

## Planning Committee

- Date and Time - **Thursday 17 December 2020**  
**9:30am – 1:00pm and 2:00pm until close of business**  
(At the discretion of the Chairman, the timing of lunch may be varied)
- Venue - **Remote Meeting**
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### **Councillors appointed to the Committee:**

J. Vine-Hall (Chairman), S.M. Prochak, MBE (Vice-Chairman), Mrs M.L. Barnes, S.J. Coleman, G.C. Curtis, B.J. Drayson (ex-officio), S.J. Errington, A.E. Ganly, K.M. Harmer, J.M. Johnson, C.A. Madeley, A.S. Mier, H.J. Norton, G.F. Stevens and H.L. Timpe.

**Substitute Members:** J. Barnes, P.C. Courtel, L.M. Langlands and R.B. Thomas.

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## AGENDA

### 1. **MINUTES**

To authorise the Chairman to sign the minutes of the meeting of the Planning Committee held on 12 November 2020 as a correct record of the proceedings.

### 2. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

### 3. **ADDITIONAL AGENDA ITEMS**

To consider such other items as the Chairman decides are urgent and due notice of which has been given to the Head of Paid Service by 12 noon on the day preceding the meeting.

### 4. **WITHDRAWN APPLICATIONS**

The Head of Service Strategy and Planning to advise Members of those planning applications on the agenda which have been withdrawn.

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**NOTE: Representations on any items on the Agenda must be received in writing by 9:00am on the Monday preceding the meeting.**

**All Planning Committee meetings are recorded.**

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**This agenda can be made available in large print, Braille, audiotape/CD or in another language upon request. For all enquiries please contact [louise.hollingsworth@rother.gov.uk](mailto:louise.hollingsworth@rother.gov.uk)**

**Tel: 01424 787815**

**Rother District Council aspiring to deliver...  
an Efficient, Flexible and Effective Council, Sustainable Economic Prosperity,  
Stronger, Safer Communities and a Quality Physical Environment**

**5. DISCLOSURE OF INTEREST**

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

**6. PLANNING APPLICATIONS - INDEX (Pages 1 - 2)**

**7. RR20201672P - BEXHILL - WATERMILL LANE (Pages 3 - 12)**

**8. RR2019604P - BATTLE - BLACKFRIARS (Pages 13 - 32)**

**9. UNDETERMINED MAJOR PLANNING APPLICATIONS (Pages 33 - 38)**

**10. PLANNING STATISTICS FOR THE QUARTER JULY - SEPTEMBER 2020 (INCLUDING SUMMARY OF PLANNING STATISTICS FOR 2020/2021) (Pages 39 - 48)**

**11. APPEALS (Pages 49 - 52)**

**12. TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**

Tuesday 12 January 2021 at 8:30am departing from the Town Hall, Bexhill.

Malcolm Johnston  
Chief Executive

Agenda Despatch Date: 9 December 2020

**NOTE:**

Due to the Government restrictions imposed as a result of COVID-19 pandemic in the United Kingdom, certain changes have been made to the arrangements for the Planning Committee meetings.

As a temporary measure, the Planning Committee will be meeting remotely and may meet more frequently than the usual four weekly cycle. However, prior notice of any additional meetings will be shown on the Council's website and in the calendar of meeting dates. The meetings will be live streamed via YouTube and viewable by the public on the website at the following link

<https://rother.moderngov.co.uk/ieListDocuments.aspx?CId=135&MId=538&Ver=4>

It is possible to still register to speak on planning applications that come to the Planning Committee, however our speaking rules have been slightly amended during this pandemic, please check the website for further details <https://www.rother.gov.uk/planning-and-building-control/planning-committee/public-speaking-at-planning-committee/>

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NOTE: Representations on any items on the Agenda must be received in writing by 9:00am on the Monday preceding the meeting.

Enquiries – please ask for Louise Hollingsworth (Tel: 01424 787815)  
For details of the Council, its elected representatives and meetings, visit the Rother District Council website [www.rother.gov.uk](http://www.rother.gov.uk)

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## Rother District Council

Report to	-	Planning Committee
Date	-	17 December 2020
Report of the	-	Head of Strategy and Planning
Subject	-	Planning Applications – Index

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**Head of Service: Tim Hickling**

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### Planning Committee Procedures

#### Background Papers

These are planning applications, forms and plans as presented in the agenda, pertinent correspondence between the applicant, agents, consultees and other representatives in respect of the application, previous planning applications and correspondence where relevant, reports to Committee, decision notices and appeal decisions which are specifically referred to in the reports. Planning applications can be viewed on the planning website <http://www.rother.gov.uk/planning>

#### Planning Committee Reports

If you are viewing the electronic copy of the Planning Applications report to Planning Committee then you can access individual reported applications by clicking on the link ([View application/correspondence](#)) at the end of each report.

#### Consultations

Relevant statutory and non-statutory consultation replies that have been received after the report has been printed and before the Committee meeting will normally be reported orally in a summary form.

#### Late Representations

Unless representations relate to an item which is still subject to further consultation (and appears on the agenda as a matter to be delegated subject to the expiry of the consultation period) any further representations in respect of planning applications on the Planning Committee agenda must be received by the Head of Service Strategy and Planning in writing by 9am on the Monday before the meeting at the latest. Any representation received after this time cannot be considered.

Subject to the previous reference to delegated items late petitions cannot be considered in any circumstance, as petitions will only be accepted prior to publication of the agenda in accordance with the guidance on submitting petitions found at <http://www.rother.gov.uk/speakingatplanningcommittee>

#### Delegated Applications

In certain circumstances the Planning Committee will indicate that it is only prepared to grant/refuse planning permission if/unless certain amendments to a proposal are undertaken or the application is subject to the completion of outstanding or further consultations. In these circumstances the Head of Service Strategy and Planning can be delegated the authority to issue the decision of the Planning Committee once the requirements of the Committee has 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 which cannot be satisfactorily concluded, then the application will be reported back to the Planning Committee or reported via the (internal electronic) Notified D system as a 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.

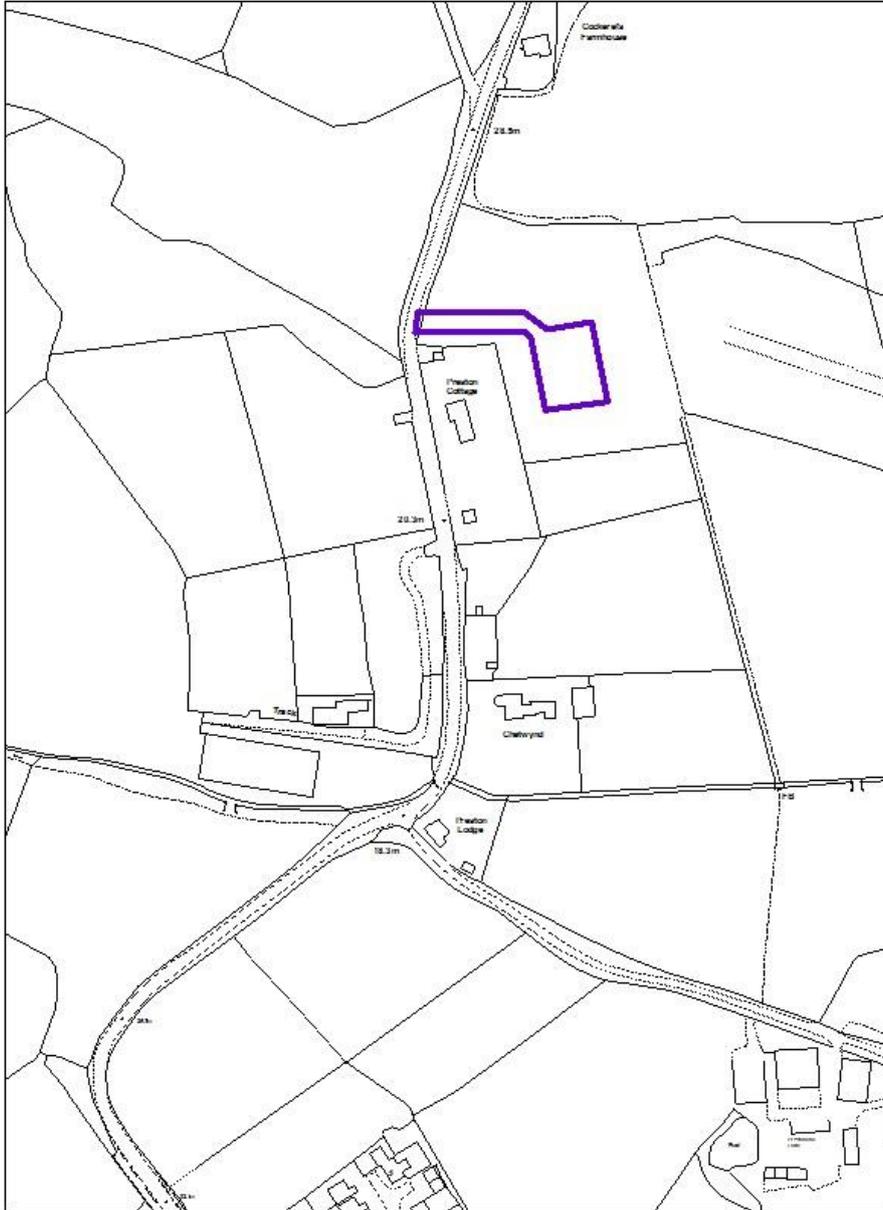
Applications requiring the applicant entering into an obligation under section 106 of the Town & Country Planning Act 1990 (as amended) are also delegated.

### **Order of Presentation**

The report on planning applications is presented in the following order as shown below:

Agenda Item	Reference	Parish	Site Address	Page No.
7	<a href="#">RR/2020/1672/P</a>	BEXHILL	Watermill Lane – Land on the east side of Bexhill TN39 5JA	3
8	<a href="#">RR/2019/604/P</a>	BATTLE	Blackfriars – Land at Battle TN33 0FL	13

SITE PLAN	BEXHILL
RR/2020/1672/P	Watermill Lane - Land on the east side of



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## Rother District Council

Report to	-	Planning Committee
Date	-	17 December 2020
Report of the	-	Tim Hickling, Head of Strategy and Planning
Subject	-	RR/2020/1672/P
Address	-	Land on the east side of Watermill Lane BEXHILL
Proposal	-	Change of Use and the development of Phase 1 of the Gypsy Traveller allocation in policy area BEX3c; in the form of 2 No. pitches, each for the stationing of 1 No. mobile home and 1 No. touring caravan, for use by Gypsy Traveller families. (Land Title: ESX378524) (Outline).

[View application/correspondence](#)

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**RECOMMENDATION:** It be **RESOLVED** to **GRANT (OUTLINE PLANNING)**

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**Head of Service: Tim Hickling**

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**Applicant:** RAUDIN Association  
**Agent:** -  
**Case Officer:** Mr J. Pyrah (Email: [jeff.pyrah@rother.gov.uk](mailto:jeff.pyrah@rother.gov.uk))  
**Parish:** BEXHILL  
**Ward Member(s):** Councillors J.J. Carroll and S.J. Coleman

**Reason for Committee consideration:** Member referral: S.J. Coleman - *Significant local interest in this application which needs sensitive consideration.*

**Statutory 8 week date: 27 November 2020**  
**Extension of time agreed to: 18 December 2020**

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This application is included in the Committee site inspection list.

