAN**

(2)

RESOLVED: That Councillor S.M. Prochak be elected Vice-Chairman of the Committee for the ensuing municipal year.

PL20/3. **MINUTES**

(3)

The Chairman was authorised to sign the Minutes of the meeting held on 28 May 2020 as a correct record of the proceedings.

PL20/4. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

(4)

An apology for absence was received from Councillor J.M. Johnson.

It was noted that Councillor J. Barnes was present as substitute for Councillor J.M. Johnson.

PL20/5. **DISCLOSURE OF INTEREST**

(7)

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

J. Barnes Agenda Item 10 – Personal and Prejudicial Interest as the Applicant is a personal friend.

Mrs. Barnes Agenda Item 10 – Personal and Prejudicial Interest as the Applicant is a personal friend.

PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

PL20/6. **PLANNING APPLICATIONS - INDEX**

(8)

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.

(9)

DECISION: REFUSE OUTLINE PLANNING**REASONS FOR REFUSAL:**

1. The site is outside any defined development boundary and located in the countryside. The proposed residential development does not meet any of the limited circumstances listed in Policy RA3 (iii) of the Rother Local Plan Core Strategy under which new dwellings in the countryside may be allowed. Moreover, the site is not proximate to any settlement containing services and facilities, and its degree of accessibility to essential services and facilities by modes other than the private car would be significantly limited. In the circumstances it is not a suitable location for the proposed dwelling, having particular regard to accessibility for future residents to essential services and the need to satisfy the environmental objective of sustainable development. The development is contrary to Policies OSS2, OSS3, RA3 (iii) and TR3 of Rother Local Plan Core Strategy, Policy DIM2 of the Development and Site Allocations (DaSA) Local Plan, and paragraphs 78 and 103 of the National Planning Policy Framework.
2. The site lies within the High Weald Area of Outstanding Natural Beauty (AONB) where Policy EN1 of the Rother Local Plan Core Strategy and the National Planning Policy Framework (paragraph 172) indicate that all new development will be carefully controlled to protect the quality of the AONB landscape. The proposed residential development would appear as a large new dwelling within a large residential curtilage together with associated paraphernalia and activity associated with residential use of the land. It would result in the urbanisation of the site and the domestication of an essentially rural environment. The proposed development would cause harm to the character and appearance of the High Weald AONB. The proposed new dwelling has been considered in the context of enabling development to cross-fund the construction of the church car park; however, the public benefit of securing a car park to meet any inherent needs of the church through enabling development, does not decisively outweigh the dis-benefits of breaching other planning policies in relation to new residential development in the countryside and the subsequent harm to the AONB, as well as resulting in some harm to the church's significance as derived from its relatively unspoilt rural setting and an understanding of its historic origins as an isolated rural church. The proposed residential development would be contrary to Policies OSS4 (iii), RA2 (iii) (viii), RA3 (v), and EN1 (i) (vii) of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the DaSA Local Plan, and paragraphs 170, 172 (countryside) and 190, 193, 194 and 196 (heritage assets) of the National Planning Policy Framework.

NOTE:

1. The refusal of planning permission relates to the following plans:
Location plan: Drawing No. DGC21848/100
Illustrative site plan: Drawing No. DGC21848/01 rev A (showing X section key)
Illustrative site plan: Drawing No. DGC21848/01 rev B (showing highway access)
Contextual topographical sections: Drawing No: DGC21848/02 rev A
Contextual topographical sections: Drawing No: DGC21848/03
Topographical survey: Drawing No. BES18074 Drawing No: 1 rev A

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

PL20/8.
(10)

RR/2020/865/P - HURST GREEN - POOKS FARM, LONDON ROAD

DECISION: GRANT (FULL PLANNING) DELEGATED SUBJECT TO EXPIRATION OF SITE NOTICE

CONDITIONS:

Condition 4 imposed on RR/2015/2683/P is amended as follows:

4. When the extension is used as a residential annexe, it shall be used solely as additional accommodation for the existing dwelling 'Pooks Field Farm' and the residential annexe shall not be occupied by any person who is not a member of the family (as defined by section 186 of the Housing Act 1985 or in any provision equivalent to any re-enactment of that Act) residing in the family dwelling or as a separate dwelling.

Reason: In the interests of protecting the character of the area and to preclude the creation of a new dwelling in the countryside, in accordance with Policies OSS4 (iii), RA3 (iii) and (iv) and EN1 (i) of the Rother Local Plan and Policy DHG10 of the Rother District Development and Site Allocations Local Plan.

New conditions:

5. When the extension is used as a holiday let, it shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.
Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in

accordance with Policies OSS4 (iii), EC6 and RA3 of the Rother Local Plan Core Strategy.

6. When the extension is used as a holiday let, the owners/operators shall maintain an up-to-date register of the names of all occupiers of the extension, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

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

7. In respect of the permitted holiday let use, the extension shall not be occupied for more than 56 days in total in any calendar year by any one person.

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

8. The development shall not proceed other than in accordance with Conditions 1-3 inclusive, imposed on planning permission RR/2015/2683/P dated 11 December 2015 which remain in full force and effect.

Reason: This permission is granted pursuant to planning permission RR/2015/2683/P dated 11 December 2015. Under Section 73 of the Town and Country Planning Act 1990 the Council has considered the conditions subject to which that previous planning permission was granted and confirms that the conditions and associated reasons remain pertinent and are re-imposed, apart from as varied by this permission.

NOTE:

1. The Applicant's attention is drawn to the fact that the unit of accommodation contained within the extension permitted under reference RR/2015/2683/P will remain small and ancillary in form, with a shared access and garden, and will thus remain a single planning unit. Planning permission would be required to create a separate independent dwelling.

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.

(Councillors J. Barnes and Mrs Barnes both declared a personal and prejudicial interest in this matter in so far as the Applicant is a personal friend and in accordance with the Members' Code of Conduct left the meeting during the consideration thereof).

PL20/9. **PLANNING STATISTICS FOR THE QUARTER JANUARY - MARCH 2020 (INCLUDING SUMMARY OF PLANNING STATISTICS FOR 2020/21)**

(11)

Members gave consideration to the report of the Executive Director on the planning statistics for the quarter January to March 2020 which included a summary of planning statistics for 2020/21.

The Committee requested clarity on the planning enforcement complaints statistics and, in particular, which complaints were related to major or minor cases. Members were advised that the majority of complaints were resolved within two to three months, however complex cases could take up to four years or more to be determined.

Members requested that statistics compared to similar local and neighbouring authorities for minor / major performance categories (8 and 13 weeks) and the Government's league table data be reported at the July meeting.

It was agreed that the Committee received enforcement training.

RESOLVED: That:

- 1) the report be noted;
- 2) statistics compared to similar local and neighbouring authorities for major / minor performance categories (8 and 13 weeks) and the Government's league table data be reported at the July meeting; and
- 3) arrangements be made for the Committee to receive enforcement training.

PL20/10. **UNDETERMINED MAJOR PLANNING APPLICATIONS**

(12)

Members noted the report on the current status of 23 undetermined Major Planning Applications. Out of 22, 13 were under consideration, eight were subject to a Section 106 obligation and one had been amended and re-advertised.

RESOLVED: That the report be noted.

PL20/11. **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.

RESOLVED: That the report be noted.

CHAIRMAN

The meeting closed at 11.57am.