

Planning Committee

- Date and Time - **Thursday 16 December 2021**
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 - **Council Chamber, Town Hall, Bexhill-on-Sea**
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Councillors appointed to the Committee:

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

Substitute Members: J. Barnes, R.B. Thomas and H.L. Timpe.

AGENDA

1. **MINUTES**

To authorise the Chairman to sign the minutes of the meeting of the Planning Committee held on the 11 November 2021 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 **WITHDRAWN APPLICATIONS**

The Director – Place and Climate Change to advise Members of those planning applications on the agenda which have been withdrawn.

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.

This agenda can be made available in large print, Braille, audiotape/CD or in another language upon request. For all enquiries please contact julie.hollands@rother.gov.uk

Tel: 01424 787811

**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. **RR/2021/2447/P - LAND AT MARLEY LANE, BATTLE** (Pages 3 - 16)

8. **RR/2021/492/P - GORSECLIFFE, CHANNEL WAY, FAIRLIGHT** (Pages 17 - 22)

9. **RR/2021/2634/P - 7 WARNHAM GARDENS, BEXHILL** (Pages 23 - 28)

10. **RR/2021/2194/P - KISMET, 15 SOUTH CLIFF, BEXHILL** (Pages 29 - 34)

11. **RR/2021/863/P - 55 SOUTH CLIFF, BEXHILL** (Pages 35 - 46)

12. **RR/2021/1565/P - THE DISCOVERY CENTRE, FRESHFIELDS ROAD, BEXHILL** (Pages 47 - 52)

13. **RR/2021/2397/L - SHELTER NUMBER 1, EAST PARADE, BEXHILL** (Pages 53 - 58)

14. **RR/2021/2425/P - THE HURST, NETHERFIELD HILL, BATTLE** (Pages 59 - 64)

15. **UNDETERMINED MAJOR PLANNING APPLICATIONS** (Pages 65 - 70)

16. **APPEALS** (Pages 71 - 76)

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

Tuesday 11 January 2022 at 9:00am departing from the Town Hall, Bexhill.

Malcolm Johnston
Chief Executive

Agenda Despatch Date: 8 December 2021

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 Julie Hollands (Tel: 01424 787811)
For details of the Council, its elected representatives and meetings, visit the Rother District Council website www.rother.gov.uk

Rother District Council

Report to	-	Planning Committee
Date	-	16 December 2021
Report of the	-	Director – Place and Climate Change
Subject	-	Planning Applications – Index

Director: Ben Hook

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 Director – Place and Climate Change in writing by 9am on the Monday before the meeting at the latest. Any representation received after this time cannot be considered.

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 Director – Place and Climate Change 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. This delegation also allows the Director – Place and Climate Change to negotiate and amend applications, conditions, reasons for refusal and notes commensurate with the instructions of the Committee.

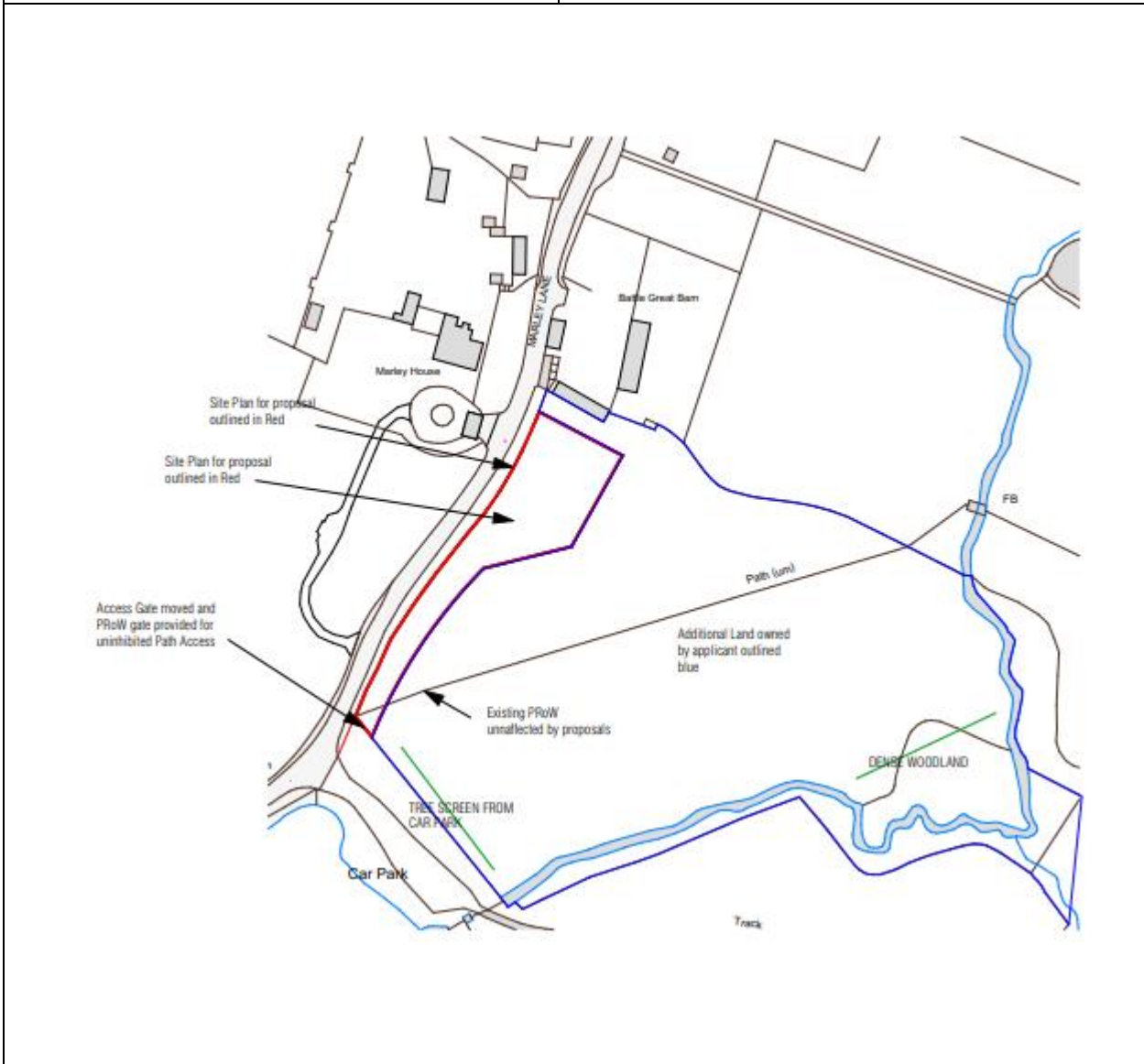
Applications requiring the applicant entering into an obligation under section 106 of the Town & Country Planning Act 1990 (as amended) are also delegated.

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	RR/2021/2447/P	BATTLE	Marley Land – Land at Battle TN33 0RB	3
8	RR/2021/492/P	FAIRLIGHT	Gorsecliffe Channel Way Fairlight TN35 4BP	17
9	RR/2021/2634/P	BEXHILL	7 Warnham Gardens Bexhill TN39 3SP	23
10	RR/2021/2194/P	BEXHILL	Kismet 15 South Cliff Bexhill TN39 3EJ	29
11	RR/2021/863/P	BEXHILL	55 South Cliff Bexhill TN39 3ED	35
12	RR/2021/1565/P	BEXHILL	The Discovery Centre Freshfields Road Bexhill TN38 8FB	47
13	RR/2021/2397/L	BEXHILL	Shelter Number 1 East Parade Bexhill TN39 1LA	53
14	RR/2021/2425/P	BATTLE	The Hurst Netherfield Hill Netherfield Battle TN33 0LA	59

<p>SITE PLAN RR/2021/2447/P</p>	<p>BATTLE MARLEY LANE – LAND AT</p>
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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 16 December 2021
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/2447/P
Address - Marley Lane – land at
BATTLE
Proposal - Construction of single detached two storey chalet dwelling with associated access.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **REFUSE (FULL PLANNING)**

Director: Ben Hook

Applicant: Mr & Mrs J. Thompsett
Agent: Circle 25
Case Officer: Mr M. Worsley
(Email: matthew.worsley@rother.gov.uk)
Parish: BATTLE
Ward Member: Councillor K.P. Dixon

Reason for Committee consideration: Councillor Dixon referral: Significant local interest. Inequality of decision compared with other recent applications in the vicinity.

Statutory 8-week date: 29 November 2021
Extension of time agreed to: 23 December 2021

This application is included in the Committee site inspection list.

1.0 SUMMARY

- 1.1 The proposed development would cause harm to the Area of Outstanding Natural Beauty (AONB), the openness of the green gap designated within the Battle Civic Parish Neighbourhood Plan (BCPNP) and the setting of the Grade II listed Battle Great Barn. The development would also represent the creation of a new unjustified dwelling in the countryside contrary to the spatial strategy for Battle and the district as a whole, the location of the site is unsustainable, and it has not been demonstrated that biodiversity and protected species would not be harmed.

- 1.2 The proposed development does not comply with Rother Local Plan Core Strategy, Development and Site Allocations Local Plan or Neighbourhood Plan policies or the various provisions contained within the National Planning Policy Framework. For the reasons explained the application cannot be supported.

1.3 **PROPOSAL DETAILS**

PROVISION	
No of houses	1
No of affordable houses	0
CIL (approx.)	£27,600 (138m ²)
New Homes Bonus (approx.)	£6,684

2.0 SITE

- 2.1 The site forms part of a naturally undulating field that is located within the countryside, is within the High Weald AONB and is within the setting of the Grade II listed 'Battle Great Barn', which is immediately to the north, and the Grade II listed Marley House, which is on the opposite side of the road. The field also forms part of the green gap designated within the BCPNP. A public footpath crosses the field to the southeast of the site, there is a public car park to the south of the field and there is a large area of ancient woodland to the east.

3.0 PROPOSAL

- 3.1 Permission is sought to erect a detached three bedroom dwelling close to the northwest corner of the field. It would be around 14m in length, up to 8.5m in depth and 7.4m at ridge height. The dwelling would be of a 1½ storey design with no first-floor elevation windows. Roof lights would serve the first-floor accommodation. The elevations would be clad in timber, the main roof would be covered in recycled rubber slate with solar panels and the roof of a lean-to section on the northwest side of the property would be covered in sedum.
- 3.2 Given the site is sloping, the land where the dwelling would be built would require some earthworks, with excavation works and stepping indicated on the submitted section plans. A long driveway is proposed to run parallel with Marley Lane, with access provided via the Battle Great Woods car park.
- 3.3 Within the accompanying Design and Access Statement, the development is described as a modest, highly sustainable, energy efficient, low impact dwelling which would allow the Applicant to enjoy the land and allow management and custodianship of the open field and woodland included within the parcel of land.

4.0 HISTORY

- 4.1 RR/2020/1268/P Construction of single detached two storey chalet dwelling with associated access – Refused.

- 4.2 In summary, the proposal refused under RR/2020/1268/P was found to be harmful to the landscape and scenic beauty of the AONB and the setting of the adjacent Grade II listed Battle Great Barn. In addition, the proposed dwelling was considered to represent the creation of a new unjustified dwelling in the countryside contrary to the spatial strategy for Battle and the district as a whole, the location of the site was deemed unsustainable and it was not demonstrated that biodiversity and protected species would not be harmed.
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5.0 POLICIES AND LEGISLATION

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)
- OSS1 (overall spatial development strategy)
- OSS2 (use of development boundaries)
- OSS3 (location of development)
- OSS4 (general development considerations)
- BA1 (policy framework for Battle)
- RA2 (general strategy for the countryside)
- RA3 (development in the countryside)
- SRM1 (towards a low carbon future) (part (i) was superseded by the Rother District Council Development and Site Allocations Local Plan)
- SRM2 (water supply and wastewater management)
- CO6 (community safety)
- EN1 (landscape stewardship)
- EN2 (stewardship of the historic built environment)
- EN3 (design quality)
- EN5 (biodiversity and green space)
- TR3 (access and new development)
- TR4 (car parking)

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

- DRM1 (water efficiency)
- DHG3 (residential internal space standards)
- DHG4 (accessible and adaptable homes)
- DHG7 (external residential areas)
- DHG11 (boundary treatments)
- DHG12 (accesses and drives)
- DEN1 (maintaining landscape character)
- DEN2 (AONB)
- DEN4 (biodiversity and green space)
- DEN5 (sustainable drainage)
- DEN7 (environmental pollution)
- DIM2 (development boundaries)

5.3 The following policies of the Battle Civic Parish [Neighbourhood Plan](#) are relevant to the proposal:

- HD1 (development boundaries)
- HD2 (site allocations)

- HD4 (quality of design)
 - HD5 (protection of landscape character)
 - HD6 (integration of new housing)
 - HD7 (protection of green gap)
 - IN3 (parking and new development)
 - IN4 (pedestrian provision and safety)
 - EN2 (conservation of the natural; environment, ecosystems and biodiversity)
 - EN3 (the High Weald AONB and countryside protection)
 - EN4 (historic environment)
- 5.4 The National Planning Policy Framework, Planning Practice Guidance, High Weald AONB Management Plan 2019 – 2024 and High Weald Housing Design Guide are also material considerations.
- 5.5 In respect of the setting of nearby listed buildings, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to local planning authorities, when considering whether to grant planning permission, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
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6.0 CONSULTATIONS

6.1 RDC Waste and Recycling – NO OBJECTION

- 6.1.1 No issues provided bins are presented at the site boundary on Marley Lane.

6.2 Planning Notice

- 6.2.1 One objection received (summarised):

- Outside of the development boundary for Battle.
- Dwelling here would extend the ribbon of development.
- Development harms the setting of two nearby listed buildings.
- Highway safety concerns – limited visibility.

- 6.2.2 Two sets of general comments received (summarised):

- Request bund heights are specified prior to any approval so their privacy is maintained.
- Landscaping buffer needs to be fully specified and conditioned.
- Request proposed development is moved further away from their property, the driveway shortened and the dwelling lowered.