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### 1.0 SUMMARY

- 1.1 This application seeks outline planning permission (with all matters reserved) for two pitches for gypsy and traveller use. The application site is part of an area allocated for gypsy and traveller use as part of Rother's Development and Site Allocations (DaSA) Local Plan Policy BEX3c.

- 1.2 The proposals comply, in outline, with Policy BEX3c as well as Core Strategy Policies TR3 (access) and TR4 (parking), EN1 (landscape stewardship) and OSS4 (general development) considerations.
  - 1.3 While the objections raised by local residents are noted, and considered in this report, the proposed development accords with planning policy and should be granted. There are no material considerations to indicate otherwise.
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## **2.0 SITE**

- 2.1 The site is a field located to the east of Watermill Lane at the point where Watermill Lane has been stopped up. To the north is Haven Brook Avenue, formerly known as the North Bexhill Access Road (NBAR), and there is a pelican/toucan/pegasus crossing to the northern part of Watermill Lane. To the west of the site is Preston Cottage, a residential dwelling. To the east there is a public footpath running north-south.
  - 2.2 The construction of the NBAR has changed the nature of the southern end of Watermill Lane, with little traffic and consequential use by pedestrians and cyclists. However, the area is planned for housing, accessed from Watermill Lane, on land to both its east and west, allocated as BEX3: North Bexhill, in the DaSA.
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## **3.0 PROPOSAL**

- 3.1 The application is made in outline, with all matters reserved. It proposes development to bring forward two pitches for gypsies and travellers. An indicative site block/layout plan is submitted (revised version, submitted 15 November 2020) which shows an access from Watermill Lane and an access road running in a U-shape providing access to two pitches within the application site boundary and a further three within the site. This plan also shows how the NBAR landscape planting, required as mitigation under application RR/2015/2260/P can be delivered outside of the site. This would provide approximately 10m along the western boundary (adjacent to Preston Cottage) and a similar width along the northern and eastern boundaries.
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## **4.0 HISTORY**

- 4.1 RR/2015/2260/P - North Bexhill Access Road - Comprising roundabout junction with the A269 (Ninfield Road) and two direction 2.4km single carriageway road with shared footway/cycleway connecting to the newly constructed roundabout on the Bexhill Hastings Link Road and including stopping-up of Watermill Lane to South and provision of roundabout to provide access to Watermill Lane North, stopping-up of Buckholt Lane to South and provision of roundabout to provide access to allocated employment land and Buckholt Lane North, accesses to adjacent farm land and associated utility, landscape and drainage works. APPROVED 11 February 2016.
- 4.2 An attenuation pond approved for this area of land by the above permission was relocated to the west of Watermill Lane and this was agreed by approval of condition 3 on 23 March 2018. Planting to mitigate for the visual and

ecological impacts of the NBAR is proposed on the west, northern and eastern boundaries of the field which is the subject of this application. These planting areas are outside of the application boundary.

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## 5.0 POLICIES

5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:

- PC1 (presumption in favour of sustainable development)
- OSS4 (general development considerations)
- EN1 (landscape stewardship)
- EN3 (design quality)
- EN5 (biodiversity and green space)
- EN7 (flood risk and development)
- TR3 (access and new development, minimising the need to travel)
- TR4 (car parking)

5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:

- DEN1 (Maintaining Landscape Character)
- DEN4 (Biodiversity and Green Space)
- DEN5 (Sustainable Drainage)
- BEX3c (Land at North Bexhill - Infrastructure)
- BEX3c (Land east of Watermill Lane)

5.3 The National Planning Policy Framework and Planning Policy for Travellers Sites are also material considerations.

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## 6.0 CONSULTATIONS

### 6.1 Environmental Health – **NO OBJECTION**

6.1.1 *“As this was once an agricultural field, which could have been the subject of some localised land contamination, I recommend that a contaminated land discovery condition is applied. This is simply to cover the situation whereby, during development previously unexpected contamination is discovered on site. Any suspicious substances or materials should be risk assessed and if needed, mitigation undertaken.*

*To ensure that during use, noisy generators are not needed by the occupants, I recommend a condition whereby electric services are installed prior to use.”*

6.1.2 Japanese Knotweed is not a public health risk.

### 6.2 ESCC Gypsy and Traveller Team

6.2.1 *“The layout of the site looks appropriate and in keeping with existing sites I manage across East Sussex. The design is based on the approach taken to many existing pitches across the country. The pitch size is adequate for the*

*mobile home and touring caravan to be safely positioned on site. It is also important that the application draws attention to heavy goods vehicles not being allowed to park on the site. Access to the site looks sound with a large enough area for caravans and mobile homes to be turned on site. This would be important if the later Phases of the plan are agreed. From what I understand Phase 1 (this application) is to open up the site access, get the services connected (water, energy, etc) and deliver the first 2 pitches. The later Phases would be through a further application, to deliver the remaining 3 pitches (including a larger one for any disability needs), visitor parking and the recreational/play areas that is shown.”*

### 6.3 Planning Notice

6.3.1 At the time of writing the report 102 objections have been received from local residents. While around 25 of them simply state that they object, concerns have been raised and these are summarised as follows:

- Impact on social infrastructure and services
- Loss of green space
- Impact on Watermill Lane, which has become a beneficial amenity for walkers, cyclists and horse-riders since it became a cul-de-sac
- Unacceptable traffic levels and highway safety, especially in addition to the new Watergate development
- Access should be from Haven Brook Avenue
- Impact on neighbouring amenity
- Higher noise levels
- Overbearing, out of scale and out of character with the area
- Visual impact of development
- No proper consultation
- Support is from residents of Netherfield and Battle
- Japanese knotweed has been buried on the site

6.3.2 Note that 166 objections have not been published on our website in accordance with our policy to *‘reject any representation which in its opinion contains comments that are deemed to be potentially libellous, defamatory, threatening, abusive or likely to incite racial hatred’*.

6.3.3 51 comments in support have been received. This includes three from Sidley and Bexhill residents with the remainder coming from residents of the rural areas of Rother; Netherfield and Battle in particular. While some simply indicate support for the application, the majority advise that they are in support because the site is allocated for gypsy and traveller use in Rother’s Development and Site Allocations Plan 2019 (DaSA). The comments include the support of Northiam, Etchingham, Icklesham, Guestling and Brightling Parish Councils and Battle Town Council.

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## 7.0 LOCAL FINANCE CONSIDERATIONS

7.1 There are no Local Finance Considerations.

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## 8.0 APPRAISAL

### 8.1 Principle of Development

8.1.1 The application site is part of the site assigned for a ‘*small site of up to five pitches for the permanent residential use by gypsies and travellers*’ through Policy BEX3c. The application seeks outline permission for two pitches and access from Watermill Lane. The application includes a Block Plan which shows how the site could also accommodate the further three pitches required by Policy BEX3c within a u-shaped access road as well as retain the majority of the landscaping required on this site to mitigate for the impacts of Haven Brook Avenue (also known as the North Bexhill Access Road – NBAR).

8.1.2 It is of note that the application site is only part of the wider, residential-led allocation BEX3c. While an application proposing comprehensive development of the entire allocation would normally be required, it is considered that this land-parcel is a discrete entity, with its own anticipated access from Watermill Lane, and that it can therefore be considered in isolation. Similarly, while the planning application does not relate to the entire gypsy and traveller element, the Block Plan clearly demonstrates that the layout has been considered comprehensively and could be achieved.

8.1.3 Policy BEX3 is an over-arching policy, which requires applications for the three housing allocations – BEX3a, b and c - to contribute to shared infrastructure including foul drainage; sustainable surface drainage; off-site highway and cycle/footpath improvements; a multi-functional ‘green corridor’; outdoor sports facilities; and a common approach to securing superfast broadband. As above, it is considered that the gypsy and traveller allocation can be considered as a distinct land parcel without undermining the clear requirement for these large housing allocations to be brought forward comprehensively and with shared infrastructure.

8.1.4 Note that this application is not made by a gypsy and traveller family, but by residents’ group Residents Against Unlawful Development in Netherfield (RAUDIN). The planning system entitles anyone to apply for permission to develop any plot of land, irrespective of ownership. This does not however affect any civil rights which can preclude development from being implemented if the consent of the owner is not obtained. The owner of the land, Sea Change Sussex, has been correctly notified by the applicant. Neither the particular applicant, nor their interest in the land is a material consideration in the determination of the application in this case.

8.1.5 In summary, it is considered that this application is acceptable in principle and delivers the expectations of the BEX3c allocation without undermining Policy BEX3.

### 8.2 Access and Transport

8.2.1 The access to the site from Watermill Lane was considered by the Inspector who considered the DaSA. In his December 2019 report, he reviewed an access plan which showed a swept path analysis for a vehicle and caravan. He also noted that the Highway Authority did not object and along with hearing evidence and observing the site himself, concluded that it would be feasible to secure an appropriate access to the site from Watermill Lane. It is

therefore considered that an access road proposal could be achieved through a reserved matters submission. It is noted that this could have a minor impact on Haven Brook Avenue (NBAR) mitigation planting, and this would need to be provided elsewhere within the site allocation.

8.2.2 Local residents have raised concerns regarding the use of Watermill Lane by vehicles and caravans and the impact on the use of the lane by walkers, cyclists and horse riders. However, this was a country lane linking Sidley with Catsfield and as such it was utilised by a wide variety of traffic and remains quite capable of accommodating this traffic. Watermill Lane continues to provide access to a number of residential properties, a farm and agricultural land, including stables. Vehicles with trailers are regular users of the road and the addition of two pitches will have negligible impact on it. The proposal complies with Core Strategy Policies TR3 and TR4.

### 8.3 Loss of Green Space/Visual Impact

8.3.1 The site is allocated for development as part of the North Bexhill DaSA allocations. The impact of their development has been considered as part of the District-wide allocation of land. In relation to this site, the substantial areas of landscaping, proposed in relation to the NBAR, mirrored in the Policy BEX3c detail map and outside this application site, will create an appropriate landscape setting for the development. The proposal will not be over-bearing or out of context of character with the anticipated character of the North Bexhill allocations. The proposal complies with DaSA Policies BEX3, BEX3c, DEN1 and Core Strategy Policies PC1 and EN1.

### 8.4 Residential Amenity

8.4.1 The proposed pitches will be set in their own landscape and will not harm the amenity of surrounding residential properties. A 2m acoustic fence is due to be installed along the northern edge of the site, as part of the NBAR acoustic mitigation and this will ensure a suitable noise environment on the site. The environmental health officer advises that conditions should be imposed to manage any contamination unexpectedly found on the site and to prevent petrol generators being used on the site. These can be secured via condition. The proposal complies with Core Strategy Policy OSS4.

### 8.5 Japanese Knotweed

8.5.1 A neighbouring resident has alleged that Japanese knotweed was buried on the site as part of the construction of the NBAR. It is legal to bury Japanese knotweed if 5m deep and with a roof barrier membrane layer at least 2m deep. Japanese knotweed is not a public health issue, but its disposal is controlled to prevent ecological and structural damage. This is not an issue which prevents the Local Planning Authority from granting permission, but a note should be added, advising any potential future owner of the land to carry out their own due diligence regarding this issue.