6.3 Town Council – OBJECTION

- 6.3.1 The application does not comply with policies within the BCPNP. Predominantly that the whole of the site is within the only green gap allowed by the examiner – HD7, but also Policies HD1, HD2, HD4, HD6, IN4, EN2 and EN3.
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7.0 LOCAL FINANCE CONSIDERATIONS

- 7.1 The proposal is for a type of development that is Community Infrastructure Levy (CIL) liable. The total amount of CIL money to be received is subject to change, including a possible exemption, but the development could generate approximately £27,600 (138m²).
- 7.2 The proposal is one that would provide New Homes Bonus (subject to review by the Government). If New Homes Bonus were paid it could, assuming a Band D property, be approximately £6,684 over four years.
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8.0 APPRAISAL

- 8.1 The main issues to consider in the determination of the application include:
- Principle/policy position.
 - Character and appearance, including the landscape and scenic beauty of the AONB.
 - Setting of nearby listed buildings.
 - Location.
- 8.2 Principle/policy position
- 8.2.1 The site is agricultural land. It is outside of and around 0.7km from the development boundary of Battle, as defined in the BCPNP.
- 8.2.2 Being outside the development boundary, the proposal is contrary to Policy OSS2 of the Rother Local Plan Core Strategy, which advocates that development boundaries around settlements will continue to differentiate between areas where most forms of new development would be acceptable and where they would not. This is supported by Policies HD1 (development boundaries) and HD2 (site allocations) of the BCPNP which indicate new housing development is not acceptable in this location. It is also the case that the site is some distance (0.7km) from the edge of the settlement of Battle and therefore is not in line with the spatial strategy of the Rother Local Plan Core Strategy.
- 8.2.3 The proposal is not for agriculture, economic or tourism needs and as such it would be contrary to Policy RA2 of the Rother Local Plan Core Strategy, which provides an overarching strategy for new development in the countryside. Furthermore, as the new dwelling would not be to support farming and other land-based industries, re-use existing agricultural buildings, or provide affordable housing (an exception site) the planning application proposal would not meet the criteria for development in the countryside set out by either Policy RA2 or RA3 of the Rother Local Plan Core Strategy.
- 8.2.4 At the time of refusing the previous application (RR/2020/1268/P) the site was considered by the Local Planning Authority not to be set in an isolated location, based on the findings of the Braintree, Essex court case, and the fact that the site was next to a small ribbon of development. However, since the previous decision was issued, the meaning of the word 'isolated' has been subject to further scrutiny in the Bramshill judgement. This clarified that 'isolated' should be given its ordinary objective meaning of 'far away from

other places, buildings or people; remote', as per paragraph 42 of the Braintree case. It also confirmed that the decision maker is required to consider whether a proposed development would be physically isolated, in the sense of being isolated from a settlement. Whether a proposed dwelling is, or is not, 'isolated' in this sense, is a matter of fact and planning judgement for the decision maker in the circumstances of the case.

8.2.5 The small ribbon of development to the north of the site does not constitute a settlement and therefore the location is considered 'isolated' in terms of paragraph 80 of the National Planning Policy Framework. None of the exceptional circumstances for creating an isolated dwelling in the countryside listed in paragraph 80 are applicable in this case.

8.3 Character and appearance

8.3.1 The High Weald AONB is characterised by green rolling countryside, of a pastoral nature, punctuated by small areas of woodland, small towns, villages and hamlets. The application site lies in an open countryside setting, away from any established settlement, although it is acknowledged there is a small ribbon of residential development to the north. The application site is open agricultural land laid to grass, surrounded by mature native hedgerows which are designated as ancient field boundaries in terms of AONB features. There is also a large area of ancient woodland to the east of the field. There are no footways or street lighting in the rural lane.

8.3.2 It is important to note that within the recently 'made' BCPNP, the application site is part of the only green gap designated within the parish. Policy HD7 of the BCPNP states that within the green gap, development will only be supported if it maintains the openness of the area.

8.3.3 The development proposed is almost the same as that refused under reference RR/2020/1268/P. The dwelling would occupy the same position, it would be of the same scale and design and the long access is the same. The main difference is that a proposed earth bund has been removed from the southeast edge of the site. However, given the sloping nature of the site, earthworks would still be required to construct a dwelling, with excavation works and stepping indicated on the section plans provided.

8.3.4 The application site is part of an undeveloped undulating field which contributes positively to the rural character of its surroundings. The proposed development would involve earthworks, introducing unnatural and man-made features into the landscape. On top of this is the urbanising impact that the proposed dwelling would have, with associated long driveway and parking area, together with inevitable external domestic paraphernalia. The development would result in the rural character of the field changing to residential use which would be visible from the public footpath to the southeast of the site and the public car park to the south. On top of this, the development would encroach into the openness of the green gap, the only such area within the whole of the parish, and something which the Town Council has raised an objection to.

8.3.5 The development would represent an intrusion of residential development in a rural, countryside setting which would considerably harm the landscape and scenic beauty of the AONB and openness of the green gap, contrary to

Policies OSS4 (iii), BA1 (i), RA2 (viii), RA3 (v) and EN1 (i) (v) of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan, Policies HD5, HD7 and EN3 of the BCPNP and paragraph 176 of the National Planning Policy Framework which requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs which have the highest status of protection in relation to these issues.

8.4 Setting of listed buildings

- 8.4.1 Policy EN2 of the Rother Local Plan Core Strategy states that development affecting the historic built environment, including that both statutorily protected and the non-statutorily protected, will be required to (iii) preserve, and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric and materials, including forms specific to historic building typologies.
- 8.4.2 Policy EN4 of the BCPNP states that heritage assets in the Parish and their settings, including designated heritages such as listed buildings, will be preserved and enhanced for their historic significance, including the contribution made by their settings and their importance to local distinctiveness, character and sense of place.
- 8.4.3 Paragraph 197 of the National Planning Policy Framework states:
In determining applications, local planning authorities should take account of:
- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) *the desirability of new development making a positive contribution to local character and distinctiveness.*
- 8.4.4 Paragraph 199 of the National Planning Policy Framework states:
When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.4.5 Battle Great Barn is a Grade II listed building, a designated heritage asset, which has been converted to a dwelling. It is timber framed, has weatherboard elevations and a hipped thatched roof. The barn fronts the southeast side of Marley Lane. To the south is the undeveloped undulating field subject to this application and to the east is a further field with ancient woodland beyond. There is a neighbouring residential property to the north, but this is around 70m away, with a green gap separating the two buildings. The barn is visible from the public footpath that crosses the field subject to this application and from the public car park to the south. From these locations the barn occupies a very rural setting.
- 8.4.6 The proposed development would involve earthworks, introducing unnatural and man-made features into the landscape. On top of this is the urbanising impact that the proposed dwelling would have, with associated long

driveway and parking area, together with inevitable external domestic paraphernalia. The development would result in the rural character of the field changing to residential use which would be visible from the public footpath to the southeast of the site and the public car park to the south. These changes to the landscape would erode and cause harm to the rural setting of the listed barn.

8.4.7 Given the relatively modest scale of the proposed development, the proposal would lead to less than substantial harm to the significance of the listed barn and its setting. In line with paragraph 202 of the National Planning Policy Framework, the harm should be weighed against the public benefits of the proposal, which will be returned to in the planning balance and conclusion section of this report.

8.4.8 Whilst Marley House, a Grade II listed building, is within the setting of the application site, it is on the opposite side of the lane screened by vegetation and in separate ownership to the barn. Given the separation, the setting of Marley House is not considered to be adversely affected by the proposed development.

8.5 Location

8.5.1 The site is located within an existing loose knit section of ribbon development. However, it is still within the countryside, remote from any town or village or other built up area. It is around 1.7km from the centre of Battle and its associated shops, schools and other services, and around 0.7km from the edge of the town's development boundary. There are no pavements along this section of the lane.

8.5.2 Whilst there is a bus service along the road, together with a school bus service, these are understood to be limited. Occupiers of a dwelling on the site would therefore be heavily reliant on private vehicles, the least sustainable form of transport.

8.5.3 The development would not be well located in terms of access to public transport and services and would undermine the aims of local and national planning policies, which seek to direct development, and that of residential accommodation, to settlements where there is ready access to services and facilities. The development is contrary to Policies OSS3 (v), SRM1 (vii) and TR3 of the Rother Local Plan Core Strategy, Policy IN4 of the BCPNP and paragraphs 8 and 110 (a) of the National Planning Policy Framework which seek to minimise the need to travel and to support the transition to a low carbon future.

8.6 Other issues

Biodiversity

8.6.1 The field has mature, native hedgerows and trees on its boundaries which are designated as historic field boundaries in terms of AONB features. There is also an area of ancient woodland to the east of the field.

8.6.2 The application is accompanied by a Preliminary Ecological Assessment. This concludes that the main protected species potential present at the site is breeding birds, reptiles, amphibians and hazel dormice. The assessment

recommends a follow up reptile and amphibian survey and a hazel dormouse assessment are carried out. However, no such further assessments have been submitted with the application.

8.6.3 In terms of the adjacent ancient woodland, the assessment concludes that there should be no negative impacts provided light spillage from the development is avoided.

8.6.4 Given that the application site consists of part of an undeveloped field, with mature native hedgerows to the boundaries, and is adjacent to an ancient woodland, there is a more than likely possibility that biodiversity and protected species could be impacted by the proposal, as identified within the submitted Preliminary Ecological Assessment.

8.6.5 For the reasons explained, it has not been satisfactorily demonstrated that biodiversity and protected species would not be adversely affected by the development contrary to Policy EN5 (viii) of the Rother Local Plan Core Strategy and Policy DEN4 (iii) of the Development and Site Allocations Local Plan.

Highway safety

8.6.6 Policy CO6 (ii) of the Rother Local Plan Core Strategy requires all development avoids prejudice to road and/or pedestrian safety. Policy DHG12 of the Development and Site Allocations Local Plan provides that proposals for new drives and accesses will be supported where (i) they are considered acceptable in terms of highway safety, including for pedestrians and cyclists.

8.6.7 The proposed access would utilise an existing field gate that is located close to the junction between Marley Lane and the Battle Great Woods public car park. The proposed access and driveway would run parallel with Marley Lane which is subject to the national speed limit (60mph).

8.6.8 The access point would be set back between 10-12m with the junction of Marley Lane. During the previous application, the Highway Authority confirmed that they are happy with this arrangement and it should not lead to conflict with vehicles entering the car park. Conditions could be imposed on any permission relating to visibility, parking and the provision of an area to turn on site. For the reasons explained, there are no highway safety concerns.

Living conditions of neighbouring properties

8.6.9 The nearest neighbouring property likely to be impacted by the proposed development is Battle Great Barn to the north. The proposed dwelling would be sited around 15m from the shared boundary. There is also some vegetation screening on the boundary and more planting is proposed within the application site. These factors should result in the proposed development not appearing overbearing, causing any loss of light or directly overlook the neighbouring property.

Living conditions of occupiers

8.6.10 In terms of housing standards, the proposed dwelling would exceed the nationally described space standards, providing around 122m² of floor space. A condition would need to be added to any permission to ensure the

dwelling is built to Building Regulations M4(2) accessible and adaptable dwellings standards in line with Development and Site Allocations Local Plan Policy DHG4. Development and Site Allocations Local Plan Policy DHG7 requires rear gardens to normally measure at least 10m in length. The rear garden would be in excess of 10m in length.

Affordable housing

- 8.6.11 In Battle, 25% on site affordable housing is required on schemes of 10 or more dwellings or 0.3 hectares or more. The site measures 0.25 hectares in area and therefore is below the threshold for affordable housing.

Other planning decisions along Marley Lane

- 8.6.12 The Applicant's Design and Access statement references other planning decisions along Marley Lane aiming to justify the development proposed. This includes approvals for two replacement dwelling schemes (Woodland Gap and Oaklea), an approval for a new build at Marbat, an allowed appeal at Battle Great Barn for two holiday cabins and a tent and a new access at Marley House. None of these decisions are directly comparable to the current scheme. There are different policy tests for replacement dwellings, tourist accommodation and new accesses and in respect of Marbat, this was a scheme granted permission by the Planning Committee in 2019 on an infill plot, within the ribbon of development to the north. The current proposal would extend the ribbon of development, encroach on the openness of the green gap, harm the AONB and the setting of the adjacent Grade II listed Battle Great Barn, and would thus have a much more harmful impact than the scheme granted at Marbat. None of the cases referenced are directly comparable to the current proposal.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The Council has currently only 2.87 years of a required 5-year housing supply which means that the presumption in favour of sustainable development outlined in paragraph 11 d) of the National Planning Policy Framework is applicable to Rother unless, i) the application of policies in the National Planning Policy Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.
- 9.2 In line with paragraph 11 d) i) of the National Planning Policy Framework, the identified harm to the AONB provides a clear reason for refusing the development proposed.
- 9.3 In terms the harm to the setting of the Grade II listed Battle Great Barn, given that this is less than substantial, paragraph 202 of the National Planning Policy Framework directs that this harm should be weighed against the public benefits of the proposal. The proposal would provide one dwelling, which would do little to improve the housing land supply position within the district. It is acknowledged that there would also be some short-term economic benefits from construction. However, these benefits are not considered to outweigh the harm to the setting of the listed barn.

- 9.4 On top of the harm to the AONB and setting of the listed barn, the development has been found to represent the creation of a new unjustified dwelling in the countryside contrary to the spatial strategy for Battle and the district as a whole, the location of the site is unsustainable and it has not been demonstrated that biodiversity and protected species would not be harmed.
- 9.5 The proposed development does not comply with Rother Local Plan Core Strategy, Development and Site Allocations Local Plan or BCPNP policies or the various provisions contained within the National Planning Policy Framework. For the reasons explained the application cannot be supported.
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RECOMMENDATION: REFUSE (FULL PLANNING)

REASONS FOR REFUSAL:

1. The site lies outside of the defined development boundary for Battle as set out in the BCPNP. The proposal would conflict with the overall spatial strategy set out in Policies OSS2, OSS3 and BA1 of the Rother Local Plan Core Strategy and Policies HD1 (development boundaries) and HD2 (site allocations) of the BCPNP, which seek opportunities within the development boundary of the town. The site is 0.7km from the edge of Battle and fails to meet the spatial strategy policy requirements of the district. In addition, the proposed development does not meet any of the exceptions for providing new dwellings in the countryside under Policy RA3 (iii) of the Rother Local Plan Core Strategy or those for isolated new homes listed in paragraph 80 of the National Planning Policy Framework.
2. The application site is part of an undeveloped undulating field which contributes positively to the rural character of its surroundings. The proposed development would involve earthworks which would introduce unnatural and man-made features into the landscape. On top of this is the urbanising impact that the proposed dwelling would have, with associated long driveway and parking area, together with inevitable external domestic paraphernalia. The development would result in the rural character of the field changing to residential use which would be visible from the public footpath to the southeast of the site and the public car park to the south and would encroach on the openness of the green gap designation of the BCPNP. The development would represent an unjustified intrusion of residential development in a rural, countryside setting which would fail to conserve or enhance the landscape and scenic beauty of the High Weald AONB, contrary to Policies OSS4 (iii), BA1 (i), RA2 (viii), RA3 (v) and EN1 (i) (v) of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the Development and Sites Allocation Local Plan (2019), Policies HD5, HD7 and EN3 of the BCPNP and paragraph 176 of the National Planning Policy Framework.
3. The proposed development would involve earthworks which would introduce unnatural and man-made features into the landscape. On top of this is the urbanising impact that the proposed dwelling would have, with associated long driveway and parking area, together with inevitable external domestic paraphernalia. The development would result in the rural character of the field changing to residential use which would be visible from the public footpath to

the southeast of the site and the public car park to the south, which would erode and cause harm to the rural setting of the grade II listed Battle Great Barn. Having had regard to Section 66 of The Planning (Listed Buildings & Conservation Areas) Act 1990, the development would cause harm to the rural setting of the Grade II listed building Battle Great Barn, contrary to Policy EN2 (iii) of the Rother Local Plan Core Strategy (2014), Policy EN4 of the BCPNP and paragraphs 197 and 199 of the National Planning Policy Framework.