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## 9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 This application seeks outline planning permission (with all matters reserved) for two pitches for gypsy and traveller use. The application site is part of an area allocated for gypsy and traveller use as part of DaSA Policy BEX3c.
- 9.2 The proposals comply, in outline, with Policy BEX3c as well as Core Strategy Policies TR3 (access) and TR4 (parking), EN1 (landscape stewardship) and OSS4 (general development) considerations.
- 9.3 While the objections raised by local residents are noted, and considered in this report, the proposed development accords with planning policy and should be granted. There are no material considerations to indicate otherwise.

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**RECOMMENDATION:** It be **RESOLVED** to **GRANT (OUTLINE PLANNING)**

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### **CONDITIONS:**

1. Before any part of the approved development is commenced approval of the details of the access, appearance, landscaping, layout and scale of the site, (hereinafter called "the reserved matters"), shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out only as approved.  
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).
2. Application for approval of 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).
3. 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).
4. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of DCLG "Planning Policy for Traveller Sites" (revised version published August 2015).  
Reason: To comply with Policy BEX3c of the Rother Development and Site Allocations Local Plan 2019.
5. No more than two static caravans and two tourers, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time.

Reason: To conserve the natural beauty of the High Weald Area of Outstanding Natural Beauty in accordance with Policies EN1(i) and LHN6 of the Rother District Local Plan Core Strategy.

6. No commercial activities shall take place within the site.  
Reason: To preserve the amenities of the locality, in accordance with Policy OSS4(ii) of the Rother District Local Plan Core Strategy.
7. If during development contamination not previously identified or expected is found to be present then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to the Local Planning Authority for approval, a method statement to: identify, risk assess and mitigate the suspected contaminants.  
Reason: To prevent pollution of the water environment in accordance with Policy Paragraphs 118, 170 and 178 of the National Planning Policy Framework and Policy OSS3 (viii) of the Rother Local Plan Core Strategy.
8. Prior to occupation of the development hereby approved, electric services suitable for caravan use shall be installed on site. Electric services shall then be maintained as such throughout the lifetime of this development. No petrol or diesel generators shall be used on the site at any time.  
Reason: To safeguard the amenities of the area in accordance with Policies OSS4 (ii) and (iv) of the Rother District Local Plan.

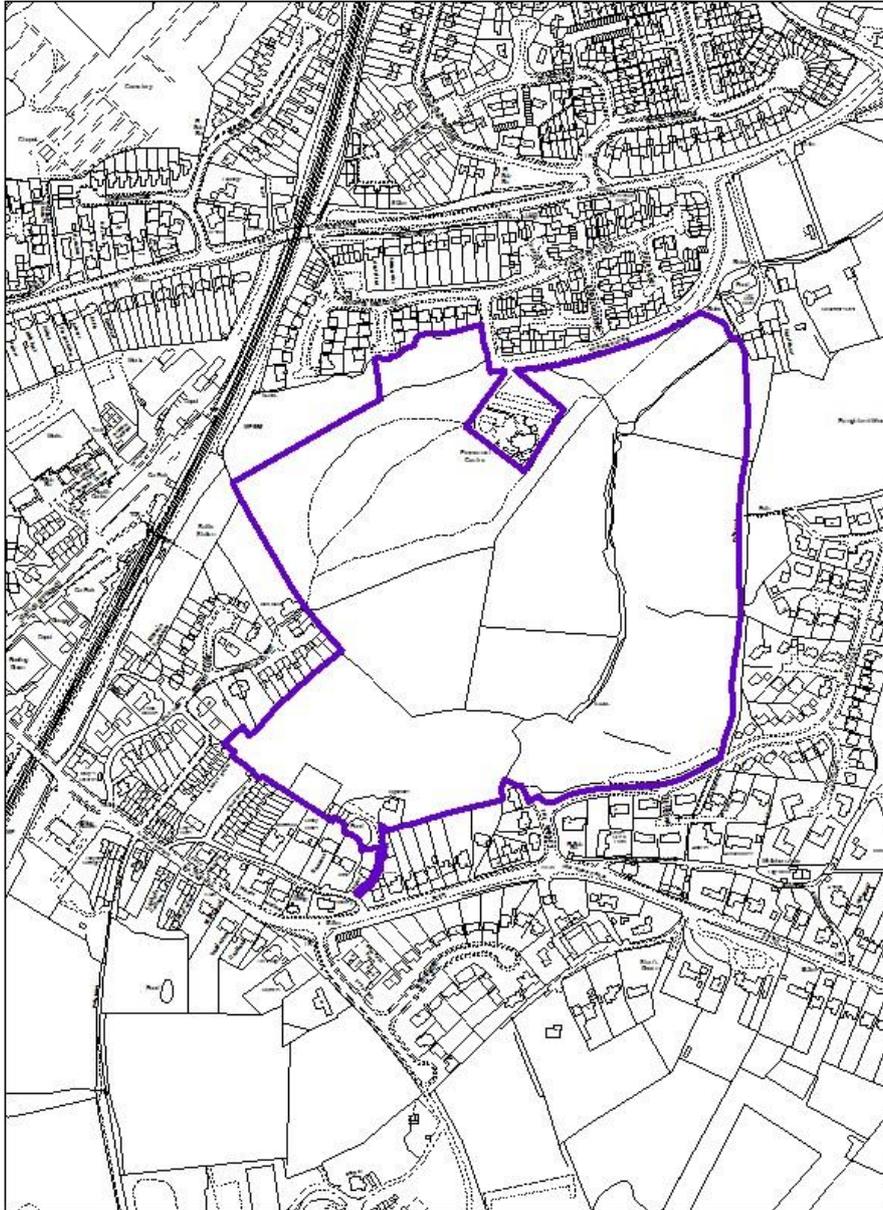
**NOTE:**

1. It has been alleged that Japanese knotweed has been buried on this site as part of the North Bexhill Access Road's construction. While not a public health issue affecting the grant of planning permission, any potential purchaser may wish to investigate this matter further.

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

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SITE PLAN	BATTLE
RR/20219/604/P	Blackfriars - Land at.



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## Rother District Council

Report to	-	Planning Committee
Date	-	17 December 2020
Report of the	-	Tim Hickling, Head of Strategy and Planning
Subject	-	Application RR/2019/604/P
Address	-	Blackfriars – Land at BATTLE
Proposal	-	Outline: Detailed proposals for a spine road to serve residential development, with vehicular access off Harrier Lane and The Spinney, with Master Plan for up to 220 dwellings and associated works.

[View application/correspondence](#)

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**RECOMMENDATION:** It be **RESOLVED:** To **GRANT (FULL/OUTLINE PLANNING) DELEGATED SUBJECT TO COMPLETION OF A SECTION 106 AGREEMENT: FOR PROVISION OF AFFORDABLE HOUSING, LANDSCAPE/ECOLOGY WORKS AND MAINTENANCE AND HIGHWAY WORKS**

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**Head of Service: Tim Hickling**

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**Applicant:** RDC, Head of Acquisitions and Transformation  
**Agent:** Robinson Escott Planning  
**Case Officer:** Mrs S. Shepherd  
(Email: [sarah.shepherd@rother.gov.uk](mailto:sarah.shepherd@rother.gov.uk))

**Parish:** BATTLE  
**Ward Member(s):** Councillor K.P. Dixon

**Reason for Committee consideration:** Head of Service – Strategy and Planning referral: Highways Update

**Statutory 13 week date:** 17 June 2019  
**Extension of time agreed to:** 22 December 2020

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### 1.0 UPDATE

- 1.1 There are no changes to the proposals or plans that were previously considered by the Planning Committee at its meeting on 10 October 2019.
- 1.2 This update arises as a result of negotiations with regard to the Section 106 legal agreement, which have led to the Highway Authority (HA) submitting additional comments in respect of the proposals, specifically with regard to consideration of potential wider impacts from the residential element of the

site, which they had not previously addressed. After further consideration of the proposals, the HA have a number of recommendations for additional elements to be included in the Section 106 and via conditions and these are brought back to committee for reapproval. The HA conclude:

*"I do not object to the creation of a spine road or the principle of this residential development of 220 dwellings subject to the s106 obligations and conditions at the end of this report."*

1.3 They comment as follows.

**Rail access:**

*Policy BT2 in the Rother LP covers the need for a pedestrian and cycle link to the railway station direct from the development site. I consider this to be an important connection for a site serving 220 dwellings. I require that this link is explored as part of a subsequent Reserved Matters application at this site.*

*Right of Way (RoW) no.76 should also be considered as a main pedestrian and cycling route to the station. I recommend that, subject to agreement with our RoW department, it is upgraded to serve as pedestrian and cycle route across the site. This RoW links to Kingsdales and St Marys villas, which are unadopted highways ie they have highway rights but are not maintained. The public have the right to pass along them. I recommend that RoW 76 is promoted as a lightly trafficked route to the station. Upgrading works should be secured in the s106 agreement.*

**Bus services and infrastructure-**

*Walking distances to bus services are very much in excess of the recommended 400m, so significant mitigation and improvements to encourage bus use are required to ensure the site is suitably accessible by bus.*

*Hastings Road: The principal bus service (route 304/305 to/from Hastings, Battle, Hawkhurst and Tunbridge Wells) runs to the south of the site along Hastings Road. The service operates hourly - Monday to Saturday daytime only.*

*The closest bus stops to The Spinney access point are some 100-200 metres either side of the junction, which is too distant for the majority of residents that will be over several 100m from the Spinney (maybe as far as 800m over varying gradients depending on the eventual pedestrian routes across the site). As well as being too distant, these stops do not have accessible features to ensure they can serve all residents. The following is required (to be secured through a 106 and delivered via a S278 agreement with ESCC).*

- 1) Two new bus stops on Hastings Road (one on the north side of the road and one on the south side of the road), as close as possible to The Spinney junction. Each needs a raised kerb (minimum 125mm, ideally 160mm), bus stop clearway markings, new bus shelter (in conjunction with parish council), new bus stop pole (sourced from Stagecoach) and real time information.*
- 2) There will also need to be a safe accessible pedestrian link across Hastings Road to/from the bus stop.*

Marley Lane: To the north of the development, bus route 95 runs along Marley Lane, to/from Conquest Hospital, Battle and Bexhill (The service is 2 hourly Monday to Saturday daytime).

There is a westbound bus stop to the west of Norman Close and unmarked stop opposite it in the eastbound direction. The following upgrades are required.

- 3) Each stop needs a raised kerb (minimum 125mm, ideally 160mm), bus stop clearway markings, new bus shelter (in conjunction with parish council), new bus stop pole (sourced from Stagecoach) and real time information.
- 4) There will also need to be a safe accessible pedestrian link across Marley Lane to/from the bus stops.

As noted above, the site is distant from the nearest bus stops so significant measures are required to ensure take up of sustainable travel modes. This is further inhibited by the relatively low frequency of principle bus service 304/305, which has no service on Sundays. Providing a Sunday service is regarded as a priority so as to establish an attractive service provision. The sum of £26,000 per annum for 3 years is requested to establish a Sunday service on route 304/305.

In view of the significant walking distances to these bus stops, an accessible transport solution is required for those with poorer mobility or less inclined to walk. The sum of £60,000, as a one-off payment, will provide Battle Area Community Transport or a similar organisation with the funding for a minibus to establish a community minibus route through the development as part of the local community transport network.