4. The site lies within an unsustainable countryside location where occupiers of the development would be highly reliant on private motor vehicles and would not be able to make the fullest possible use of public transport, walking and cycling to access local services and facilities. The development is contrary to Policies PC1, OSS3 (v), SRM1 (vii) and TR3 of the Rother Local Plan Core Strategy (2014), Policy IN4 of the BCPNP and paragraphs 8 and 110 (a) of the National Planning Policy Framework which seek to minimise the need to travel and to support the transition to a low carbon future.
5. The application site consists of part of an undeveloped field, with mature native hedgerows to the boundaries, and is adjacent to an ancient woodland. Whilst a Preliminary Ecological Assessment has been submitted with the application, the follow up surveys for reptiles, amphibians and hazel dormice recommended within the assessment have not been carried out. It has therefore not been satisfactorily demonstrated that biodiversity and protected species would not be adversely affected by the development contrary to Policy EN5 (viii) of the Rother Local Plan Core Strategy (2014) and Policy DEN4 (iii) of the Development and Sites Allocation Local Plan (2019).

NOTE:

1. This decision notice relates to the following set of plans:
Drawing No. 21008_P01 dated September 2021
Drawing No. 21008_P02 dated September 2021
Drawing No. 21008_P03 dated September 2021
Drawing No. 21008_P04 dated September 2021
Drawing No. 21008_P05 dated September 2021
Drawing No. 21008_P06 dated September 2021

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

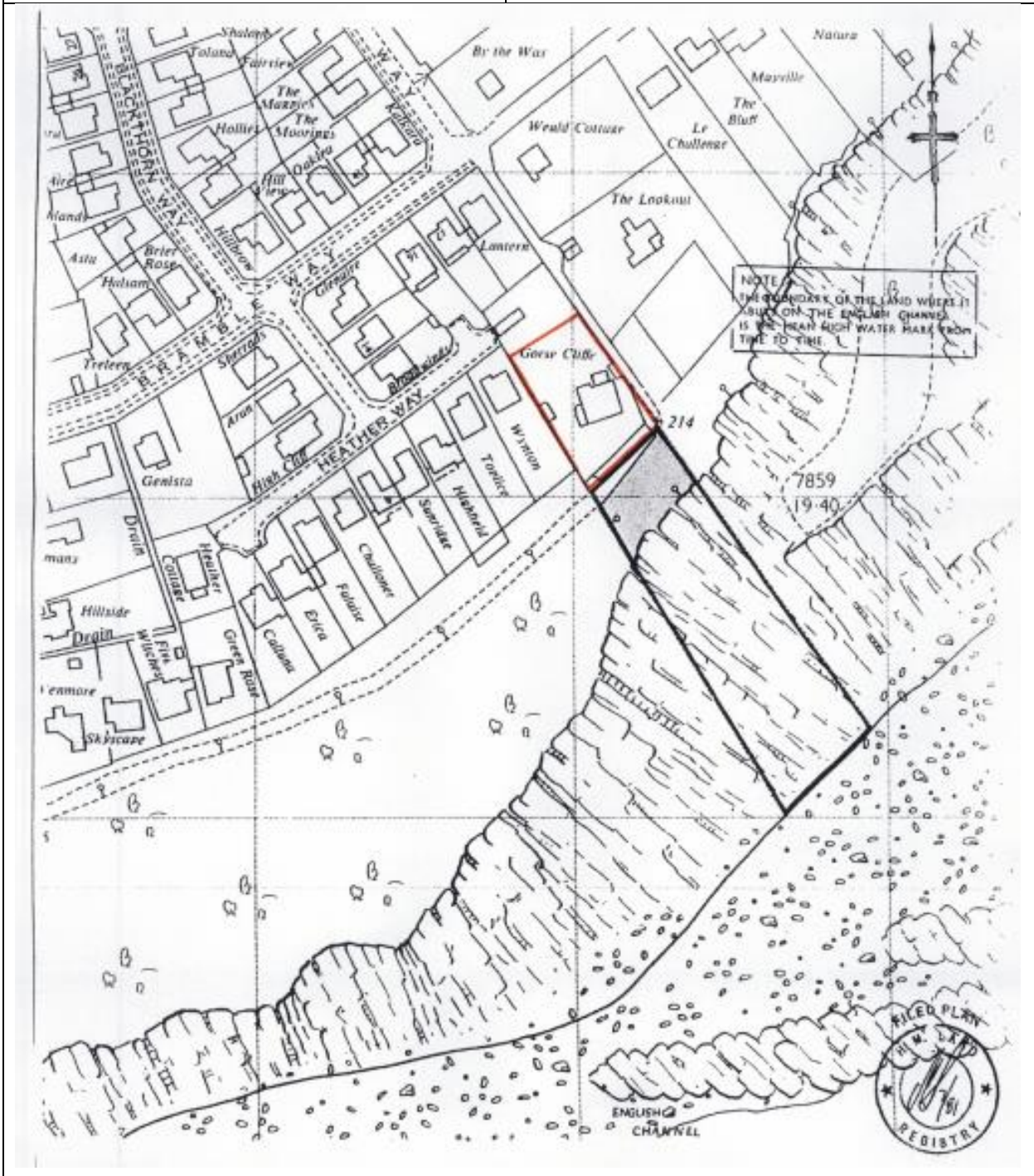
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SITE PLAN

FAIRLIGHT

RR/2021/492/P

GORSECLIFFE,
CHANNEL WAY



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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 16 December 2021
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/492/P
Address - Gorsecliffe
Channel Way
FAIRLIGHT
Proposal - Variation of Condition 2 and removal of Condition 4 imposed on RR/2016/3121/P to allow alterations to the approved windows. (Retrospective)

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mr Nader Hamedi
Agent: FG Plus Ltd (Mr Fardad Ghaffari)
Case Officer: Mr O. Hurst (Email: oliver.hurst@rother.gov.uk)

Parish: FAIRLIGHT

Ward Members: Councillors R.K. Bird and A.S. Mier

Reason for Committee consideration: Member referral – Councillor Prochak

Reason for deferral: To undertake an internal site visit

Statutory 8-week date: 28 April 2021

Extension of time: 10 September 2021

This application is included in the Committee site inspection list.

Members will recall that this application was deferred from the Planning Committee on 9 September 2021 for a site visit. The report remains the same and is reproduced below.

1.0 SUMMARY

1.1 The proposal for the variation of Condition 2 and removal of Condition 4 imposed on RR/2016/3121/P to allow changes to the previously approved

window arrangement. It is recommended for approval as the changes are considered minor and do not result in harm to the area or residential amenities.

2.0 SITE

2.1 The site is a detached dwelling, situated down an access track at the end of Channel Way, outside of the High Weald Area of Outstanding Natural Beauty (AONB) and within the development boundary for Fairlight.

3.0 PROPOSAL

3.1 This is a retrospective application for the variation of Condition 2 and removal of Condition 4 imposed on RR/2016/3121/P to allow alterations to the approved windows. The proposed changes are as follows:

- A change in shape to the glazed panels on the east and west elevations.
- An increase in size of the glazed panel on the eastern elevation.
- An increase in size of the glazed panel on the western elevation.
- The use of clear glass in place of approved obscure glass on the eastern elevation.
- The use of clear glass on the window on the northern elevation.

3.2 Planning permission was granted under RR/2016/3132/P for:

- Enlargement of existing hipped roof to create gable ends on the eastern and western elevations.
 - Addition of flat roof dormers to the front and rear elevations.
 - Inclusion of balcony area on the front (south facing) elevation, with balconies at first and second floor levels.
-

4.0 HISTORY

4.1 RR/2016/3121/P Loft extension with a viewing platform and addition of balcony to the first floor. Approved Conditional.

5.0 POLICIES

5.1 The following policies of the Rother Local Plan Core Strategy are relevant to the proposal:

- OSS4: (General Development Considerations)
- EN3: (Design Quality)

5.2 The following policies of the Development and Site Allocations Local Plan are relevant to the proposal:

- DHG9: Extensions, Alterations and Outbuildings
-

6.0 CONSULTATIONS

6.1 Planning Notice

6.1.1 13 representations have been received in objection to the proposal. The concerns raised are summarised as follows:

- Loss of privacy to neighbouring properties.
- Structure at odds with surrounding buildings.
- The building has negatively impacted the landscape.

6.2 Fairlight Parish Council – **OBJECTION**

6.2.1 Fairlight Parish Council objects strongly to the application for the following reasons as summarised below:

- Loss of privacy to neighbouring properties.
- Structure at odds with surrounding buildings.
- The building has negatively impacted the landscape.

7.0 LOCAL FINANCE CONSIDERATIONS

7.1 The proposal is for a type of development that is not Community Infrastructure Levy liable.

8.0 APPRAISAL

8.1 The main planning issues for consideration are:

- Visual appearance of the development in terms of impact on the locality.
- Impact on neighbouring properties from overlooking.

8.2 Visual appearance of the development in terms of impact on the locality

8.2.1 The dwelling is mainly visible in long views from the south, which faces the open sea. This application does not propose any change in the built form of the building other than the changes in glazing. The windows, because the change is minor in nature, is not considered to compromise the overall design quality of the dwelling nor would the change detrimentally impact the visual appearance of the locality.

8.3 Impact on neighbouring properties from overlooking

8.3.1 The neighbour to the north (The Lookout) has expressed concern over overlooking from the proposed window on the eastern side elevation at second floor level. Whilst views over the garden area of this property are possible from the balcony on the southern elevation, the use of clear glass on the side elevation and the side of the dormer offer a greater degree of visibility.

8.3.2 Following a site inspection, it is considered that views over land belonging to The Lookout are not considered harmful as the boundary is well screened by

a large quantity and variety of vegetation. In addition to the screening provided by vegetation, the window is approximately 20m from the nearest outbuilding and land within the neighbouring property. This separation distance is considered to reduce the impact on neighbouring amenity further.

- 8.3.3 With regard to overlooking towards the rear of 'Wynton' and other properties to the west, there is existing vegetation on the boundary to screen. Furthermore, the design change is a larger window in the east elevation. A window was already approved in this east elevation and the change in size is not considered to be more materially harmful in terms of overlooking.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposed revisions to the external appearance of the building would not detract from the character and appearance of the area. It is concluded that the proposal will not detrimentally impact upon neighbouring properties. This application is recommended for approval.

RECOMMENDATION: GRANT (PLANNING PERMISSION)

CONDITIONS:

1. The development shall not proceed other than in accordance with Conditions 1 and 3 imposed on planning permission RR/2016/3121/P, dated 16 March 2017, which remain in full force and effect.
Reason: This permission is granted pursuant to planning permission RR/2020/229/P, dated 10 December 2020. Under Section 73 of the Town and Country Planning Act 1990 the Council has considered the conditions subject to which the previous planning permission was granted and confirms that the conditions and associated reasons remain pertinent and are re-imposed, apart from as varied by this permission.

Condition 2 imposed on planning permission RR/2016/3121/P, dated 16 March 2017, is varied as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Land Registry site plan (undated)
Location plan (A2) (undated)
Drawing No. 4.2, dated 25 January 2021
Drawing No. 3.2, dated 25 January 2021
Drawing No. 4.3, dated 25 January 2021
Reason: For the avoidance of doubt and in the interests of proper planning.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by 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.

<p>SITE PLAN RR/2021/2634/P</p>	<p>BEXHILL 7 WARNHAM GARDENS</p>
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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 16 December 2021
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/2634/P
Address - 7 Warnham Gardens
Bexhill
Proposal - Render front and east side of house to ground floor level round to chimney stack, retaining the tile hung first floor level. Render back of house to ground and first floor levels.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **REFUSE (FULL PLANNING)**

Director: Ben Hook

Applicant: Mr Kevin Cooper
Agent: Mr Kevin Cooper
Case Officer: Mr Sam Koper
(Email: sam.koper@rother.gov.uk)

Parish: BEXHILL COLLINGTON

Ward Members: Councillors Mrs D.C. Earl-Williams and D.B. Oliver

Reason for Committee consideration: Applicant is related to a member of staff of Rother District Council

Statutory 8-week date: 21 December 2021

Extension of time agreed to: N/A

1.0 SUMMARY

1.1 The proposal is for the alterations of external material, namely replacing brick with render. The main issues are the effect of the proposal on the character and appearance of the locality. The application is recommended for refusal due to the harm to the existing street scene.

2.0 SITE

2.1 The application site contains a two-storey detached house located within the Bexhill Development Boundary. The dwellings along the southern side of the road all follow a distinctive style featuring brick on the ground floor and tile hanging on the first floor, with some varying colours.

3.0 PROPOSAL

- 3.1 The proposal is to render the north (front) and east elevations of house at ground floor level round to chimney stack, retaining the tile hung first floor level and render the south (rear) elevation of house at ground and first floor levels.

4.0 HISTORY

- 4.1 RR/2021/882/P Render front and east side of house to ground floor level round to chimney stack, retaining the tile hung first floor level. Render back of house to ground and first floor levels. Refused.

5.0 POLICIES

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

- OSS4: General Development Considerations
- BX1: Overall Strategy for Bexhill
- EN3: Design Quality

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

- DHG9: Extensions, Alterations and Outbuildings

- 5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations, in particular National Planning Policy Framework Paragraphs 126, 130 and 134.

6.0 CONSULTATIONS

- 6.1 Bexhill Town Council have not provided a response.

6.2 Planning Notice

- 6.2.1 No comments received.

7.0 APPRAISAL

- 7.1 The only issue for consideration in this application is the effect of the proposal on the character and appearance of the locality. It is also worth noting that this is an exact resubmission of the previously refused application listed above. There have been no material amendments made.

- 7.2 Policy OSS4 (iii) of the Rother Local Plan Strategy states that in addition to considerations set out by other policies, all development should respect and not detract from the character and appearance of the locality.
- 7.3 Policy EN3 (ii (g)) of the Rother Local Plan Strategy states that new development is required to be of high quality design by ensuring the siting, scale, layout, height and mass of new development should respect the wider appearance of new development in the context of the street scene, and the wider locality, together with the character and setting of existing buildings on or adjacent to the site.
- 7.4 Policy DHG9 (ii)(iii) of the Development and Site Allocations Local Plan states that extensions to existing dwellings will be permitted where they respect and respond positively to the scale, form, proportions, materials, details and the overall design, character and appearance of the dwelling and they do not detract from the character and appearance of the wider street-scene.
- 7.5 National Planning Policy Framework Paragraph 134 states development that is not well designed should be refused, especially where it fails to reflect local design policies and Government guidance on design.
- 7.6 The neighbouring properties to the property on the application site all feature the same external materials. These are brick at the ground floor level and tiles at first floor level for the front elevations and brick for the rear elevations. As the properties feature the same external materials the street scene has a strong recognisable design and character.
- 7.7 The proposal to render large portions of the house and retaining the tile hung first floor levels would detract from the character and appearance of the street scene and area as it would be the only property in the vicinity which was partly rendered.

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 The proposed development would detract from the character and appearance of the street scene and wider area. The proposed development is therefore contrary to Policies OSS4 and EN3 of the Rother Local Plan Core Strategy and Policy DHG9 of the Development and Site Allocations Plan.