### **Pedestrian and cycle accessibility**

At this time a sufficient walking and cycling off-site audit has not been undertaken. I would usually expect this to be part of the TA submissions along with proposed improvements to mitigate the impacts of development. No such mitigation has been proposed in the TA. As such I require the completion of a walking and cycling audit from the site (all access junctions towards the town centre, schools, retail (incl. food retail), health care, leisure facilities and railway station). The audit should build on the detail in the TA in relation to existing infrastructure, identify gaps in provision and put forward mitigation measures for such things as provision of missing links, crossing points, footway and cycleway widening, traffic calming, drainage, lighting, cycle parking, review of parking controls etc. The walking and cycling audit should be secured by condition.

Of particular note is the presence of the Tesco Express on the southern side of Battle Hill necessitating a crossing to allow residents safer access to it. ESCC has identified the need for crossing here and has carried assessment of its deliverability. Given the likely increase in pedestrian trips across the road a contribution of £130,000 towards the crossing is required.

In assessing and determining walking and cycling the East Sussex Walking and Cycling Strategy- Battle put together by Sustrans and ESCC should be taken into account. This strategy identifies weakness in current provision in Battle and puts forward high level suggestions for improvement. It should be

noted that the Walking and Cycling Strategy does call for a non-car link from the Blackfriars site to the station.

**Third access point:**

On consideration of the masterplan I note that the site (Parcel 1) is to be served by a separate access onto Harrier Lane (to the East of the Spine Road). 20 of the 220 dwellings will be served by this access. This access is only roughly shown on the Masterplan and has not been considered in the submitted TA. As such I have no details of the proposed form of the access or its layout. There is no supporting Road Safety Audit nor details of the expected development trips at this access.

The acceptance of this access can only be agreed on receipt of such information and assessment. Therefore, details of the access must be agreed prior to commencement of development of this parcel and within the s106 agreement.

**Travel Plan**

For a development of this scale ESCC requires that the developer and provides and operates a full Travel Plan over 5 years to ensure the use of sustainable travel and reduction of single occupancy car trips. The Travel Plan will be fundamental in ensuring opportunities created by the improvements to rail, bus, walking and cycling as detailed above are maximised. I consider Battle to be a sustainable location for its size and therefore there is scope to achieve a greater modal share for sustainable travel.

The Travel Plan must be drafted based on ESCC Travel Plan guidance and set out varied measures that the Applicant/developer will implement as part of the development to be agreed with ESCC. The Travel Plan must set targets (also to be agreed with ESCC), be monitored over time in accordance with SAM from TRICS (or as otherwise agreed) and remedial measures put in place should Travel Plan targets not be met.

ESCC also requires a Travel Plan Audit fee of £6000 to cover the costs of auditing and advising on the Travel Plan.

**Traffic Impact**

The TA assesses the likely traffic impact of a new through route ie the impact of diverted traffic and potential trips generated by the housing at the site accesses/Marley lane and Hastings Road. It is possible that existing traffic could route through the site to avoid the roundabout at Marley Lane/Lower Lane/Upper Lake roundabout, therefore alleviating some of the existing congestion. I commented on and accepted the impact here but did also comment that the design of the Spine Road suggests that the route is being designed to deter all traffic from using it ie as a convoluted route and not necessarily providing a journey time saving.

The TA only covers the impacts at Marley Lane, Hastings Road, the Marley Lane/Lower Lane/Upper Lake roundabout and the junctions on the A21. There are no detailed assessments of the wider network.

There is no assessment as yet on vehicle flows within the town centre and at the London Road/North Trade Road/High Street junction- only details of the

*expected additional development flows. I would usually expect to see link/junction assessments, if only to demonstrate that development traffic can be accommodated. I suspect that the introduction of parking controls in Battle will help mitigate some of the development impact, but this should be confirmed, particularly in light of the constrained High Street.*

*There is a need to minimise trips associated with 220 dwellings to ensure queuing and parking demand is lessened. I therefore expect to see either junction improvements or preferably a commitment to sustainable non car travel through the detailed Travel Plan and the contributions and works to be secured in the s106 agreement.*

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## **2.0 SECTION 106 MATTERS**

2.1 With regard to the matters for inclusion in the S106, paragraph 8.10.2 of the previous report set out the following:

In this case the following requirements would be necessary under a section 106 Agreement, being considered to be related to the development, proportionate and necessary:

- **Provision of 35% affordable housing units and nomination rights (including 65% affordable rented).**
- **Provision of and future management of the landscaping to the site including retention of woodland areas, boundary trees and new planting with public access.**
- **Ecology mitigation and biodiversity compensation and improvements.**
- **Local Employment and Skills Plan.**
- **Highway works including two new vehicular accesses into the site.**

2.2 In respect of highway works the HA wish to include the following contributions and off site (s278) and on-site works, the amounts for which are the subject of on-going discussions with the Applicant:

Contributions:

- 1 A contribution of £26,000 per year for three years and £60,000 towards bus service improvements in the Battle area.
- 2 Contribution of £12,500 per bus stop, for Real Time Passenger Information (four stops).
- 3 £500 per bus stop for clearway markings (4 stops).
- 4 A contribution of £130,000 towards a controlled pedestrian crossing in the vicinity of the PFS and supermarket on Battle Hill.
- 5 A full Travel Plan and Travel Plan Audit Fee of £6000.

Highway Works (to be delivered by Section 278 agreement with ESCC)

- 6 Two new bus stops on Hastings Road to include a raised kerb new bus shelter, new bus stop pole, bus stop clearway.
- 7 Two new bus stops on Marley Lane to include a raised kerb new bus shelter, new bus stop pole, bus stop clearway.
- 8 Creation of a junction (priority junction) at either end of the Spine Road onto The Spinney (UC6303) and Harrier Lane (UC6330), suitable to serve a major residential estate of up to two hundred and twenty (220) subject to detailed design and supported by Road Safety Audits.

On site works:

- 9 Upgrades to the PRow 76 to provide convenient pedestrian and cycle routes through the site to allow for access to Battle railway station and town centre.
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### 3.0 CONDITIONS

3.1 With regard to conditions, the HA advise that they did not previously recommend conditions to secure highway works and the layout requirements associated with a major residential development as they usually would. Despite these previous omissions from the HA, some appropriate conditions were still listed in the previous recommendation as a matter of course by the planning officer. It is also the case that some matters required to be addressed by the HA will be covered in any Reserved Matters submission. However, there some updates as follows:

- Conditions 11 and 19 (now 20) have been slightly reworded.
  - New conditions are listed at 18, 21 and 31.
  - Additional notes are also added at 4 and 5.
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### 4.0 PLANNING BALANCE AND CONCLUSION

4.1 The additional highway comments and requirements do not change the nature of the proposed development; the proposals remain acceptable in principle in accordance with policy. The previous recommendation made remains valid but, as explained above, there are additional requirements having regard to the updated comments from the HA.

4.2 The Section 106 legal agreement has continued to be drafted with inclusion of the additional requirements of the HA and its completion is imminent.

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[The previous report is available here.](#)

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**RECOMMENDATION: It be RESOLVED to 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.**

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#### CONDITIONS:

1. Approval of the details of layout, appearance, landscaping and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development commences.  
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.
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, 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 details of 'events' along and within the road such as informal squares that the road passes through to be created at key junctions/intersections, such that the street is designed as a social space, incorporating Manual for Streets placemaking. 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 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, the Lead Local Flood Authority and the local Highway Authority. Surface water must not discharge onto the highway and vice versa. 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 (ECoW) 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. Prior to commencement of development of Parcel 1, the details of a new access on to Harrier Lane to serve Parcel 1 shall be submitted and agreed with the Highway Authority. The new access shall be subject to a full Road Safety Audit procedures and detailed design, and the submitted details will include but not be limited to adequate visibility splays, pedestrian and cycle facilities, suitable gradient, drainage and construction. The new access will be implemented prior to the first occupation of the any dwelling in Parcel 1.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, in accordance with Policies CO6, TR2 and TR3 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 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 street scene 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); and
- 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.

20. Pursuant to Condition 1, no above ground works shall commence until a walking and cycling audit of the routes to key destinations in Battle from the site, including Battle Station, has been completed and agreed with the Highway Authority and the audit shall include the identification of mitigation measures and improvement schemes needed to increase walking and cycling as a mode of travel, and prior to first occupation of the development the agreed measures/schemes shall be implemented in accordance with the agreed details.

Reason: To achieve a well-connected, accessible development by non-car modes and to meet the objectives of sustainable development, in accordance with Policies BT2, EN3, TR2 and TR3 of the Rother Local Plan Core Strategy and the National Planning Policy Framework.

21. Pursuant to Condition 1, no above ground works shall commence until an assessment of the impacts of development traffic in Battle High Street and at London Road/North Trade Road/High Street junction shall be completed and agreed with the Highway Authority and the assessment shall identify and include design of mitigation measures, and prior to first occupation of the development the agreed measures shall be implemented.  
Reason: To ensure the traffic impacts of the development are mitigated and the safety of persons and vehicles proceeding along the highway, in accordance with Policies CO6, TR2 and TR3 of the Rother Local Plan Core Strategy and the National Planning Policy Framework.
22. 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) vehicle and cycle 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 hard standings, 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
  - l) 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 Policies EN3, EN1, TR2 and TR4 of the Rother Local Plan Core Strategy.
23. 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 Local Plan Core Strategy.

24. 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.

25. 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.

26. 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) 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 (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: require in order to positively management 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.

27. 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.

28. 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.

29. 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.

30. The details of layout pursuant to Condition 1 above shall include details for the parking and turning of vehicles (including turning of refuse 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.

31. During any forms of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority in consultation with the Highway Authority, to prevent contamination and damage to the adjacent roads.  
Reason: In the interests of highway safety and for the benefit and convenience of the public at large, in accordance with Policies CO6 and OSS4 of the Rother Local Plan Core Strategy.
32. 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.
33. Each dwelling shall not be occupied until the boundary treatments that relate to it as approved under Condition 22 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.
34. 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 through 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 NE Bexhill SPD 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.pl191010 – RR/2019/604/P.
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 & 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. For the avoidance of doubt the Applicant is reminded that:
  - Parking spaces shall measure at least 2.5m by 5m with an extra 50cm on each dimension where spaces abut walls or fences).
  - Any garages shall measure at least 3m by 6m (internally) and will count as 1/3 of a space of the total parking provision and requirement.
  - Cycle parking shall be covered and secure and in a convenient location for each dwelling.
5. For the avoidance of doubt, the access junctions shall have maximum gradients of 2.5% (1 in 40) from the channel line and 11% (1 in 9) thereafter.
6. 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.
7. The following public rights of way across the site should be retained and remain accessible at all times: Public Footpaths 76 and 77b.
8. 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.
9. This planning permission does not authorise any interference with animals, birds, marine life, plants, fauna and habitats in contravention of the requirements of the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 (CROW) and other legislation. Further advice on the requirements of these Acts is available from Natural England, Sussex and Surrey Team, Phoenix House, 33 North Street, Lewes, East Sussex BN7 2PH.

10. 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).
11. 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). pl191010 – RR/2019/604/P.
12. The archaeological written scheme of investigation, ensuing works and production of reports should accord with the relevant portions of the ESCC 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 ESCC, Transport & Environment, County Hall, Lewes, BN7 1UE or telephone 01273 481608.
13. 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.