RECOMMENDATION: REFUSE (FULL PLANNING)

REASON FOR REFUSAL:

1. The proposed development by way of covering the external brick work with render at ground floor and first floor level to the rear elevation and ground floor level at the front and side elevation of the property would detract from the character and appearance of the street scene and wider area. The proposed development is therefore contrary to Policies OSS4 and EN3 of the Rother Local Plan Core Strategy and Policy DHG9 of the Development and Site Allocations Plan.

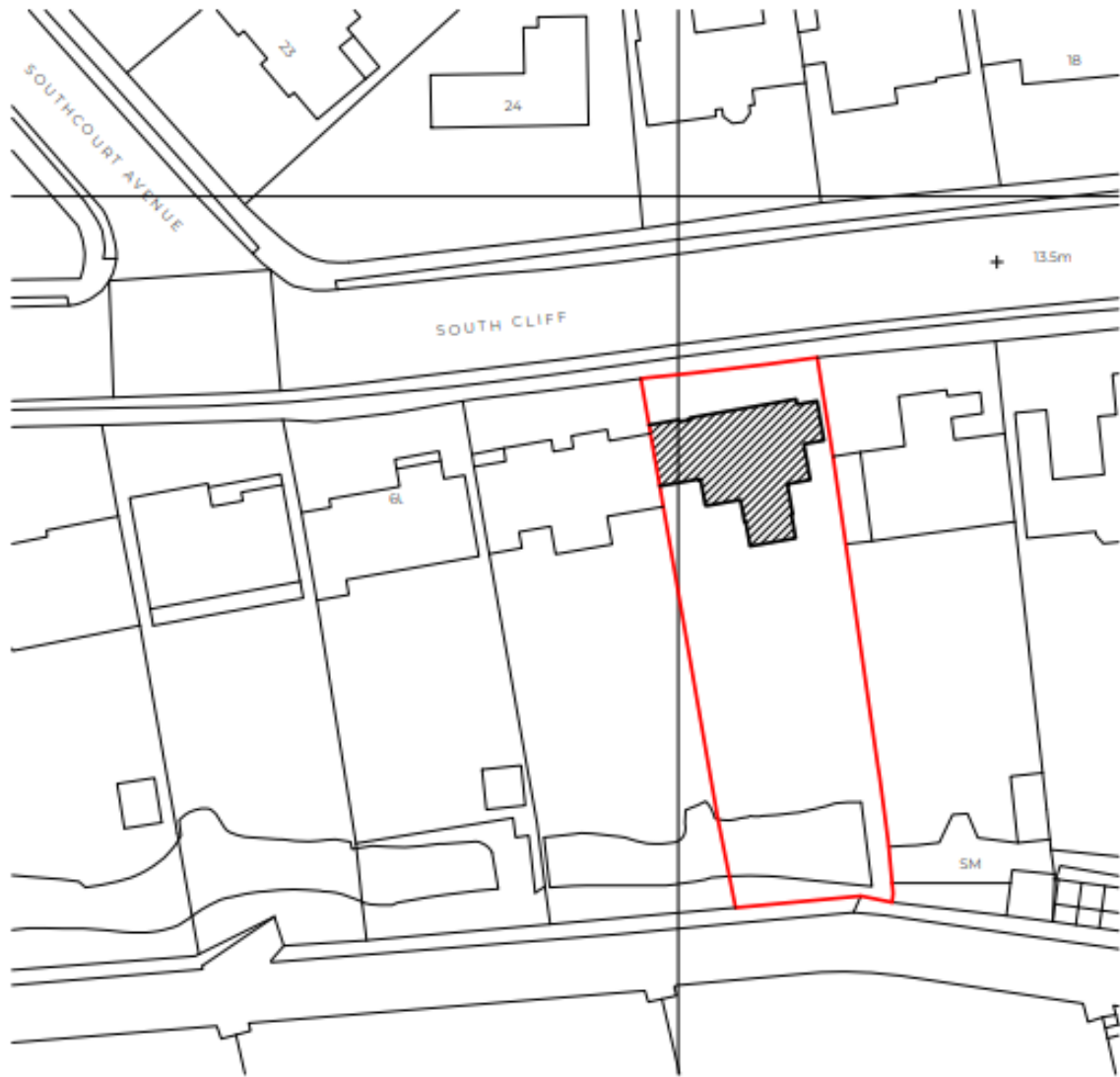
NOTE:

1. This refusal relates to the proposals as shown on the following plans:
Site Location Plan, Drawing No. 1, dated 13/04/2021
Block/Site Plan, Drawing No. 2, dated 12/04/2021
Existing Elevations, Drawing No. 3, dated April 2021
Proposed Elevations, Drawing No. 4, dated April 2021

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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<p>SITE PLAN RR/2021/2194/P</p>	<p>BEXHILL KISMET 15 SOUTH CLIFF</p>
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Rother District Council

Report to - Planning Committee
Date - 16 December 2021
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/2194/P
Address - Kismet
15 South Cliff
Bexhill
Proposal - Demolition of existing conservatory, construction of single storey rear extensions. Formation of balcony terrace area.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mrs Janet Powell
Agent: HOUSE - Design & Architecture
Case Officer: Mr Sam Koper
(Email: sam.koper@rother.gov.uk)

Parish: BEXHILL COLLINGTON

Ward Members: Councillors Mrs D.C. Earl-Williams and D.B. Oliver

Reason for Committee consideration: Applicant is related to a member of staff

Statutory 8-week date: 5 November 2021

Extension of time agreed to: 23 December 2021

1.0 SUMMARY

1.1 The proposal is for two single storey rear extensions and a balcony/terrace area. The main issues are the effect of the proposal on the character and appearance of the locality and the effect on neighbouring amenities. The application is recommended for approval.

2.0 SITE

2.1 The application site contains a large detached house on the south side of South Cliff. Houses along this road vary in size, style and form. The site lies within the Bexhill Development Boundary.

3.0 PROPOSAL

- 3.1 This application seeks approval for the demolition of an existing rear conservatory and the erection of two flat roof single storey rear extensions, with one featuring a balcony terrace area above the flat roof.
- 3.2 One of the extensions will be infilling a gap at the rear of the property, the other extension will measure 4m in depth and 4.33m in width. It will also feature a balcony area above with glass balustrades. The windows above, on the first floor will be changed to full height openable glass doors to allow entry to the balcony.

4.0 HISTORY

- 4.1 No relevant planning history.

5.0 POLICIES

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- OSS4: General Development Considerations
 - EN1: Landscape Stewardship
 - EN3: Design Quality
- 5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:
- DHG9: Extensions, Alterations and Outbuildings
- 5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.

6.0 CONSULTATIONS

- 6.1 No response received from Bexhill Town Council.
- 6.2 Planning Notice
- 6.2.1 No comments received.

7.0 APPRAISAL

- 7.1 The main issues for consideration in this application are:
- The effect of the proposal on the character and appearance of the locality.
 - The effect of the proposal on neighbouring amenities.
- 7.2 *The effect of the proposal on the character and appearance of the locality.*

- 7.2.1 Policy OSS4 (iii) of the Rother Local Plan Strategy states that in addition to considerations set out by other policies, all development should respect and not detract from the character and appearance of the locality.
- 7.2.2 Policy EN3 (ii (g)) of the Rother Local Plan Strategy states that new development is required to be of high quality design by ensuring the siting, scale, layout, height and mass of new development should respect the wider appearance of new development in the context of the street scene, and the wider locality, together with the character and setting of existing buildings on or adjacent to the site.
- 7.2.3 Policy DHG9 (ii)(iii) of the Development and Site Allocations Local Plan states that extensions to existing dwellings will be permitted where they respect and respond positively to the scale, form, proportions, materials, details and the overall design, character and appearance of the dwelling and they do not detract from the character and appearance of the wider street scene.
- 7.2.4 The proposed extensions will not be visible from street therefore will have no impact on the existing street scene.
- 7.2.5 Balconies and terraces are a common feature along this side of the road, with views from the rear gardens out to the open sea. Their style and size vary between properties. The addition of the balcony will not be out of keeping with the character of the existing dwelling or the locality.
- 7.3 *The effect of the proposal on neighbouring amenities.*
- 7.3.1 Policy OSS4 (ii) of the Rother Local Plan Core Strategy states that new development should not unreasonably harm the amenities of adjoining properties.
- 7.3.2 Policy DHG9 (i) of the Development and Site Allocations Local Plan states that extensions will be permitted where they do not unreasonably harm the amenities of adjoining properties in terms of loss of light, massing or overlooking.
- 7.3.3 The rear extensions will be located towards the middle of the rear elevation and will not be particularly high, therefore they will not cause any overshadowing into the neighbouring gardens.
- 7.3.4 The new balcony would be oriented towards the Applicant's rear garden. Given the positioning of the neighbouring dwellings, side-by-side, there would be some overlooking although it is not considered to be harmful to both neighbours' amenities due to the rear facing orientation and the existing rear balconies already featured on many of the neighbouring dwellings.

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 The proposal is acceptable in terms of scale and design. It would not have any unacceptable impact upon neighbouring amenity and would not harm the locality. It complies with Policies OSS4 (ii), (iii), EN1 and EN3 of the Rother Local Plan Core Strategy and Policies DHG9 of the adopted Development and Site Allocations Local Plan.

RECOMMENDATION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

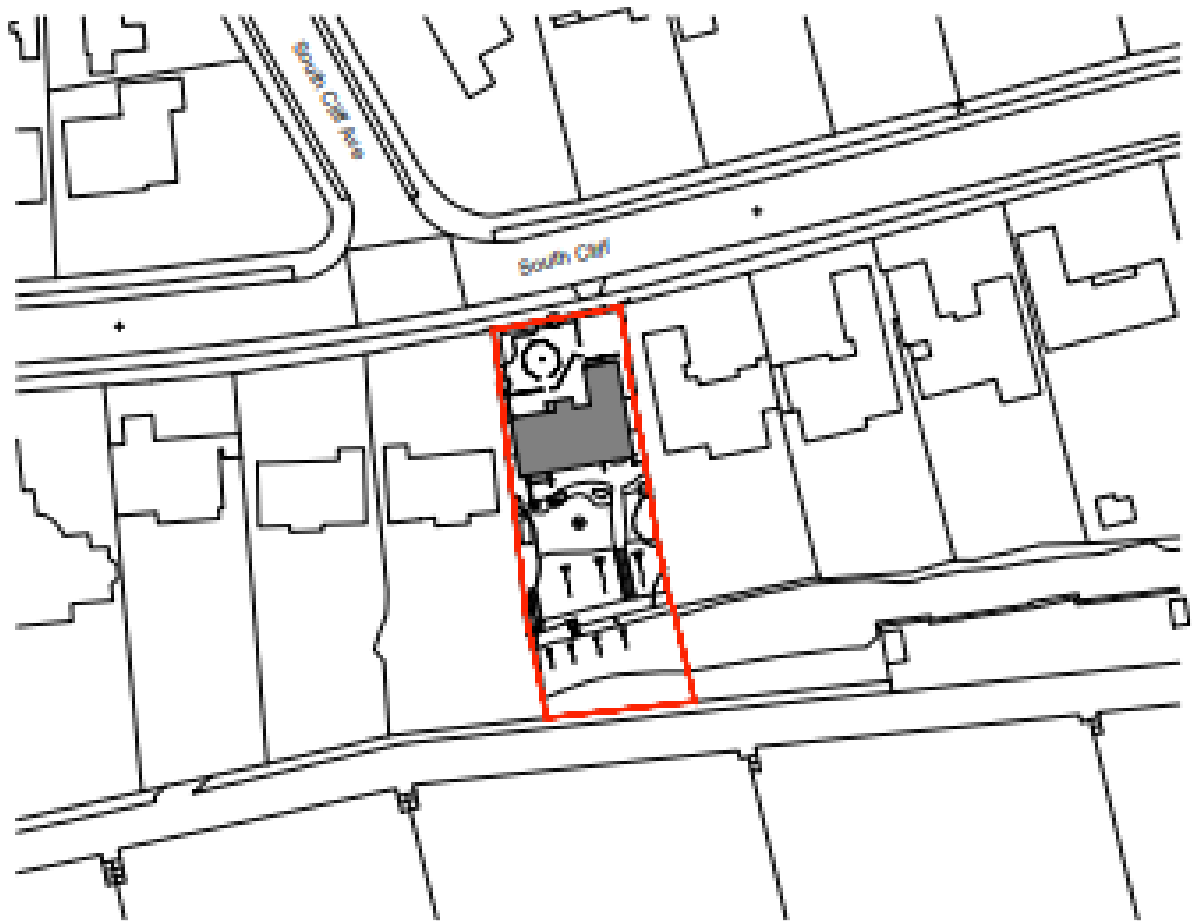
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Existing ground floor plan, elevations and site location plan, Drawing No. 23.371/01, dated August 2021
Proposed ground floor plan, elevations and site block plan, Drawing No. 21.371/02A, dated September 2021
Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in materials, colours and texture those used in the existing building unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the development is in character with its surroundings in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy and Policy DHG9(ii) of the Rother Development and Site Allocations Plan.

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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<p>SITE PLAN RR/2021/863/P</p>	<p>BEXHILL 55 South Cliff</p>
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Rother District Council

Report to - Planning Committee
Date - 16 December 2021
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/863/P
Address - 55 South Cliff
BEXHILL
Proposal - Demolish existing building and replace with new residential dwelling.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **GRANT FULL PLANNING PERMISSION SUBJECT TO CONDITIONS.**

Director: Ben Hook

Applicant: Tina Soderlund-Boley
Agent: Mr R. Pollard – RX Architects
Case Officer: Mark Simmonds
(Email: mark.simmonds@rother.gov.uk)

Parish: BEXHILL

Ward Members: Councillors Mrs D.C. Earl-Williams and D.B. Oliver

Reason for Committee consideration: Councillor Call-In to Planning Committee for determination.

Statutory 8-week date: 07.09.2021

Extension of time agreed to: *31.12.21 (**Requested 03.12.21 – to confirm).

This application is included in the Committee site inspection list.

This application was deferred at Planning Committee on 11 November 2021 to allow members to undertake site visit to rear of property.