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**Rother District Council**

**Report to:** Planning

**Date:** 17 December 2020

**Title:** Undetermined Major Planning Applications

**Report of:** Tim Hickling, Head of Strategy and Planning

**Ward(s):** All

**Purpose of Report:** To update the Planning Committee

**Officer Recommendation(s):** It be **RESOLVED:** That the report be noted.

RR/2015/2264/P Michael Tyler Factory, Woodlands Way, Westfield  
 Outline: Redevelopment of site to provide residential development comprising 40 units, landscaping and a LAP.

Status: Delegated 30 May 2019. Section 106 Obligation with applicant and we are still awaiting their responses.

RR/2017/1778/P Former Thomas Peacocke School Site, Ferry Road, Rye  
 Demolition of Queen Adelaide public house and erection of 63 residential dwellings comprising 38 houses and 25 flats with associated landscaping, car parking and other infrastructure.

Status: Delegated 14 November 2019 – Section 106 with RDC to engross. Decision issue imminent.

RR/2017/2452/P 11 Ellerslie Lane, Moleynes Mead, Bexhill  
 Outline: Redevelopment of land with 24 No. unit residential development including new access road, associated parking and external amenity areas.

Status: Delegated 14 April 2018. The application has been in abeyance pending completion of the legal agreement (Section 106). However, there has been no progress on the part of the Applicant and site owner. There is a further and more recent application on this site ref: RR/2020/565/P (different applicant). We are presently investigating whether the earlier application can be withdrawn.

RR/2017/382/P Hodson's Mill, Northbridge Street, Salehurst / Robertsbridge  
 Erection of 96 No. residential dwellings (Use Class C3), non-residential floorspace comprising 280 sqm (Use Class A3) and 920 sqm (Use Class B1), and associated

access, car/cycle parking, open amenity space, strategic landscaping and green infrastructure and including restoration works to the Mill Building and Oast House.

Status: Delegated 18 April 2019. The application has been in abeyance pending completion of the legal agreement (Section 106). However, there has been no progress on the part of the applicant and site owner. The applicant has been contacted to seek confirmation that the application can be withdrawn. The response; however, is that the applicant wishes to pursue matters and has instructed a solicitor to resume negotiations in respect of the legal agreement. The solicitor acting for the Council in this matter has confirmed that the applicant's solicitor has been in contact. We are now waiting to see how matters progress.

RR/2018/3064/P

Churchill Farm, The Street, Sedlescombe

Outline: Erection of ten dwellings, new access and access road and relocation of the 30mph speed limit.

Status: The applicant is in negotiation with the adjacent site (Gate Cottage, RR/2019/1332/P) regarding the proposals for a joint shared access. Once this is resolved and amended plans submitted it can then proceed to report.

RR/2018/3099/P

Lydd Ranges Sea Defences, Lydd Road – East of, Jurys Gap, Camber

Improvement of flood defences including construction of new timber groyne field, recharge of beach, strengthening of the 'Green Wall' and relocation of Denge Marsh outfall.

Status: Permission expected to be issued before the end of 2020. Have been co-operating with Folkestone and Hythe District Council, Natural England and the Environment Agency regarding the principal Habitat Regulation issues. Recently concluded the Appropriate Assessment and IROPI tests with confirmation received from the SoS that the application can move forward to determination.

RR/2019/1659/P

PGL Pestalozzi, Ladybird Lane, Sedlescombe

Change of use of site from a use comprising conference, dining, administration and education facilities with associated accommodation, to a use comprising a residential training and educational activity centre; together with operational development including kitchen extension to existing building, extension to existing accommodation block, new accommodation blocks, tenting area, car and coach park, site access improvements and new coach passing places, outdoor activities structures, new activity pond, living acoustic fencing and parkland tree planting.

Status: This application was to be reported to Committee last August but was withdrawn from the agenda. This was in response to a letter submitted on behalf of objectors from Richard Buxton Solicitors. This letter, which is on the application website, contained a legal view that raised a number of challenges in respect of the, since withdrawn, committee report. Legal advice is being sought on the matters raised. These matters are presently under review and once addressed, the report will be revised accordingly, and the application will be reported to a forthcoming meeting of Committee. There is presently no date for this.

RR/2019/1841/P

Old Mears, Harbour Road, Icklesham  
Erection of industrial unit with offices and staff facilities.  
Formation of new vehicular access.

Status: No outstanding matters. Permission expected to be issued before the end of 2020.

RR/2019/2242/P

Barnhorn Green, Bexhill  
Amendments to five areas of the approved scheme RR/2015/3115/P resulting in revised mix and quantum of dwellings increasing from 67 to 83 units including 30% affordable.

Status: Delegated to approve 19 May 2020 - Section 106 negotiations ongoing. 1-2 months to decision.

RR/2019/2738/P

The Paddock, Northiam  
Construction of 34 No. dwellings with access, landscaping and parking.

Status: Delegated to approve – 13 November 2020. Section 106 instructed November 2020, early stages. 3-9 months to decision.

RR/2019/2850/P

Churchfields Industrial Estate, Harbour Road, Icklesham  
Construction of 12 industrial units (Use Class B1c, B2 and B8) totalling 4,238sqm GEA. A new access off Harbour Road, associated parking and landscaping.

Status: Waiting for Appropriate Assessment to be agreed by Natural England. Permission expected to be issued early in the new year.

RR/2019/430/P

Bexhill Leisure Centre, Down Road, Bexhill  
Outline: Mixed use development comprising a leisure centre (D2 Use), ancillary car parking and up to 52 dwellings (C3 Use) including matters of access with all other matters reserved.

Status: Delegated 17 December 2019 – Section 106 delayed by Rother District Council needing to acquire

ownership from East Sussex County Council, but Section 106 is being drafted. 3-4 months to decision.

RR/2019/604/P

Blackfriars - Land at, Battle

Outline: Detailed proposals for a spine road to serve residential development, with vehicular access off Harrier Lane and The Spinney, with Master Plan for up to 220 dwellings and associated works.

Status: Delegated 14 October 2019 - the Section 106 is nearing completion subject to final agreements with East Sussex County Council as Highway Authority. An update on the Highway Authority comments is set out within the agenda.

RR/2020/1410/P

South of Barnhorn Road and West of Ashridge Court, Barnhorn Road, Bexhill

Reserved matters relating to residential development for 29 dwellings (outline permission RR/2016/3206/P), appearance, landscaping, layout and scale as well as the discharge of planning conditions 7 (Construction Method Statement), 8 (tree protection measures), 9 (foul and surface water drainage), 11 (translocation protected species), 12 (boundary treatment), 13 (Residential Travel Plan) and 14 (Electric Vehicle Charging Infrastructure).

Status: Awaiting advice of Natural England and East Sussex County Council Lead Local Flood Authority on revised drainage/habitat regs submission. HRA AA will be required. 1-2 months to decision.

RR/2020/151/P

Pett Level Road - Land South of, Fairlight Cove, Fairlight

Outline: Development of up to 48 residential units (including 40% affordable), including new vehicular access from Pett Level Road and serviced plot for a Doctor's Surgery.

Status: Various amendments have been discussed with the applicants and amended plans are awaited.

RR/2020/1572/P

River Rother – Land at, (relating to project known as Folkestone to Cliff End Schemes – Rother Tidal Walls East), Rye/Playden/East Guldeford/Camber/Icklesham Improvement of the existing linear flood embankments and construction of a realigned section of embankment at Camberfield for the creation of new inter-tidal habitat.

Status: Amended plans received 18 November 2020 which are currently being advertised. Awaiting consultee responses on amendments. Extension of time agreed until 31 January 2021.

RR/2020/1598/P

Barnhorn Road and Coneyburrow Lane - Land at junction of, Bexhill

Outline: Proposed new 64 dwellings with new access to the site from A259.

Status: 3 week consultation period recently completed. Likely requirement for further applicant submission in response and advice of some consultees awaited. HRA AA will be required. 1-4 months to decision.

RR/2020/565/P

11 Ellerslie Lane, Moleynes Mead - Land at, Bexhill  
Redevelopment of land to provide 28 dwellings (6 x 4-bed 2 storey homes, 15 x 3-bed 2 storey homes, 4 x 2-bed 2 storey homes, 1 x 3-bed 1 storey home, 1 x 2-bed maisonette, 1 x 1-bed maisonette) and associated new access roads, parking and external amenity areas.

Status: Negotiations on the proposed development have been progressing with the applicant and amended plans are expected to be submitted in the near future. Once the amendments have been received these will be uploaded on the application website and the application will be re-advertised.

RR/2020/585/P

Singehurst - Land at, Pashley Road, Ticehurst  
Erection of 10 residential dwellings comprising of 2 x two bed houses, 2 x three bed bungalows, 4 x three bed houses and 2 x four bed houses together with associated development.

Status: Concerns raised with agent over lack of on-site affordable housing provision and design. Awaiting response from agent on how they wish to proceed. Extension of time agreed until 1 February 2021.

<b>Other Implications</b>	<b>Applies?</b>	<b>Other Implications</b>	<b>Applies?</b>
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Chief Executive:	Malcolm Johnston
Report Contact Officer:	Tim Hickling – Head of Strategy and Planning
e-mail address:	<a href="mailto:tim.hickling@rother.gov.uk">tim.hickling@rother.gov.uk</a>
Appendices:	N/A
Relevant previous Minutes:	N/A
Background Papers:	N/A
Reference Documents:	N/A

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**Rother District Council**

**Report to:** Planning

**Date:** 17 December 2020

**Title:** Planning Statistics for the Quarter July – September 2020  
(including summary of planning statistics for 2020/2021)

**Report of:** Tim Hickling, Head of Strategy and Planning

**Ward(s):** All

**Purpose of Report:** To update the Planning Committee

**Officer**

**Recommendation(s):** It be **RESOLVED:** That the report be noted.

**1.0 MHCLG Statistics PS1 & PS2 Returns July – September 2020 (2<sup>nd</sup> Qtr)**

Total number of planning applications  
Received during the quarter: 313

**2.0** Total number of planning applications  
Determined during the quarter: 252

2.1 Percentage of applications for major  
developments issued within agreed timeframe 67%

2.2 Percentage of applications for minor  
developments issued within agreed timeframe 81%

2.3 Percentage of other planning  
applications issued within agreed timeframe 88%

**3.0** Number of planning applications on hand  
and not determined at the end of the quarter: 503

**4.0 Applications not included in MHCLG PS1 & PS2 Returns  
(Miscellaneous applications) July – September 2020 (2<sup>nd</sup> Qtr)**

i.e. Prior notifications, Discharge of Condition, Lawful Development  
Certificates, Minor Amendments, Works to Trees, Consultations from  
neighbouring authority or ESCC