1.0 SUMMARY

1.1 The officer recommendation is to grant permission subject to conditions.

2.0 SITE

- 2.1 The application relates to a 1950's chalet bungalow located on the coastal side of South Cliff. The property occupies land that slopes down from east to west. It also slopes steeply down towards the south and meets the promenade on its southern boundary. The cliff itself, which is within the Cooden Cliffs Site of Nature Conservation Importance, lies just outside of the application site.
- 2.2 To the west of the site is No. 57 South Cliff, which consists of a very similar style dwelling to the application. Very recently the Council permitted the demolition and replacement of this neighbouring bungalow. The replacement scheme involved bringing the footprint of the new dwelling forward towards the road to be in line with No. 55 South Cliff (the application site) rather than the 'twin' chalet bungalow at No. 59. It also involved excavation to accommodate a lower ground floor level – to house a swimming pool – and to create a new landscaped garden to the rear, leading to the existing concrete sun terrace.
- 2.3 The site lies within a mixed residential area that includes houses and bungalows of varying sizes and designs. A number of other sites have been redeveloped or dwellings extended. The properties in the surrounding area are thus diverse in appearance and, as a result, there is no single unifying character.
-

3.0 PROPOSAL

- 3.1 The application proposes the demolition of the existing two storey dwelling, constructed of redbrick facings with dormers and tiled pitched roof with additional single storey extensions to the street elevation and to build a replacement with a modern style dwelling on 3 levels. The proposal includes excavation works to accommodate a lower ground floor level to house a swimming pool.
- 3.2 The proposal presents a modern flat roof design with a number of small velux windows and an array of solar panels. A single storey element projects to the front elevation to the street which allows for an area of off-street parking for 2-3 vehicles. The ground floor hosts the kitchen, dining and living area and to the rear elevation a terraced balcony is proposed with landscaping and a courtyard garden area. The first floor accommodates 4 bedrooms, bathrooms and study; there is a large balcony area proposed to the rear. The majority of windows are proposed to the rear south facing elevation with limited windows to the side elevations.
- 3.3 Proposed external materials consist of a mixture of white brick, natural timber, and concrete. The roof materials propose sedum planted roof with zinc parapet capping with a single ply membrane roof with gravel and solar panels with a zinc parapet capping. The windows and doors propose the use of timber and aluminium composite windows and doors.
-

4.0 HISTORY

4.1 There are no site history records for the application site but of note is the neighbouring dwelling:

RR/2019/1938/P 57 South Cliff, Bexhill TN39 3ED, Demolition of existing dwelling. Re-siting of the building footprint and excavation to construct four storey dwelling. Approved Conditionally

5.0 POLICIES

5.1 The following 'saved' policy of the adopted [Rother District Local Plan 2006](#) is relevant to the proposal:

- DS3 (Proposals within Development Boundaries).

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

- PC1 (Presumption in Favour of Sustainable Development).
- OSS1 (Overall Spatial Development Strategy).
- OSS2 (Use of Development Boundaries).
- OSS3 (Location of Development).
- OSS4 (General Development Considerations).
- BX1 (Overall Strategy for Bexhill).
- BX3 (Development Strategy).
- SRM1 (Towards a Low Carbon Future).
- SRM2 (Water Supply and Wastewater Management).
- CO6 (Community Safety).
- EN3 (Design Quality).
- EN5 (Biodiversity and Green Space).
- EN7 (Flood Risk and Development).
- TR3 (Access and New Development).
- TR4 (Car Parking).

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

- DRM1 (Water Efficiency).
- DRM2 (Renewable Energy Developments).
- DRM3 (Energy Requirements).
- DHG3 (Residential Internal Space Standards).
- DHG4 (Accessible and Adaptable Homes).
- DHG7 (External Residential Areas)
- DHG11 (Boundary Treatments).
- DHG12 (Accesses and Drives).
- DEN4 (Biodiversity and Green Space).
- DEN5 (Sustainable Drainage).
- DEN6 (Land Stability).
- DEN7 (Environmental Pollution).
- DIM2 (Development Boundaries).

5.4 The National Planning Policy (NPPF) and Planning Policy Guidance are also material considerations.

6.0 CONSULTATIONS

6.1 Consultee – No Consultee comments received

6.2 Planning Notice

6.2.1 21 letters of objection have been received from the public. The concerns raised are summarised as follows:

- The area was designed with bungalows in mind for the elderly and purchased with the intention of building huge properties that would spoil the ambience of South.
- Loss of privacy and amenity to neighbouring gardens which are now private and secluded
- dominate the views
- over development for the size of plot, proposal does not respect local character. It is overbearing, obtrusive and not in keeping with street scene
- full-width balcony will inevitably infringe on privacy in garden; we would undoubtedly be overlooked from this new very large and high balcony.
- Following the Ground Inspection for 59 South Cliff, where groundwater was found below the foundations of the existing bungalow, it should be a requirement that the developers for 55 provide a Ground Inspection Report, before the Planning Officer can make an informed Report for consideration by Planning Committee.
- proposed design of the new properties will require excessive amounts of the cliff to be excavated to allow for the properties and their inclusive swimming pools, which history has shown could prove to be dangerous
- Due to the depth of excavation and close proximity to adjacent properties, the works appear to fall within the scope of the Party Wall Act 1996. If so, this needs to be made clear in the planning decision, as the neighbours will have the right to appoint a surveyor to inspect their homes, before and after the works, at the financial expense of the developers
- the cliff is taking some fresh water seeping through it underneath our properties. Part of that existing flow is going to be obstructed by the super deep concrete foundations of the new build, and it will be diverted sideways thereby increasing the flow under the neighbouring houses and potentially causing structural problems.
- The ground conditions in South Cliff are very unstable and are not suitable for the proposed deep excavations. There are several examples of the Cliff subsiding towards the Splash Back. The end of our garden subsided suddenly resulting in a 3 metre sheer drop. Stabilisation of the garden involved the erection of a very expensive gabion wall
- just a few miles along the coast a major section of cliff collapsed alongside Belle Tout Lighthouse at Beachy Head including the disappearance of a section of coastal pathway putting the long term survival of Belle Tout into question.
- Buildings at the crest of South Cliff create a feeling of tranquil openness. The proposal is in aggressive contrast to this, closing in the street scene

with oppressive out of scale massing reflecting the overdevelopment of the site

- months of excavating and building, works vehicles coming and going, noise and dirt pollution which will have a huge impact on all properties nearby
- From the beach, it dominates its neighbours and its roof line is completely out of odds with neighbouring roof lines & pitches exhibiting an unsympathetic and uncharacteristic profile
- Maintaining the sloping tiled roofs important as contribute so much to the shared character of the road.
- the three current planning applications from mutually adjacent properties at Nos 55, 57 and 59 (and another one already approved at No 69) all involving demolitions and new builds, there is a threat of local building upheaval if they are all passed and their construction takes place at the same time.
- Should remove the swimming pool
- worry about the effect on Climate Change. The RIBA has recently issued a report on the adverse effect of knocking down serviceable buildings and replacing them with something similar.
- bin and bike store located to front, out of character and too prominent.
- Works should be restricted to maintain quality of life of neighbours
- To walk along South Cliff is a pleasure and that will be taken away with noise pollution and heavy vehicles during the proposed construction as well as altering the appearance of the area.

6.2.2 2 letters of support have been received. The reasons are summarised as follows:

- Improvement on tired outdated design
- Encourage investment in the area
- no two properties on the street are the same and there is no particular design theme
- good examples of modern design on the street and we are seeing some exciting modern designs in nearby beach-front roads
- Great to have nice new properties on South Cliff as the existing bungalows and houses beside them are in bad state of repair. From the beach side they look very tired and rundown. New builds can only improve the area visually and financially

6.2.3 All comments can be viewed in full on the Council's website.

6.3 Town/Parish Council – No comments received.

7.0 LOCAL FINANCE CONSIDERATIONS

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

- 7.1 The proposal is for a type of development that is CIL liable. The total amount of CIL money to be received is subject to change, including a possible exemption, but the development could generate approximately £32,815
-

8.0 APPRAISAL

- 8.1 The main issues are considered to be:

- The effect of the proposal on the character and appearance of the area.
- The effect of the proposal on the living conditions of adjoining occupants.
- The effect of the proposal on the stability of the cliff and adjoining properties.

- 8.2 The application site is located in the Development Boundary for Bexhill, as defined in the DaSA Local Plan, and as such there is a presumption in favour of development, subject to consideration of other local plan policies and any other material considerations.

8.3 Character and appearance

Policies OSS4 (iii) and EN3 of the Core Strategy seek, amongst other matters, to ensure that new development is of high design quality that respects, contributes positively towards, and does not detract from the character and appearance of the locality. These policies are broadly consistent with paragraph 127 of the NPPF which states that development should be sympathetic to local character, including the surrounding built environment, and maintain a strong sense of place.

- 8.4 The site lies within a mixed residential area that includes houses and bungalows of varying sizes and designs. A number of sites have been redeveloped and older dwellings extended to provide more generous accommodation. The properties in the surrounding area are thus diverse in appearance and, as a result, there is no single unifying character.

- 8.5 The proposed replacement dwelling would be more prominent in the street scene than the existing dwelling. In particular its scale and massing is greater than what is to be replaced. However, a much larger dwelling, directly neighbouring this site, has already been permitted by the Council and this proposal matches the scale and modern design principles. Planning applications are considered and determined on their own merits, however the approved replacement dwelling next door is a material planning consideration in that the prominence in the street scene of this proposal is somewhat lessened when viewed as a pair of replacement dwellings of similar design and scale.

- 8.6 While the proposed house is larger than that to be replaced, it does complement the neighbouring proposal and also retains the important gaps between the adjoining properties and as such it would not appear cramped in the street scene.

- 8.7 As with the replacement dwelling approved at no.57, the design includes some interesting features such as the contrasting single front storey section and two storey faceted wing creating a first floor. The proposal includes a flat roof design which offers an interesting addition which complements the

modern design and the 'biodiverse' green characteristics of the proposal. The proposed external materials palette, which consists of a mixture of white brick, natural timber, and concrete. The roof materials propose sedum planted roof with zinc parapet capping with a single ply membrane roof with gravel and solar panels with a zinc parapet capping.

8.8 Given the mix of dwellings in the surrounding area – which includes recently constructed contemporary-style dwellings – the design of the proposed dwelling is considered to complement the replacement dwelling at no.57 and on balance is acceptable.

8.9 **Living conditions**

Policy OSS4 (ii) of the Core Strategy seeks to ensure that development proposals do not unreasonably harm the amenities of adjoining properties.

8.10 In terms of overshadowing/loss of outlook, While the new building would have a greater physical presence than the existing dwelling to be replaced, the complementary density to that permitted at no.57 and alignment in the street scene, ensures that the development would not appear unduly overbearing or cause unacceptable overshadowing to either neighbouring property or other nearby properties.

8.11 The single storey structure to the front street elevation reflects the design of the replacement dwelling next door and preserves the street façade with an area of parking being retained adjacent to the front storey. For these reasons it would not result in a significant erosion of residential amenity in terms of overshadowing/loss of outlook.

8.12 Turning to overlooking, the site is in an area where some mutual overlooking already exists between adjoining properties. The majority of windows would be to the rear elevation and to the front elevation. A balcony is proposed at the first-floor level to allow views out over the sea. The main outlook from the balcony would be to sea but it is acknowledged that there would be some (oblique) overlooking of neighbouring properties and their rear gardens.

8.13 However, the eastern elevation of the balcony is solid brick which assists in obscuring any views of the neighbouring garden. The western elevation sees a small area of glass screening, which is proposed to be conditioned to be an obscured privacy screen which again reduces any overlooking. On balance, the main outlook would be out to sea and the proposal would not result in harmful or unacceptable overlooking of neighbouring properties.

8.14 The ground floor courtyard terrace shown to the rear would be at the existing ground level and so would not result in harmful overlooking of adjoining properties and side windows are linted to very few and are of obscure glass. For the above reasons the proposal would have an acceptable impact on the living conditions of adjoining occupants in relation to overshadowing/loss of outlook and privacy.

8.15 **Stability of the cliff and adjoining properties**

The proposal involves significant excavation and construction works and local residents are concerned that this would destabilise the cliff and nearby properties. However, the site does not lie within an area identified as being affected by stability issues. Ultimately, responsibility for securing a safe

development rests with the developer and/or landowner. Structural stability and drainage details relating to the house itself would be dealt with under the Building Regulations (although the remit of these Regulations does not extend to the garden works).

- 8.16 Due to the concerns raised by objectors, the applicant commissioned a Site Investigation Report. This report, written by Southern Testing, concluded that the proposal would have negligible impact on the sea cliff and that the basement proposal would not exert any additional pressure to the cliff face and therefore would not have any detrimental effect on the overall stability of the Cliff.
- 8.17 Based on the submitted report and the fact that the safe construction of the development is for the developer, the proposal is deemed acceptable in this regard.
- 8.18 **Other Matters**
Local residents are concerned about loss of view and problems arising from the construction period. However, these issues are not material planning considerations and so are not determining matters. Nonetheless, in relation to disturbance arising from the construction period, a note can be attached to the planning permission advising the developer and/or landowner to take all relevant precautions to minimise the potential for disturbance to adjoining occupants from noise and dust. A similar condition was attached to the permission for no.57 and a similar condition would be appropriate for this application.
- 8.19 There is also concern that allowing the proposal would set a precedent for similar developments. However, it is the case that any proposal for a similar development would be considered on its individual planning merits.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The larger replacement dwelling would have a greater impact on the street scene and on neighbours, however the design and massing of this dwelling does reflect the permitted replacement dwelling next door at no.57. Therefore, the impact on the street scene is diluted and on balance, the proposal with conditions to prevent any unacceptable overlooking is acceptable as it would not be overly harmful to the amenity of neighbouring properties. For these reasons planning permission should be granted.

RECOMMENDATION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
Drawing number 00121-PL-150 Proposed Site Block Plan, dated 14.04.21
Drawing number 00121-PL-200 Existing Plan, dated 14-04-21
Drawing Number 00121-PL-224 Proposed Basement Floor Plan, dated 14.04.21
Drawing Number 00121-PL-225 Proposed Ground Floor Plan, dated 14.04.21
Drawing Number 00121-PL-226 Proposed First Floor Plan, dated 14.04.21
Drawing Number 00121-PL-227 Proposed Roof Plan, dated 14.04.21
Drawing Number 00121-PL-300 Existing Elevations, dated 14.04.21
Drawing Number 00121-PL-450 Proposed Site Section, dated 14.04.21
Drawing Number 00121-PL-350 Proposed Elevations, dated 14.04.21
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a 022-20140306
3. Prior to occupation of the dwelling hereby permitted, boundary treatments shall be erected strictly in accordance with details submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and to prevent the development from having any harmful impact upon the amenities of adjoining properties by way of overlooking, in accordance with Policy OSS4 (ii and iii) of the Rother Local Plan Core Strategy 2014.
4. Prior to occupation of the dwelling hereby permitted, privacy screens to the ends of the first floor rear balcony on the western elevation shall be erected strictly in accordance with details submitted to and approved in writing by the Local Planning Authority. The privacy screens shall thereafter be retained in that condition.
Reason: To prevent the development from having any harmful impact upon the amenities of adjoining properties by way of overlooking, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014.
5. The swimming pool contents must be allowed to de-chlorinate by standing for at least 7 days prior to a consented discharge (to be obtained from the Environment Agency) taking place to a surface water sewer, a watercourse or controlled waters.
Reason: To prevent water pollution and to ensure satisfactory drainage of the site, in accordance with Policy SRM2 of the Rother Local Plan Core Strategy 2014.
6. Swimming pool filter backwash should be passed to a soakaway or the foul drainage system, and not to a surface water sewer or watercourse, unless other means of disposal have first been agreed in writing with the Local Planning Authority in consultation with the Environment Agency.
Reason: To prevent water pollution and to ensure satisfactory drainage of the site, in accordance with Policy SRM2 of the Rother Local Plan Core Strategy 2014.
7. No development shall take place until a land stability report has been submitted to and approved in writing by the Local Planning Authority. The report should include, amongst other requirements, analysis of trial pits excavated to the proposed depth of the basement. The report should outline

any mitigation required as a result of the further work and development should be carried out strictly in accordance with the approved report.

Reason: To protect the stability of the cliff in accordance with Policy DEN6 of the Development and Site Allocations Local Plan.

8. The dwelling hereby approved shall meet the requirement of no more than 110 litres/person/day water efficiency set out in Part G of Schedule 1 of the Building Regulations 2010 (as amended) for water usage. The dwelling hereby permitted shall not be occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the dwelling(s) has been constructed to achieve water consumption of no more than 110 litres per person per day.

Reason: To ensure that the dwelling is built to acceptable water efficiency standards in line with sustainability objectives and in accordance with Policy SRM2 (v) of the Rother Local Plan Core Strategy and Policy DRM1 of the Rother Development and Site Allocations Local Plan.

9. The dwelling(s) hereby permitted shall not be occupied until it has/they have been constructed in accordance with Part M4(2) (accessible and adaptable dwellings) of Schedule 1 of the Building Regulations 2010 (as amended) for access to and use of buildings.

Reason: To ensure that an acceptable standard of access is provided to the dwelling(s) in accordance with Policy OSS4 (i) of the Rother Local Plan Strategy and Policy DHG4 of the Rother Development and Site Allocations Local Plan.

10. No works above slab level or vegetation clearance shall take place until hard and soft landscaping details, not to include non-native or invasive species, or that part of the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include the retention of any existing vegetation between the rear garden fence the sea promenade and ensure its continued maintenance and protection thereafter, including during construction works. The details as agreed shall be adhered to at all times during construction and any new agreed planting and soft/hard landscaping shall be completed within 12 months of the first occupation of the new dwelling.

Reason: To ensure that the development reflects the appearance and character of the surrounding area and safeguard the local biodiversity in accordance with Policies OSS4 and EN5 of the Rother Local Plan and Policies DHG11 and DEN4 of the Development and Site Allocations Local Plan.

NOTES:

1. The development is subject to the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision. All interested parties are referred to <http://www.rother.gov.uk/CIL> for further information and the charging schedule
2. The development will be subject to the requirements of the Building Regulations, and advice should be sought from the East Sussex Building Control Partnership. No work should be carried out until any necessary permission has been obtained.

3. The landowner and/or developer should take all relevant precautions to minimise the potential for disturbance to adjoining occupiers from noise and dust during the construction period. This should include not working outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays, and no such work should take place on Sundays or Bank Holidays.
4. The Environment Agency can be contacted by telephone on 03708 506 506 or by e-mail at enquiries@environment-agency.gov.uk.
5. In relation to the significant excavation and construction works, responsibility for securing a safe development rests with the developer and/or landowner.

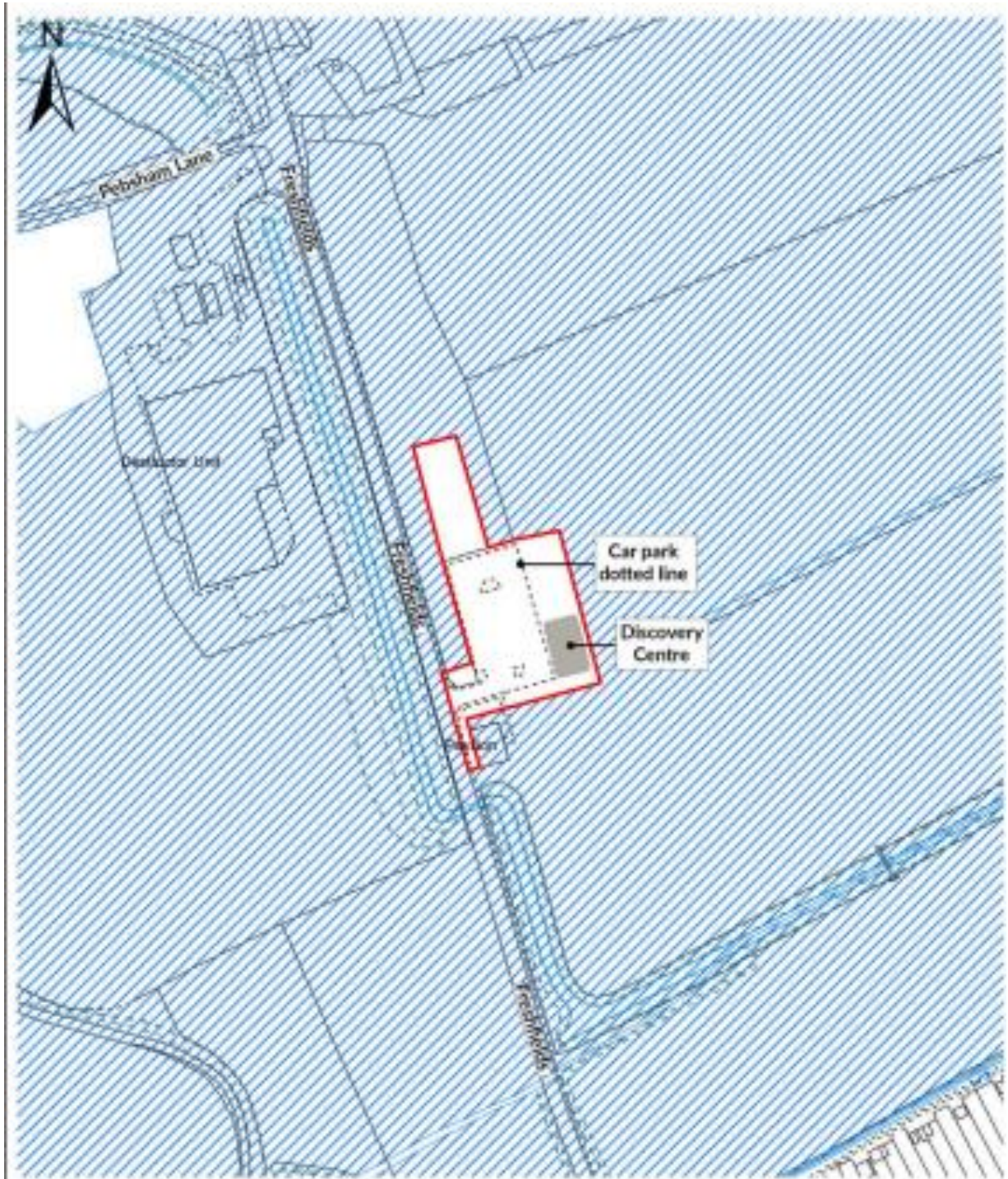
NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by 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.

SITE PLAN

BEXHILL

RR/2021/1565/P

THE DISCOVERY CENTRE,
FRESHFIELDS ROAD



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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 16 December 2021
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/1565/P
Address - The Discovery Centre
Freshfields Road
Bexhill
Proposal - Temporary steel storage container to be placed on the existing car park of The Discovery Centre, off Freshfields Road.

[View Application/Correspondence](#)

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

Director: Ben Hook

Applicant: Hastings Borough Council
Agent: Linda Kelly
Case Officer: Aimee Whitehead
(Email: aimee.whitehead@rother.gov.uk)

Parish: BEXHILL PEBSHAM/ ST MICHAELS

Ward Members: Councillors J.H.F. Brewerton and C.A. Clark

Reason for Committee consideration: Hastings Borough Council is the Applicant therefore the application is automatically referred to the Planning Committee.

Statutory 8-week date: 13 August 2021

Extension of time agreed to: 24 December 2021 (requested)

This application is included in the Committee site inspection list.

1.0 SUMMARY

1.1 The proposed development is to erect a shipping container on the carpark at The Discovery Centre off Freshfields Road, for a temporary period of five years. The main considerations are the effects of the proposal on the character and appearance of the locality. The proposal is recommended for approval.

2.0 SITE

2.1 The application site is the car park associated with The Discovery Centre, situated off Freshfields Road. The car park is currently comprised of crushed stone and has capacity for 30 parking spaces. The Discovery Centre is currently situated at the south eastern corner of the site and comprises a blue shipping container converted to a café. The application site is bound by dense woodland and trees at its northern and western boundaries, and open fields at its eastern and southern boundaries.

3.0 PROPOSAL

3.1 The development comprises the temporary erection of storage container in the north western corner of the application site. The proposed container will be either dark green/brown in colour and will measure approximately 12.19m in length, 2.59m in height and 2.44m in width. Permission is sought on a temporary basis for five years.

4.0 HISTORY

4.1 No relevant planning history.

5.0 POLICIES

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

- OSS4: General Development Considerations
- EN1: Landscape Stewardship
- EN3: Design Quality
- RA3: Development in the Countryside

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

- DEN1: Maintaining Landscape Character

5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.

6.0 CONSULTATIONS

6.1 Minerals and Waste East Sussex County Council (ESCC) have no objections to this proposal.

6.2 Planning Notice

6.2.1 No comments received.

6.3 Bexhill Parish Council – no response received.

7.0 APPRAISAL

- 7.1 There is one issue for consideration with this proposal:
- The effect of the proposal on the character and appearance of the locality and countryside.
- 7.2 Policy OSS4 (iii) of the Rother Local Plan Core Strategy states all development should respect and not detract from the character and appearance of the locality.
- 7.3 Policy EN3 of the Rother Local Plan Core Strategy states new development should contribute positively to the character of the site and surroundings and demonstrate robust design solutions tested against key design principles.
- 7.4 Policy RA3 of the Rother Local Plan Core Strategy that proposal will be determined on the basis that all development in the countryside is of an appropriate scale, will not adversely impact on the landscape character or natural resources of the countryside and, wherever practicable, support sensitive land management.
- 7.5 Whilst the proposed design of the storage container is not the most aesthetically pleasing, the design of storage containers is relatively uniform with their main function to serve a purpose, in this instance being the storage of equipment for the requirements of The Discovery Centre. The proposed colour of the container being green/brown will ensure that the structure blends into the surroundings, in particular, the dense woodland that borders the northern and western corners of the site.
- 7.6 The proposed siting of the storage container, at the north western corner of the site, will ensure that the proposed container will not be visible from public vantage points from Freshfields Road. Whilst the proposal will be visible from the fields (Bulverhythe Recreation Ground) that border the eastern and western site boundaries, these fields are bounded by hedging and dwellings, as such the proposal is not considered to have a detrimental impact on the wider landscape, only the immediate surroundings of the application site.
- 7.7 Furthermore, the existing storage container associated with The Discovery Centre is considered to be less inconspicuous with regard to its prominent siting on the eastern site boundary and its blue colour. The proposed storage container in more concealed location and appropriate colour, is considered to be more aesthetically pleasing.
- 7.8 Lastly, the permission is sought on a temporary basis for a period of five years. As such, a condition will be added to any subsequent planning permission that ensure the application site is returned to its current state after the temporary period of five years has passed and shall be retained like so in perpetuity.
- 7.9 Overall, the proposed siting, scale, appearance of the container in addition the temporary permission sought ensure that the proposed development will have a negligible impact on the landscape character.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposed development would not detract from the character and appearance of the locality and is therefore considered to be acceptable. The proposed development complies with Policies OSS4, EN3 and RA3 of the Rother Local Plan Core Strategy, and Policy DEN1 of the Development and Site Allocations Plan.
-

RECOMMENDATION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Site Location Plan, dated December 2014
Product details, dated and received on 21 June 2021
Proposed Site Block Plan, dated and received on 21 June 2021
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Before the storage container hereby permitted is brought into use it shall be treated in a colour to be previously first approved in writing by the Local Planning Authority.
Reason: To ensure that the development reflects the character and appearance of the area in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy and Policy HG9(ii) of the Rother Development and Site Allocations Plan.
4. The building hereby permitted shall be removed and the land restored to its former condition on or before five years from the date stipulated on this decision notice, in accordance with a scheme of work submitted to and approved by the Local Planning Authority.
Reason: The storage container by reason of its construction and materials is not considered suitable for erection as a permanent building, in respect of the long-term visual character and amenities of the area and having regard to Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by 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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<p>SITE PLAN</p> <p>RR/2021/2397/L</p>	<p>BEXHILL</p> <p>SHELTER NUMBER 1 EAST PARADE</p>
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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 16 December 2021
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/2397/L
Address - Shelter Number 1
East Parade
Bexhill
Proposal - Restoration of existing seafront shelter

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **GRANT LISTED BUILDING CONSENT**

Director: Ben Hook

Applicant: Bexhill Heritage
Case Officer: Mr J. Laibach
(Email: james.laibach@rother.gov.uk)

Parish: BEXHILL SACKVILLE

Ward Member(s): Councillors T.J.C. Byrne and H.L. Timpe

Reason for Committee consideration: Site owned by Rother District Council

Statutory 8 week date: 25 November 2021

Extension of time agreed to: TBC

1.0 SUMMARY

- 1.1 The application seeks listed building consent for the restoration of the existing Grade II listed seafront shelter; Shelter Number 1, East Parade, Bexhill.
- 1.2 The proposed restoration would preserve the original features of the seaside shelter and re-create many of the original design features visible in photographic evidence. The design proposed would retain the building's ten-sided plan and preserve as much of the original structure as possible above the transom through careful repair and restoration. Replacements for original features above the transom that are missing, or too damaged or decayed for restoration would be manufactured, while the new materials below the transom would reference the building's original design, reflecting East Parade's Victorian Mughal 'theme' and restore a sense of verticality to the building. The design of the building and the finishes used in its decoration

refer to its original design and complement the adjacent recently-restored seafront shelter.

- 1.3 The view is taken that the proposals would preserve the detail of the special architectural and historic interest of the listed building in accordance with section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 199 of the National Planning Policy Framework, and Policy EN2 of the Rother Local Plan Core Strategy. It is, accordingly, recommended that planning permission be granted.
-

2.0 SITE

- 2.1 The application relates to a Grade II Listed seafront shelter on De La Warr Parade, between the junctions of Sea Road and Brassey Road. The shelter is located on the south side of the road, within the development boundary for Bexhill.
- 2.2 Shelter Number 1, a Grade II Listed Building, is listed for the following principal reasons:
- Architectural: a well-crafted and decorative wooden shelter with an unusual ten sided plan.
 - Degree of completeness: substantially complete except for subsequent roof re-tiling and glazing in of the side panels.
 - Historical: one of the surviving features of the 8th Earl de La Warr's development of Bexhill.
 - Group Value: one of a group of four seaside shelters along De La Warr Parade.
-

3.0 PROPOSAL

- 3.1 The application seeks listed building consent for the restoration of the existing Grade II listed seafront shelter; Shelter Number 1, East Parade, Bexhill.
- 3.2 The proposed restoration is intended to preserve the original features of the seaside shelter and re-create many of the original design features visible in photographic evidence. The design proposed would retain the building's ten-sided plan and preserve as much of the original structure as possible above the transom through careful repair and restoration. Replacements for original features above the transom that are missing, or too damaged or decayed for restoration would be manufactured, while the new materials below the transom would reference the building's original design, reflecting East Parade's Victorian Mughal 'theme' and restore a sense of verticality to the building. The design of the building and the finishes used in its decoration refer to its original design and decoration, which complement the design and decoration of the adjacent recently restored seafront shelter.
- 3.3 The exterior features of the shelter that would be retained and restored include the roof's overhanging eaves with a scalloped valance supported on scalloped brackets with circular cutouts and the walls' chamfered piers and top panels with curved sides over vertical boards with small trefoil-shaped cutouts, while to the interior the boarded wooden ceiling with carved ribs incorporating two moulded circular pendants would be retained and restored.