4.1 Total number of miscellaneous applications received during  
quarter 138

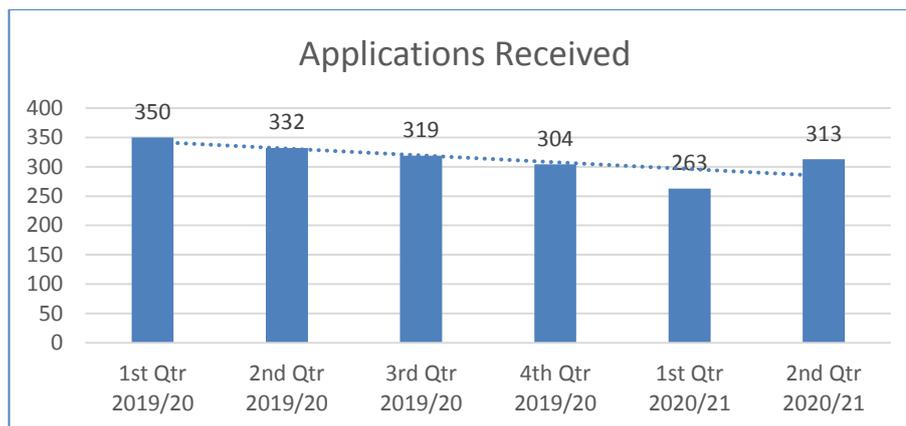
4.2 Total number of miscellaneous applications determined 108

	during quarter	
4.3	Number of miscellaneous applications on hand and not determined at the end of the quarter	92
<b>5.0</b>	<b>Total number of applications on hand at end of quarter</b>	
5.1	Total number of applications on hand	595
<b>6.0</b>	<b>Planning Application Appeals July – September 2020 (2<sup>nd</sup> Qtr)</b>	
6.1	Number of appeals on hand (no decision):	37
6.2	Number of appeals lodged:	14
6.3	Number of appeals: Allowed:	0
	Allowed in part:	0
	Dismissed:	6
<b>7.0</b>	<b>Pre-application Enquiries July - September 2020 (2<sup>nd</sup> Qtr)</b>	
7.1	No of pre applications received:	93
<b>8.0</b>	<b>Planning Enforcement July – September 2020 (2<sup>nd</sup> Qtr)</b>	
8.1	Number of complaints received	148
8.2	Number of complaints resolved	31
8.3	Number of active complaints on hand	456
<b>9.0</b>	<b>Local Land Charge Searches July – September 2020 (2<sup>nd</sup> Qtr)</b>	
9.1	No of Local Land Charge searches received:	1,093

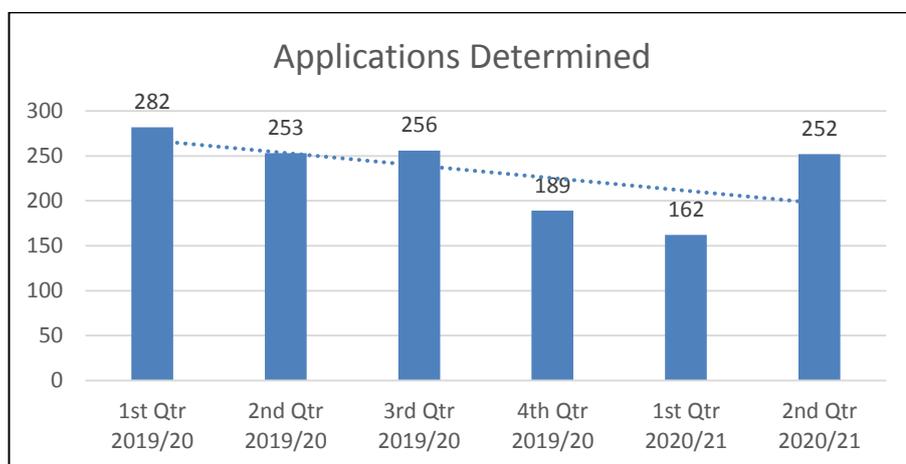
# Summary of Planning Statistics 1 April 2019 – 30 September 2020