- 3.4 As part of the restoration the replacing of non-heritage features with designs that reference the original design are proposed, this includes the existing windows, glazing bars and mullions and the base panels and cills which are not original and are not included on Historic England's listing. The scalloped brackets below the transom which although are referenced on Historic England's listing are also to be removed as they are considered significantly out of proportion in relation to the window panels of which they form a part and would detract from the proposed new window design.
- 3.5 The original features of the shelter that would be restored include the roof being retiled using hand-made clay tiles fired locally and a roof crest to be replaced to replicate the original. The proposed windows and panelling would reference the bandstand's original design and East Parade's original Mughal 'theme' while restoring a sense of verticality to the building within the constraints imposed by the 1906 alterations. The two existing south-facing entrances would be replaced with hinged doors consistent with the overall design, while two hinged doors would also be installed on the eastern side of the building as a more practicable and alternative to the original fully removable window panels. The current base wall panels would also be replaced with shorter more durable panels to replicate the original design while helping to restore a sense of verticality to the building.
- 3.6 To restore the building's function and improve accessibility it is intended as part of the restoration works to re-open the original loft hatch in the ceiling. The floor level is also proposed to be lowered to replicate the original levels, with the level of the promenade adjacent to the southern and western sides of the building to be raised to enable disabled access to the interior. Within the interior it is proposed to add two electrical sockets to the new base panels and two non-touch switches to the new panelling. The current plain plastic interior and exterior lights would be replaced with Astro brass bulkhead lighting to match Seafront Shelter Number 3 and an amplifier and deck would also be installed in the roof space similar to the system found in Seafront Shelter Number 3.

4.0 HISTORY (relevant)

- 4.1 None.

5.0 POLICIES

- 5.1 The following policies of the adopted [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- OSS4: General Development Considerations
 - EN2: Stewardship of the Historic Built Environment
 - EN3: Design Quality
- 5.2 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to local planning authorities when considering whether to grant listed building consent, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

- 5.3 The National Planning Policy Framework represents up-to-date Government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application or appeal. Planning Practice Guidance is available as guidance on how to interpret the National Planning Policy Framework. Especially relevant to applications relating to the historic environment is Section 16 of the National Planning Policy Framework: Conserving and Enhancing the Historic Environment.
-

6.0 CONSULTATIONS

6.1 Planning Notice

- 6.1.2 No representations received.

6.2 Bexhill Town Council

- 6.2.1 Bexhill Town Council support the application.
-

7.0 APPRAISAL

- 7.1 The main issue for consideration is the impact of the proposal on the special architectural and historic interest of the listed building.

7.2 Impacts upon the special architectural and historic interest of the listed building.

- 7.2.1 Policy EN2 of the Rother Local Plan Core Strategy, Stewardship of the Historic Built Environment, states development affecting the historic built environment, will be required to:

“(iii) preserve, and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric and materials, including forms specific to historic building typologies.”

- 7.2.2 The proposed restoration would preserve the original features of the seaside shelter and re-create many of the original design features visible in photographic evidence. The design proposed would retain the building’s ten-sided plan and preserve as much of the original structure as possible above the transom through careful repair and restoration. Replacements for original features above the transom that are missing, or too damaged or decayed for restoration would be manufactured, while the new materials below the transom would reference the building’s original design, reflecting East Parade’s Victorian Mughal ‘theme’ and restore a sense of verticality to the building. The design of the building and the finishes used in its decoration refer to its original design and complement the adjacent recently-restored seafront shelter.
-

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 In summary, the proposals are considered to preserve the detail of the special architectural and historic interest of the listed shelter in accordance with section 16 of the Planning (Listed Buildings and Conservation Areas) Act

1990, paragraph 199 of the National Planning Policy Framework, and Policy EN2 of the Rother Local Plan Core Strategy. It is, accordingly, recommended that planning permission be granted.

RECOMMENDATION: GRANT (LISTED BUILDING CONSENT)

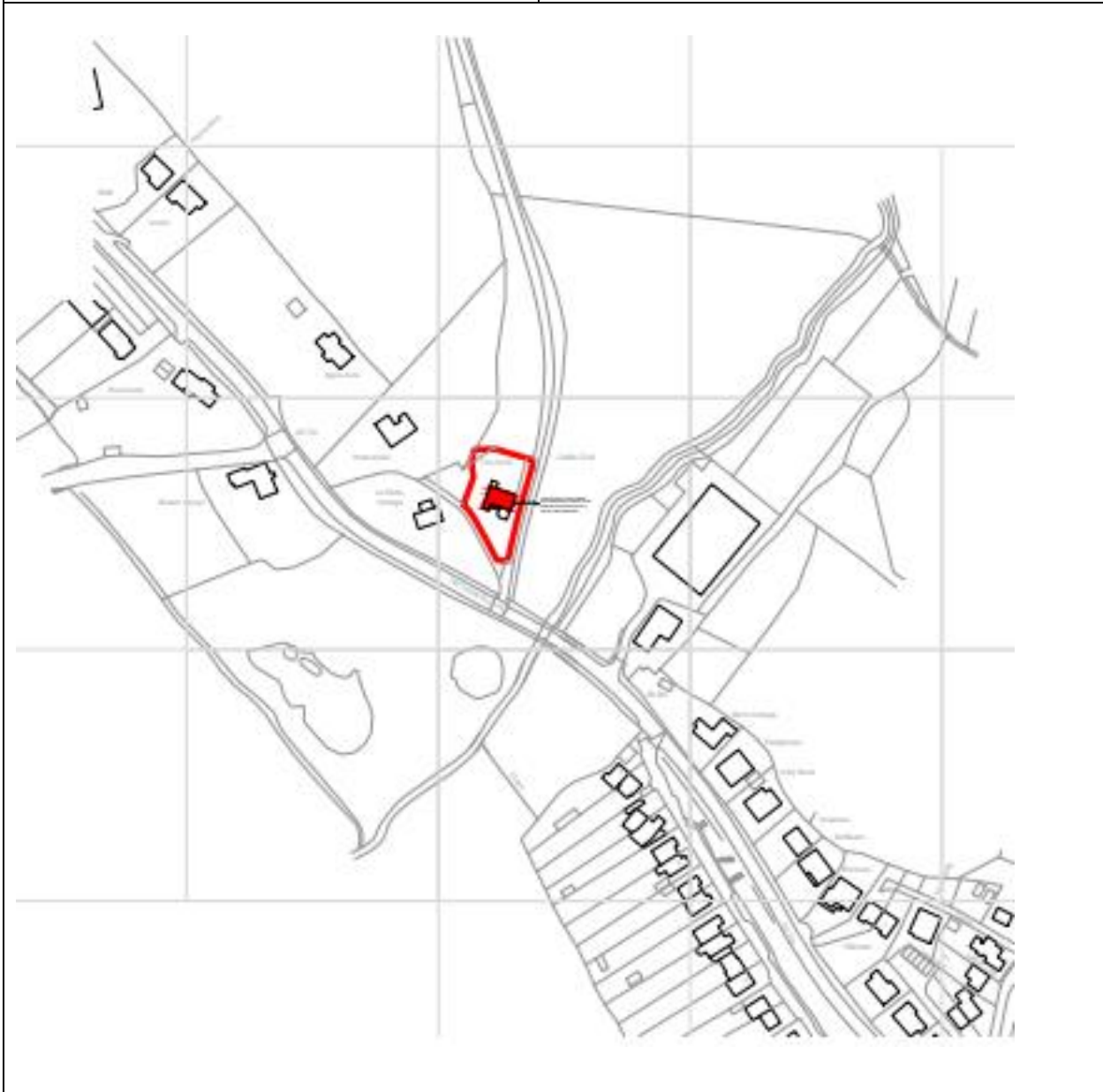
CONDITIONS:

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.
Reason: In accordance with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Location Plan; Submitted with the application
Plans and Elevations; Drawing No. BH21-1 P100 dated June 2021
PR Door Detail DE1; Drawing No. BH21-1 P 150 dated June 2021
PR Fixed Panel SN2, DN1, DN2, SN1, SW1, SS1, SS2; Drawing No. BH21-1 P 151 dated June 2021
PR Door Detail DS1, DS2; Drawing No. BH21-1 P 152 dated June 2021
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described within the application, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the historic fabric and the special architectural and historic character of the Listed Building in accordance with Policy EN2 of the Rother Local Plan Core Strategy (2014).

NOTE:

1. The Applicant is reminded that the ridge crest does not form part of this application and its design will require Listed Building consent.

<p>SITE PLAN RR/2021/2425/P</p>	<p>BATTLE THE HURST NETHERFIELD HILL NETHERFIELD</p>
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Rother District Council

Report to - Planning Committee
Date - 16 December 2021
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/2425/P
Address - The Hurst
Netherfield Hill
Netherfield
Battle
Proposal - Proposed replacement of existing white painted timber weatherboard with white fibre-cement Cedral weatherboard to upper elevations of dwelling.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mr & Mrs K. Dixon
Agent: Pump House Designs
Case Officer: Mr Sam Koper
(Email: sam.koper@rother.gov.uk)

Parish: BATTLE

Ward Members: Councillors Mrs V. Cook and K.M. Field

Reason for Committee consideration: Councillor Dixon's application.

Statutory 8-week date: 28 November 2021

Extension of time agreed to: 23 December 2021

1.0 SUMMARY

1.1 The proposal is to replace the external white timber weatherboarding with white fibre-cement Cedral cladding. The main considerations are the effects of the proposal on the character and appearance of the locality and Area of Outstanding Natural Beauty (AONB) as well as the setting of the adjacent listed building. The application is recommended for approval.

2.0 SITE

- 2.1 The application site contains a detached property on the north east side of Netherfield Hill on the outskirts of the town of Battle. The property is located within the countryside and is within the High Weald AONB. The dwelling is positioned approximately 16.3m to the north east of its nearest neighbour, a Grade II Listed Building, Le Rette Cottage. The dwelling is set over 90m from a public footpath to the west and open to views from the road.
-

3.0 PROPOSAL

- 3.1 This application seeks approval for the replacement of the existing white painted timber weatherboard cladding on the upper elevations, with a white fibre-cement Cedral weatherboard cladding.
-

4.0 HISTORY

- 4.1 RR/2005/3011/P Proposed dormer loft conversion to form two bedrooms and bathroom including rooflights and erection of new car port to side of house. Conditionally Approved.
- 4.2 RR/2020/2285/P Proposed conservatory to front elevation. Conditionally Approved.
-

5.0 POLICIES

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- OSS4: General Development Considerations
 - EN1: Landscape Stewardship
 - EN2: Stewardship of the Historic Built Environment
 - EN3: Design Quality
 - RA3: Development in the Countryside
- 5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:
- DHG9: Extensions, Alterations and Outbuildings
 - DEN1: Maintaining Landscape Character
 - DEN2: High Weald AONB
- 5.3 The following policies of the adopted [Battle Civil Parish Neighbourhood Plan](#) are relevant to the proposal:
- HD4: Quality of Design
- 5.4 The National Planning Policy Framework, High Weald Management Plan and Housing Design Guide are also material considerations.
-

6.0 CONSULTATIONS

6.1 Battle Town Council has no objections to this application.

6.2 Planning Notice

6.2.1 No comments received.

7.0 APPRAISAL

7.1 There are two issues for consideration in this application:

- The effect of the proposal on the character and appearance of the locality and the High Weald AONB.
- The effect of the proposal on the setting of the adjacent listed building.

7.2 *The effect of the proposal on the character and appearance of the locality and the High Weald AONB.*

7.3 Policy OSS4 (iii) of the Rother Local Plan Core Strategy states all development should respect and not detract from the character and appearance of the locality.

7.4 Policy EN3 of the Rother Local Plan Core Strategy states new development should contribute positively to the character of the site and surroundings and demonstrate robust design solutions tested against key design principles.

7.5 Policy DHG9 (ii)(iii) of the Development and Site Allocations Local Plan states that alterations to existing dwellings will be permitted where they respect and respond positively to the scale, form, proportions, materials, details and the overall design, character and appearance of the dwelling and they do not detract from the character and appearance of the wider street-scene.

7.6 Policy DEN2 states that development within the High Weald AONB should be small-scale, in keeping with the landscape and settlement pattern.

7.7 Policy HD4 of the Battle Civil Parish Neighbourhood Plan states that proposals for all development must plan positively for the achievement of high quality and inclusive design.

7.8 The dwelling on the application site is accessed via lane off the main road, and is set back considerably, however still in public view from the main road. Among this dwelling, there are only two other houses in close proximity, 'La Rette Cottage' a Grade II listed building to the west and 'Rathvinden' a detached property to the north west.

7.9 Whilst timber weatherboarding is considered a prominent material featured in the area and more widely in the AONB, the house on the application site is of a unique style and form and does not form part of a group of houses as traditionally found on more residential locations.

- 7.10 The existing white timber weatherboarding covers the first-floor walls of the house. The condition of this cladding is poor with the paint fading and chipping away as identified on a site visit. The proposed material to be used, white fibre-cement weatherboarding, whilst not traditional, would be of a similar style and colour of the existing timber cladding and would not materially change the overall appearance of the dwelling. Therefore, would not cause any harm the overall character and appearance of the dwelling and locality or the AONB.
- 7.11 *The effect of the proposal on the setting of the adjacent listed building*
- 7.12 The rural setting of the listed building, Le Rette Cottage, has historically been eroded with the development of the host dwelling. It is not considered that the proposal would have any further negative impacts on the setting of the listed building due to its minor nature.
-

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 The proposed development would not detract from the character and appearance of the locality and AONB, nor would it have a negative impact on the setting of the adjacent listed building. The proposed development complies with Policies OSS4, EN1, EN2, EN3 and RA3 of the Rother Local Plan Core Strategy, Policies DHG9, DEN1 and DEN2 of the Development and Site Allocations Plan and Policy HD4 of the adopted Battle Civil Parish Neighbourhood Plan.
-

RECOMMENDATION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Location Block Plan, Drawing No. 6723 / 21 / LBP dated September 2021
Proposed External Changes, Drawing No. 6723 / 21 / 1, dated September 2021
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the construction of the external surfaces walls hereby permitted shall be made up of white fibre-cement Cedral weatherboarding for the walls otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure that the satisfactory appearance of the development and area is maintained and to preserve the natural landscape quality and character of the High Weald AONB in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by 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.

Rother District Council

Report to: Planning
Date: 16 December 2021
Title: Undetermined Major Planning Applications
Report of: Ben Hook, Director – Place and Climate Change
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 still under discussion regarding the review mechanism for affordable housing.

RR/2018/3064/P Churchill Farm, The Street, Sedlescombe
 Outline: Provision of access and access road to serve allocated sites 8 and 7, Churchill Farm and Gate Cottage, In the Sedlescombe Neighbourhood Plan.

Status: The Applicant is in negotiation with the adjacent site (Gate Cottage, RR/2019/1332/P) regarding the proposals for a joint shared access, this has progressed but details still being finalised and re-consultations awaited.