## Planning Applications

### 1.0 Applications received:

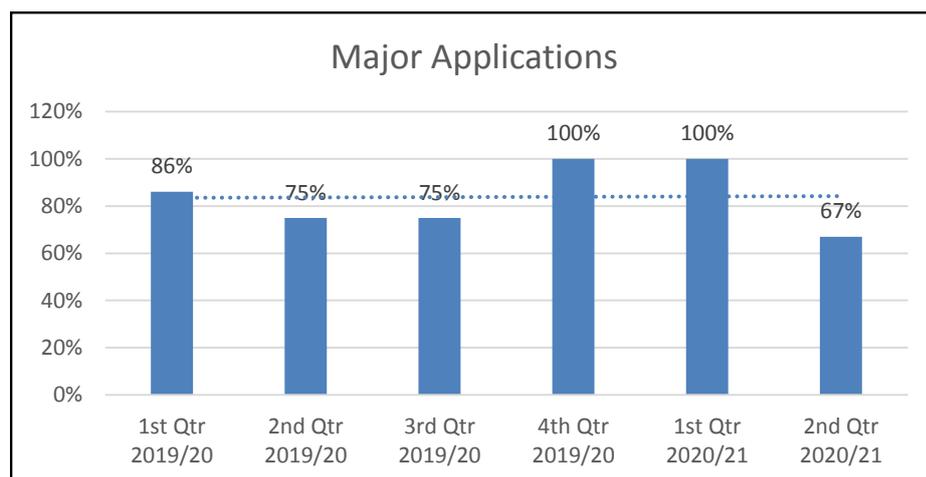


### 2.0 Total number of planning applications determined:

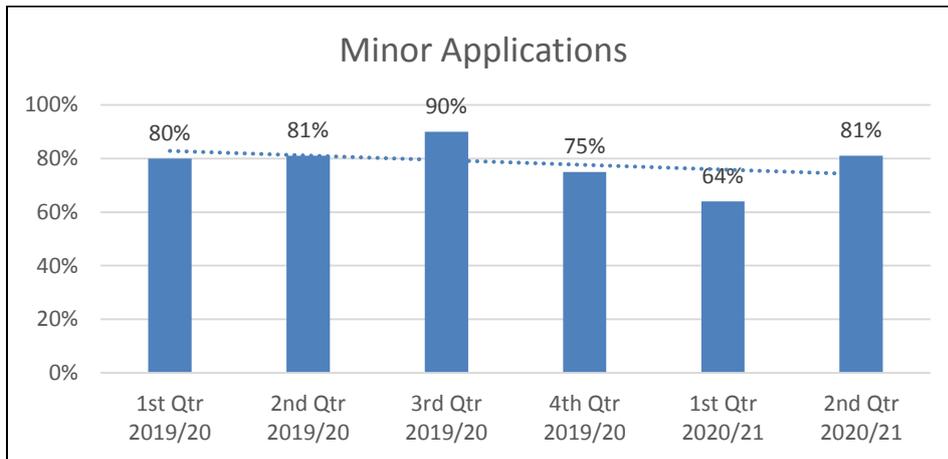


### 2.0 Percentage of planning applications determined within agreed timeframe

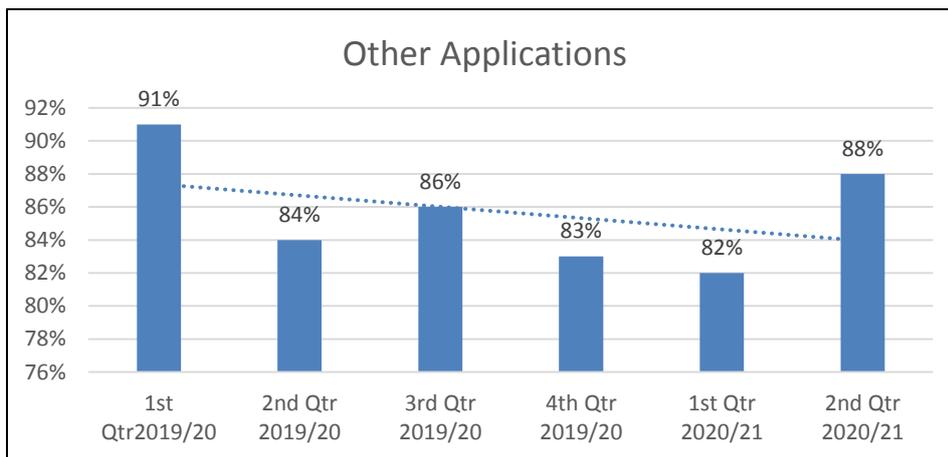
#### 2.1 Major applications



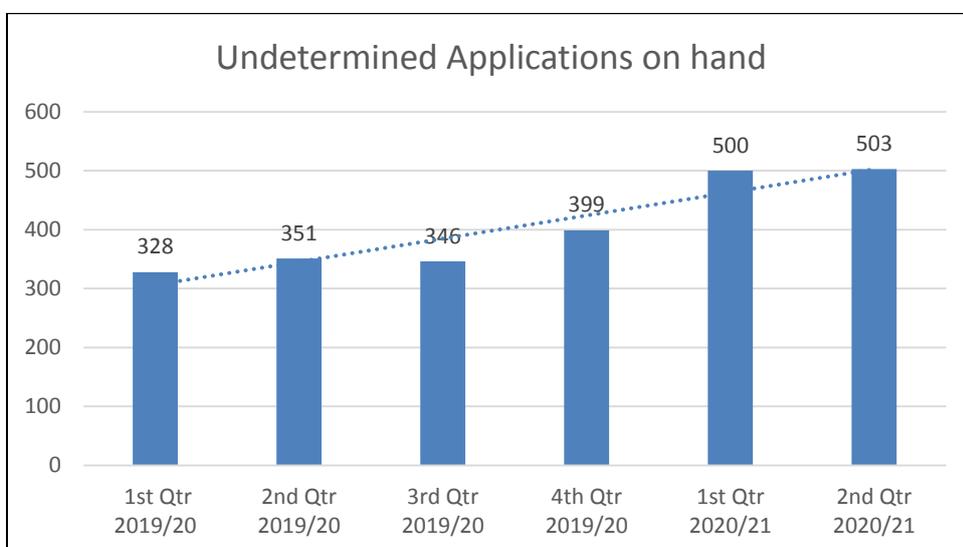
## 2.2 Minor applications



## 2.3 Other applications

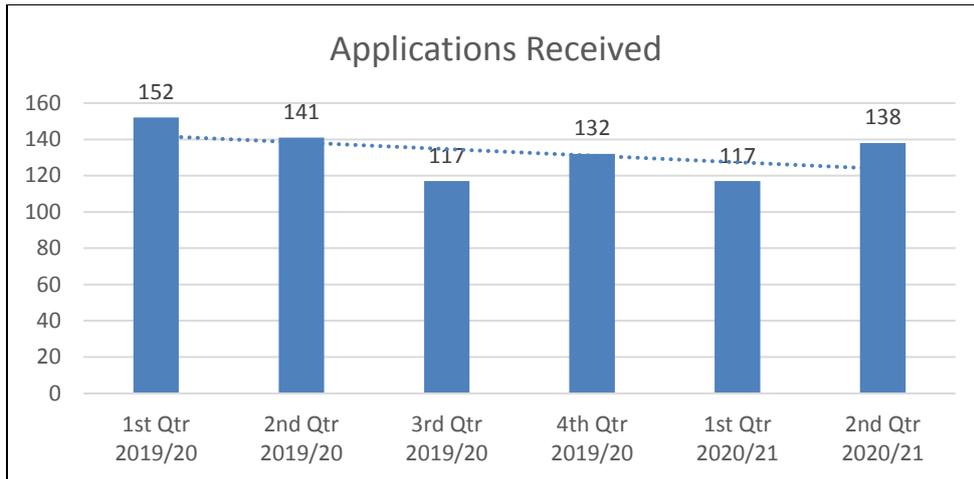


## 3.0 No of applications on hand and not determined at the end of the quarter

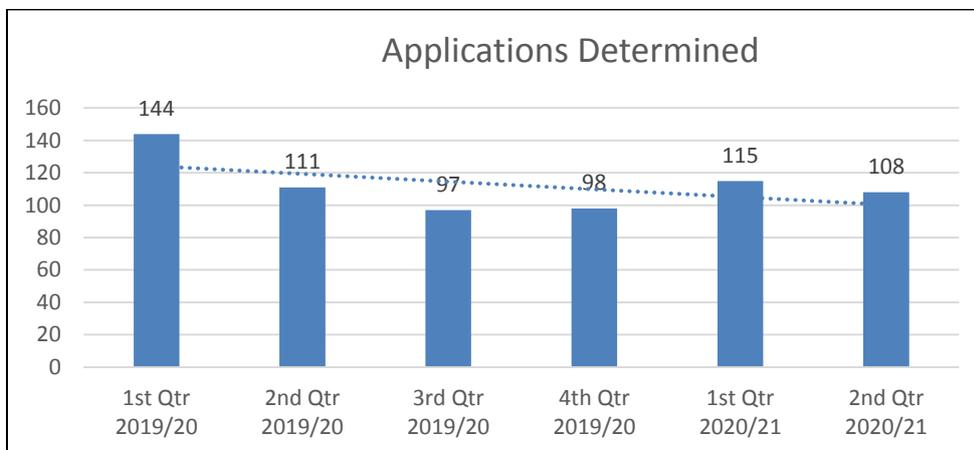


#### 4.0 Applications not included in MHCLG PS1 & PS2 Returns (Miscellaneous applications)

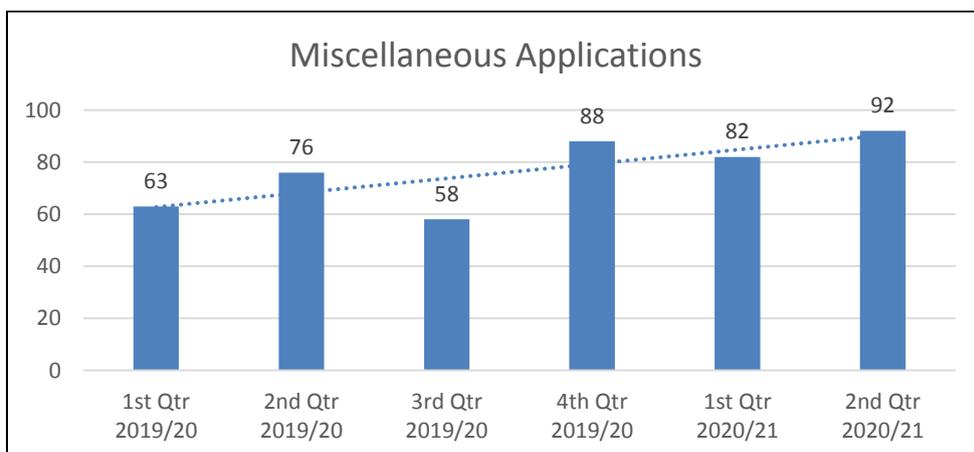
##### 4.1 Received



##### 4.2 Determined

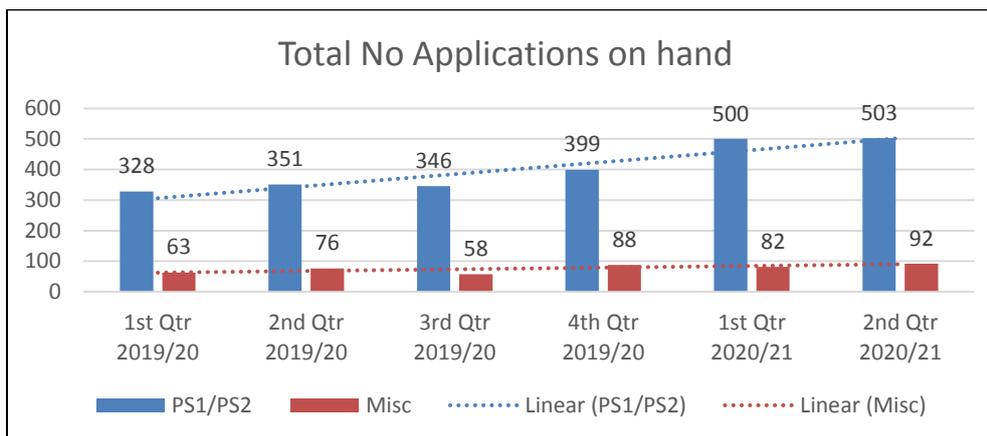
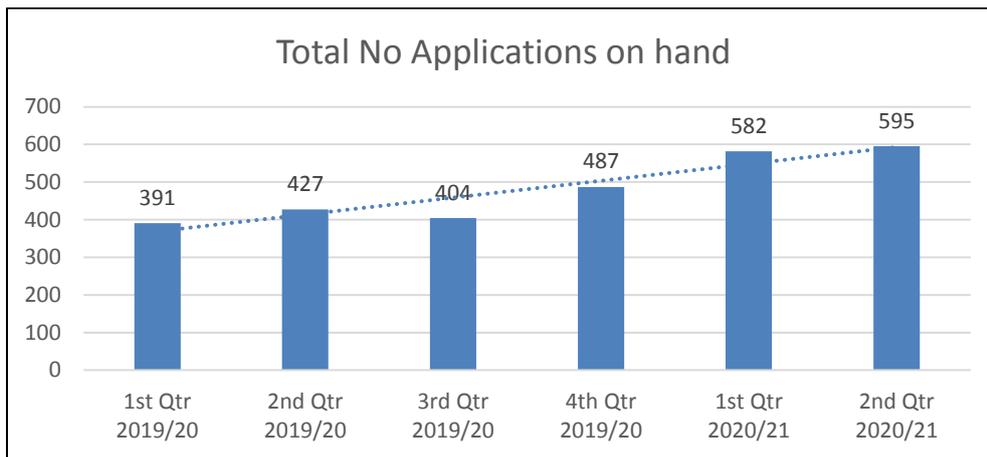


##### 4.3 No of miscellaneous applications on hand



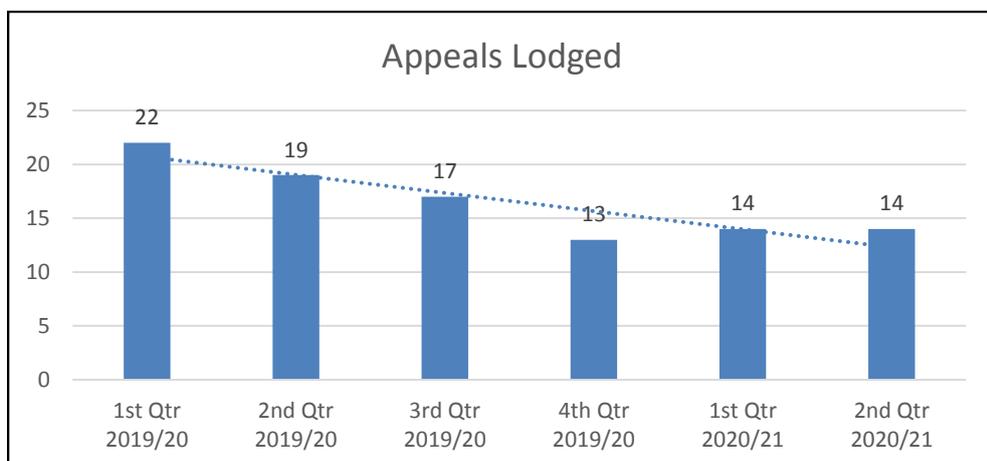
## 5.0 Total number of applications on hand

### 5.1 Applications on hand

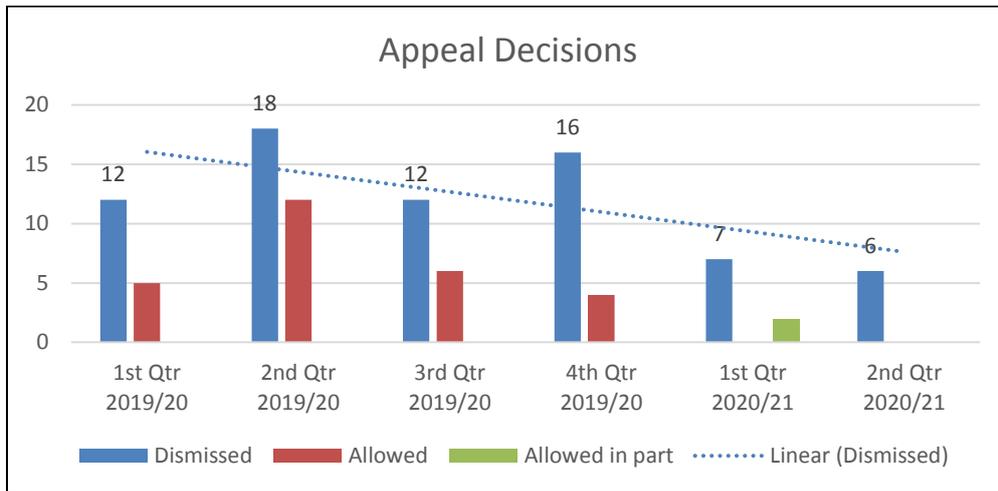


## 6.0 Planning Appeals 1 April 2019 – 30 September 2020

### 6.2 Appeals Lodged

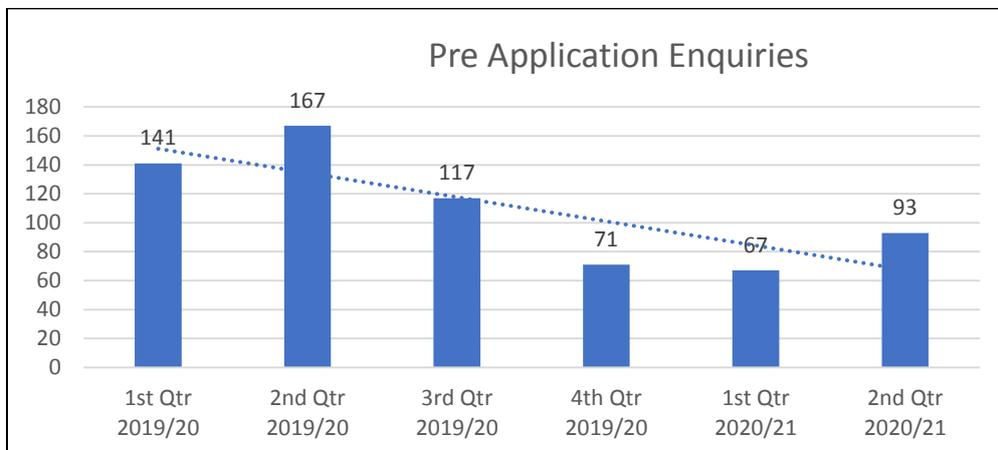


### 6.3 Appeals Decided



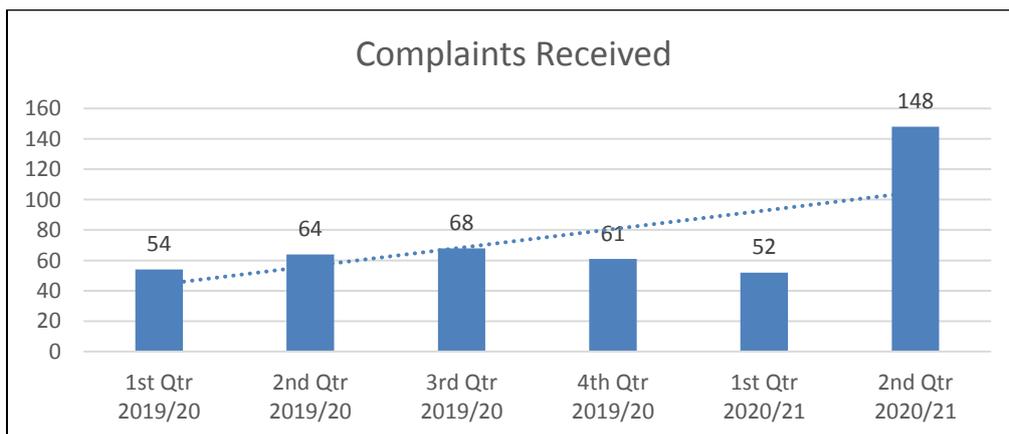
### 7.0 Pre-application Enquiries

#### 7.1 No of pre applications received:

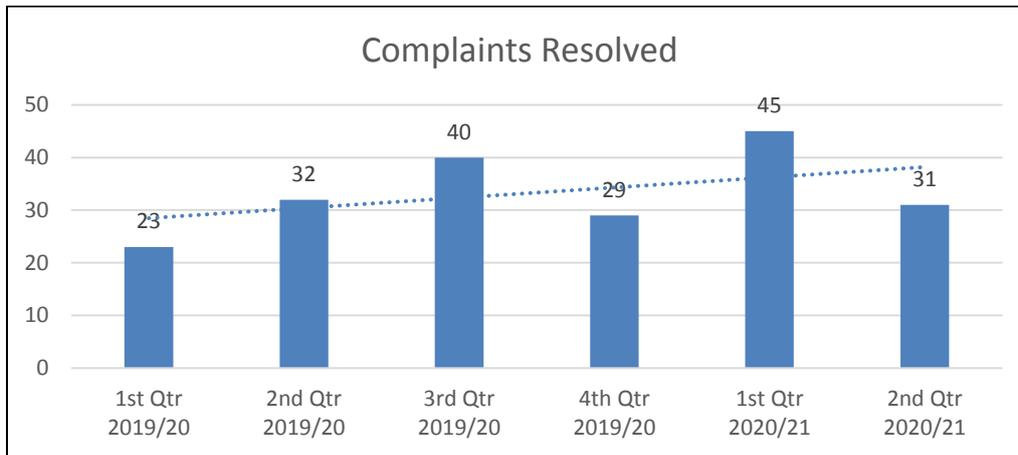


### 8.0 Planning Enforcement Complaints 1 April 2019 – 30 September 2020

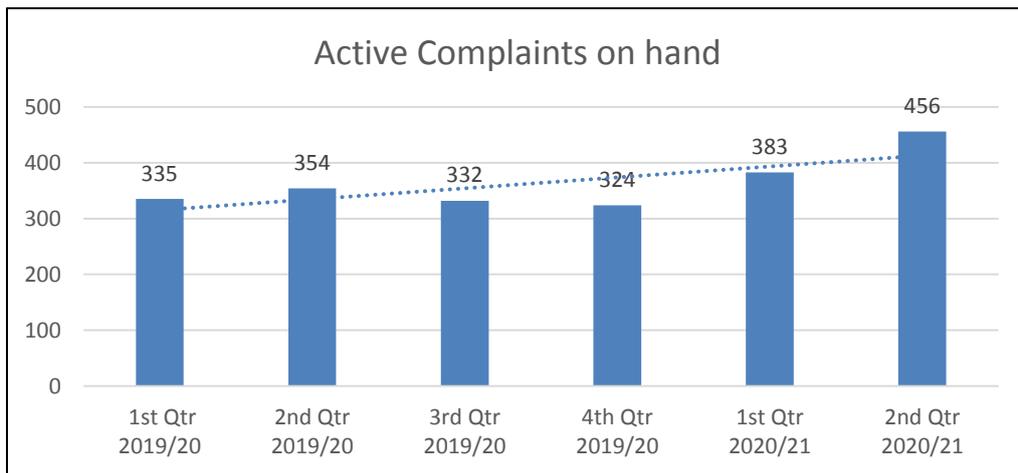
#### 8.1 Complaints received



## 8.2 Complaints resolved

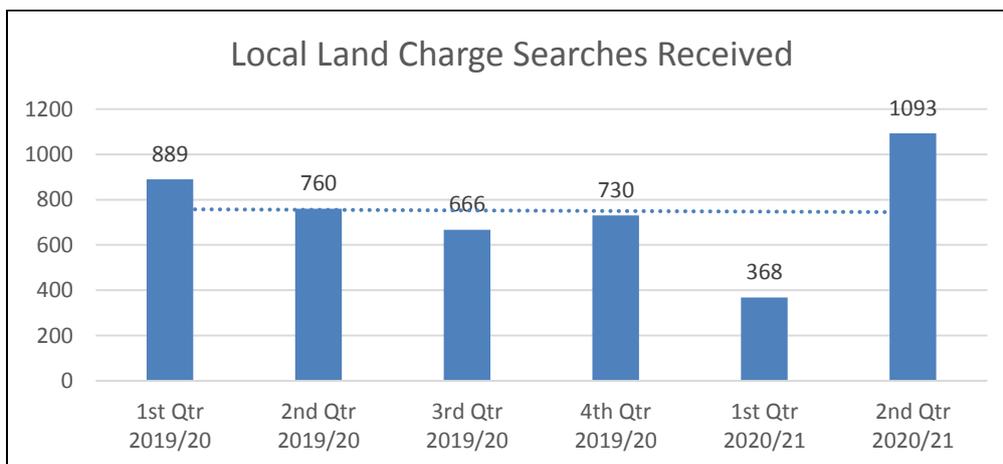


## 8.3 Active complaints on hand



## 9.0 Local Land Charge Searches

### 9.1 Received



Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Chief Executive:	Malcolm Johnston
Report Contact Officer:	Tim Hickling – Head of Strategy and Planning
e-mail address:	<a href="mailto:tim.hickling@rother.gov.uk">tim.hickling@rother.gov.uk</a>
Appendices:	N/A
Relevant previous Minutes:	N/A
Background Papers:	N/A
Reference Documents:	N/A

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**Rother District Council**

**Report to:** Planning  
**Date:** 17 December 2020  
**Title:** Appeals  
**Report of:** Tim Hickling, Head of Strategy and Planning  
**Ward(s):** All  
**Purpose of Report:** To update the Planning Committee  
**Officer Recommendation(s):** It be **RESOLVED:** That the report be noted.

**APPEALS LODGED**

RR/2020/651/P (Delegation)	BATTLE: 74A Hastings Road, Sierra Lodge, Battle Change of Use from a detached garage to a holiday let with one allocated parking space and bin store area. Ms Esther Sefaah
RR/2020/396/T (Delegation)	BEXHILL: 44 Collington Rise, Oakwood, Bexhill Horse Chestnut - Remove approximately 6ft all round to remove dead branches. Mr Peter Bennett
RR/2020/1306/P (Delegation)	BEXHILL: 24 Furnells Way, Bexhill Proposed rear conservatory. Mr and Mrs K. Pitt
RR/2020/1334/P (Delegation)	BEXHILL: 7 Bolebrooke Road, Bexhill Create driveway from existing front garden. Holmes Homes Ltd
RR/2020/1022/P (Delegation)	GUESTLING: 22 Allards, Guestling Erection of single storey front extension. Mr. Kent Taylor
RR/2020/781/P	GUESTLING: West View, Rock Lane, Three Oaks, Guestling (Delegation) Outline: Erection of new single family dwelling. Mr B. Al-Khalifa
RR/2019/1901/P	PEASMARSH: 1 Main Street, Brickfield, Peasmarsh (Delegation) Proposed extension to form self-contained dwelling. Mr Peter Bedborough
RR/2020/1406/P	PEASMARSH: Lyndhurst, Main Street, Peasmarsh

(Delegation) Variation of Conditions 6 and 7 imposed on RR/2017/1843/P to allow the annexe to be used by friends and family members not living in the main residence, as allowed by planning appeal APP/U1430/A/09/2100179.  
Mr Terence Denman

RR/2020/170/O  
(Delegation) TICEHURST: Cairds Camping & Caravan Site, Battenhurst Road, Ticehurst  
Lawful Development Certificate for existing use of land for the stationing of a residential caravan.  
Ms N. Seeney

RR/2019/2758/P  
(Committee – Decision) WHATLINGTON: St Mary Magdalen Church – Land South West of, Whatlington.  
Construction of a church car park and erection of a detached dwelling.  
Mrs Pamela Butcher

### **APPEALS STARTED**

RR/2017/1705/P  
(Committee - Decision) BEXHILL: Spindlewood Drive – Land off, Bexhill  
Outline: Residential development for circa 160 dwellings with all matters other than access reserved.  
Exigo Project Solutions

RR/2020/339/PIP  
(Delegation) PLAYDEN: Shellfield, New England Lane, Playden  
Erection of nine dwellings.  
Macdonald Begeman Limited

RR/2020/427/P  
(Delegation) UDIMORE: Newmans Oast, Udimore Road, Udimore  
Refurbishment and alterations to existing non listed Oast house and new single storey extension. Demolition of outbuildings, erection of new garage and landscaping works.  
Mr and Mrs F. and I. Powles

### **APPEALS ALLOWED**

RR/2020/145/P  
(Delegation) WHATLINGTON: Oast Meadow, Riccards Lane, Whatlington  
Demolition of existing ancillary residential outbuilding and erection of new building to serve as a holiday let unit and residential annexe.  
Ms Scothern

### **APPEALS DISMISSED**

RR/2020/194/P  
(Delegation) BEXHILL: 33 Ellerslie Lane, Bexhill  
Erection of detached double garage.  
Mr and Mrs J. Saunders

RR/2019/2193/P (Delegation)	BURWASH: British Red Cross Society Centre, Highfields Burwash Removal of an old timber structure and replacement with two semi-detached small dwellings. Matrix Claim Services
RR/2019/2848/L (Non-determination)	TICEHURST: Shovers Green House, Shovers Green, Wadhurst, Ticehurst Conversion of existing outbuilding to dwelling. Mr George Pulman
RR/2019/2847/P (Non-determination)	TICEHURST: Shovers Green House, Shovers Green, Wadhurst, Ticehurst Conversion of existing outbuilding to dwelling. Mr George Pulman

**APPEALS WITHDRAWN**

NONE

**FORTHCOMING HEARINGS/INQUIRIES**

RR/2019/2250/DC (Delegation)	BEXHILL: Buckholt Lane – Land at Submission of details reserved by Conditions 8, 9, 10, 15 and 29 imposed on RR/2017/2181/P.
RR/2019/1814/T (Delegation)	SALEHURST/ROBERTSBRIDGE: 1 Blenheim Court, George Hill T1 – Horse Chestnut Tree – Fell. Mrs A. Stevens

Details of the above Hearings/Inquiries to be confirmed by Planning Inspectorate.

<b>Other Implications</b>	<b>Applies?</b>	<b>Other Implications</b>	<b>Applies?</b>
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Chief Executive:	Malcolm Johnston
Report Contact Officer:	Tim Hickling – Head of Strategy and Planning
e-mail address:	<a href="mailto:tim.hickling@rother.gov.uk">tim.hickling@rother.gov.uk</a>
Appendices:	N/A
Relevant previous Minutes:	N/A
Background Papers:	N/A
Reference Documents:	N/A

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