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

RR/2020/1044/P Churchfields Industrial Estate, Longrakespar Storage Land, Rye Harbour Road, Icklesham
 Variation of Conditions 2, 6, 7, 8 & 9 imposed on RR/2017/2541/P to alter the external materials and ridge orientation, extend operating times within the building, increase number of shipments, alter landscaping details and install external floodlighting.

Status: The details of this application are still under discussion with consultees and pending additional information.

RR/2020/2148/P Rosecourt, London Road, Battle
Outline: Proposed redevelopment of Rosecourt to include the demolition of the existing property and provision of 10 No. dwellings (all matters reserved).

Status: Consultee comments still awaited.

RR/2020/565/P 11 Ellerslie Lane, Moleynes Mead - Land at, Bexhill
Redevelopment of land to provide 26 dwellings (8 x 4-bed 2 storey homes, 10 x 3-bed 2 storey homes, 4 x 2-bed 2 storey homes, 2 x 3-bed 1 storey homes, 1 x 2-bed maisonette, 1 x 1-bed maisonette) and associated new access roads, parking and external amenity areas.

Status: Delegated at Planning Committee to grant planning permission subject to conditions and the completion of a Section 106 agreement. The Section 106 is in the hands of the respective solicitors and is progressing.

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: Amended plans and affordable housing contribution agreed. No outstanding issues. Delegated report to be written soon.

RR/2021/1059/P North Bexhill Access Road - Land to South of, East of Ninfield, Ninfield Road, Bexhill
Outline: Erection of up to 32 dwellings (together with ancillary infrastructure) including structural landscaping, parking and circulation facilities. With the exception of 'means of access', all matters are reserved.

Status: Additional information requested from the Applicant.

RR/2021/1511/P Pippins - Land to the rear of, Main Street, Peasmarsch
Outline: Demolition of existing building and the erection of 29 dwellings (4 x 1 bedroom, 5 x 2 bedroom, 16 x 3 bedroom and 4 x 4 bedroom), together with 41% affordable housing provision, 7% self-build plots, attenuation basin, public amenity space and associated access, car parking and landscaping. All matters to be reserved with the exception of access, landscaping and layout.

Status: Concerns raised with the Applicant/Agent in respect of only part of the housing allocation coming forward, design issues and biodiversity not being satisfactorily addressed. Delegated report to be written soon.

- RR/2021/1608/P Former Ashwood Nursing Home, Heathfield Road, Burwash Common, Burwash
Demolition of existing buildings and redevelopment of site to provide 12 residential units, car parking, cycle and refuse facilities and associated works.
- Status: Delegated to grant planning permission 12 August 2021. Section 106 Planning Obligation sent out for signing w/c 29 November 2021.
- RR/2021/1656/P Fryatts Way - land at, Bexhill
Outline: Erection of up to 210 residential dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated ancillary works. All matters to be reserved with the exception of the main site access.
- Status: The Applicant is addressing issues raised by consultees and their response is awaited
- RR/2021/1754/P North Trade Road - Land North of, Battle
Reserved matters relating to layout, appearance, landscaping and scale pursuant to outline permission RR/2018/2666/P for the erection of 20 dwellings including seven affordable with access onto North Trade Road.
- Status: Amendments and additional information awaited.
- RR/2021/1816/P London Road - Land off, Hurst Green
Erection of 36 dwellings (including affordable housing) with associated open space, access, parking (including community car park), drainage, landscaping and other associated works.
- Status: This relates to an area of countryside outside the existing development boundary. It is however (in part) a site the Parish Council has been looking at in relation to the intended Neighbourhood Plan. The Parish Council has indicated its support for the application. Most consultation responses have now been received. Holding objections received; particularly significant are those in respect of highways (Highways England) and drainage, (Lead Local Flood Authority (SuDS); also, objection received on Area of Outstanding Natural Beauty grounds from High Weald Unit. Negotiations being undertaken with applicants. The application is not yet ready for reporting for determination.
- RR/2021/2045/P Bridge Point, Rock Channel, Rye
Variation of condition 2 (approved plans) of planning approval RR/2019/789/P to allow minor amendments to elevation design.
- Status: Amended drawings to be submitted, the Applicant wishes to make changes to the scheme.

- RR/2021/2059/P Rye Golf Club, Camber Road, Camber
Construction of an irrigation reservoir to serve Rye Golf Club, together with associated engineering operations and landscaping.
- Status: Waiting for outstanding consultee responses (Environment Agency and County Ecologist). Further information likely to be required.
- RR/2021/2341/P Kilnwood Farm, Potmans Lane, Lunsford Cross, Catsfield
Construction of a Greener Grid Park comprising energy storage and grid balancing equipment, along with associated infrastructure, landscaping and access.
- Status: Case Officer has suggested that the application is withdrawn and resubmitted at a later with all relevant information due to objections from East Sussex County Council (ESCC) Archaeology and ESCC Highways Authority. Awaiting instruction from Agent.
- RR/2021/2403/P Barnhorn Road and Coneyburrow Lane - Land at junction of, Bexhill
Outline: Proposed new 49 dwellings with new access to the site from Coneyburrow Lane.
- Status: Relatively early stages of the application. Consultee responses awaited.
- RR/2021/2413/P Hillbury Field, High Street, Ticehurst
Variation of Condition 1 (approved plans) of approval RR/2019/2818/P to allow amendments to plots 7 and 8.
- Status: Outstanding application presently under consideration. A decision is anticipated in the near future.
- RR/2021/2545/P Watermill Lane - Land off, Bexhill
Outline: Erection of up to 80 residential dwellings (including 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated ancillary works. All matters to be reserved with the exception of the main site access.
- Status: Relatively early stages of the application. Some consultee responses awaited. Councillor call in if recommending approval.
- RR/2021/2598/P Rother Valley Railway Northbridge Street, Robertsbridge to Junction Road, Bodiam. Salehurst/Robertsbridge, Ewhurst, Bodiam
Variation of Conditions 3, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 19, 20, 26, 27, 28 & 29 imposed on RR/2014/1608/P as set out in the covering letter and appendix, so as to allow a phased approach to the development.

Status: This is an application to vary conditions imposed on the original planning permission. The conditions were as requested by statutory consultees at the time and each has been reconsulted as to whether the proposed variations would be acceptable. Most responses have been received. These are largely positive. Negotiations are being undertaken with applicants on outstanding matters. The application is not yet ready for reporting for determination.

RR/2021/2743/P Goddens Gill - Land at, Northiam
Variation of condition 2 imposed on RR/2019/2738/P to allow amended layout, elevational treatment and mix.

Status: A relatively recent application. Consultations are presently being carried out. The application is not yet ready for reporting for determination.

RR/2021/409/P Strand Meadow - Land to the south west of, Burwash
Reserved matters relating to residential development of 30 dwellings (outline permission RR/2017/582/P) (Conditions 1, 2 and 3) together with the discharge of conditions 7 (Foul and Surface Water Drainage), 8 (Parking and Turning of Vehicles), 9 & 10 (Archaeology), 13 (Levels) and 19 (Proposed Landscaping).

Status: Additional information awaited.

RR/2021/629/P Bachelors Bump - Land at, Winchelsea Road, Guestling
Variation of Conditions 2 & 9 imposed on RR/2018/2040/P to allow design changes to the previously approved house types, external material specifications in conjunction with the revised house design details and relocation of some parking areas.

Status: Amended plans agreed to be determined under delegated powers.

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:	Ben Hook, Director – Place and Climate Change
e-mail address:	ben.hook@rother.gov.uk
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 Committee

Date: 16 December 2021

Title: Appeals

Report of: Ben Hook, Director – Place and Climate Change

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/2021/858/P (Delegation)	BATTLE: 110 Hastings Road, Battle Change of external materials to dwelling and garage to Grey Cedral weatherboard at upper levels. New rendered frontage wall and gates for privacy and security. Mr & Mrs S. Hastings
RR/2021/116/P (Delegation)	BATTLE: 85-86 High Street, Battle Change of use of ground floor from disused shops to two holiday lets. Crowhurst Farm Developments Ltd
RR/2020/2418/P (Delegation)	BEXHILL: Beulah Baptist Church, Clifford Road, Bexhill Demolition of existing sanctuary and Buckhurst Room hall and construction of a new church and community centre with associated external works. Retention of the Clifford Hall and new cladding and window configuration to the Beulah Centre elevation on Clifford Road. The Trustees of Beulah Baptist
RR/2020/2350/P (Delegation)	BEXHILL: 33b Sackville Road, Bexhill Replacement of 1 No. timber bow window and 1 No. timber window. Ms Anna Gillett
RR/2021/732/P (Delegation)	BEXHILL: 142 Pebsham Lane, Bexhill Demolition of the existing dwelling and construction of two storey dwelling. Mr Balwinder Khaira
RR/2021/113/P (Delegation)	BREDE: The Lions Den, Opposite entrance to Goatham Lane, Brede Change of use of land from agricultural to outside fitness facility. (Retrospective)

Mr Ricky Burgess

RR/2021/234/P
(Delegation)

BREDE: Brede Valley Farm, Frymans Lane, Brede
Erection of agricultural dwelling.
Brede Valley Farm Ltd

RR/2021/1424/P
(Non-determination)

BURWASH: St Giles, High Street, Burwash
Proposed detached single storey annex building
providing accommodation ancillary to existing dwelling
house.
Mrs Josephine O'Donnell

RR/2020/151/P
(Committee -
Decision)

FAIRLIGHT: Pett Level Road - Land South of,
Fairlight Cove, Fairlight
Outline: Development of up to 43 residential units
(including 40%affordable), including new vehicular access
from Pett level Road.
Wellbeck Strategic Land III

RR/2020/1857/P
(Delegation)

GUESTLING: Star Stud, Ivyhouse Lane, Guestling
Change of use of barn to holiday accommodation.
Mr J. O'Hara

RR/2021/1020/P
(Committee -
Decision)

ICKLESHAM: 6 Spring Steps, Winchelsea, Icklesham
Proposed attic conversion and installation of 3 No.
rooflights to rear elevation
Mr Chris Meyer

RR/2021/1925/P
(Delegation)

IDEN: May House, Wittersham Road, Iden
Variation of Condition 2 (approved plans) of planning
approval RR/2020/2459/P - Proposed larger outbuilding
to include study and WC.
Mr & Mrs T. Patrick

RR/2021/161/P
(Committee Decision)

NORTHIAM: Newlands, Dixter Lane, Northiam
Variation of Condition 2 imposed on RR/2018/2282/P to
provide two rear dormers to roof slopes of plots 1-3 to
serve a new bedroom and en-suite to each property.
Mr A. Town

RR/2021/599/P
(Delegation)

NORTHIAM: Fernbank - Land adjacent to, Rye Road,
Northiam
Relocation of vehicular access to the land and stop up
existing vehicular access to the land. (Retrospective)
Mr G. Fairbass

RR/2019/2641/P
(Delegation)

NORTHIAM: Coombe Cottage, Ewhurst Lane, Northiam
Demolition of existing bungalow and construction of four
residential units. Provision of new driveway and eco-
sewer system.
Mr James & Gavin Pierce

RR/2019/2677/P (Non-determination)	NORTHIAM: Station Road - Land South of, Northiam Demolition of the existing marketing suite and erection of two detached dwellings, car parking spaces, refuse and cycle stores. Persimmon Homes Ltd
RR/2021/879/P (Delegation)	PEASMARSH: Lyndhurst Cottage, Main Street, Peasmarsh Change of use from granny annexe/holiday let to separate residential dwelling. Mr Terry Denman
RR/2021/1760/P (Delegation)	RYE: 12 Market Road, K-9 Divine, Rye Change window joinery on the front elevation. Richard A Copland Chartered Surveyors
RR/2019/2594/L (Delegation)	RYE: 18 Landgate, Rye Renewal of roof. (Retrospective) Mr Michael Ruse
RR/2019/2832/P (Non-determination)	SEDLIESCOMBE: Beanford Farmhouse, New Road, Sedlescombe Alterations and conversion of existing outbuilding to form 4 No. holiday-lets and change of use of private amenity space and buildings for use by occupiers of the holiday lets. Mr & Mrs J. Ford
RR/2020/2116/P (Delegation)	SEDLIESCOMBE: The Croft, 'Aurora', Hurst Lane, Sedlescombe Construction of a dwelling house and associated landscape and access works. Mr & Mrs G.M. & V.G. Slowman
RR/2019/2833/L (Non-determination)	SEDLIESCOMBE: Beanford Farmhouse, New Road, Sedlescombe Alterations and conversion of existing outbuilding to form 4 No. holiday-lets. Mr & Mrs J. Ford
RR/2021/240/P (Delegation)	WESTFIELD: Summer Cottage - Land to the south west of, Whitelands, Westfield Demolition of existing storage buildings and hardstanding. Construction of new dwelling with landscaping, parking and use of existing access to the A28. Creation of a new planting buffer and biodiversity enhancements Mr & Mrs W. Cornish
RR/2020/1416/P (Delegation)	WESTFIELD: Whitelands Kennels, Westfield Lane, Westfield Demolition of existing kennels. Proposed new dwelling comprising of five bedrooms. New driveway, parking area and associated landscaping.

Mr Damon Robinson

RR/2021/1165/P
(Delegation)

WHATLINGTON: Benham Cottage - Land at, Woodmans Green Road, Whatlington.
Construction of a detached dwellinghouse, gardens, parking and use of existing access to A21 (resubmission of RR/2020/836/P)
Mr & Mrs D. Ridler

APPEALS STARTED

RR/2020/498/O
(Delegation)

BEXHILL: The Kloofs Caravan Site, The Kloofs, Sandhurst Lane, Bexhill
Application for a Certificate of Lawful Existing Use or Development for the use of the site as recreation land and service area ancillary to the caravan site.
Kloofs Caravan Park

RR/2021/730/P
(Delegation)

BEXHILL: 43 Jameson Road, Bexhill
Conversion of roof space with dormers and change hipped end to gable ends front and rear. Recessed balcony to the rear.
Mr Daniel Phipps

RR/2021/1106/P
(Delegation)

ETCHINGHAM: Burghfield, Sheepstreet Lane, Etchingham
Proposed two storey side extension with extended decked area.(resubmission)
Mr & Mrs M. Hargrave

RR/2020/2161/P
(Delegation)

EWHURST. 1 Forge Close, Bridle End, Staplecross, Ewhurst
Proposed extensions and alterations, loft improvements with new dormers, and addition of entrance porch.
Mr & Mrs C. Stevens

RR/2021/53/P
(Non-determination)

GUESTLING: Copshall Farm, Winchelsea Road, Guestling Green, Guestling
External alterations to barn to facilitate conversion of barn to hotel and landscaping.
Mr Colin Pennington

RR/2021/1240/T
(Non-determination)

GUESTLING: Little Broomham, Church Lane, Guestling
Crown reduction to Beech T3
Mr Clive Pickerill

RR/2021/559/P
(Delegation)

SEDLSCOMBE: 6 Park Shaw, Sedlescombe
Single rear dormer, replacement of a single side garage with a car port with a hipped roof, a single storey rear extension, a front Velux Dormer and front porch.
Mr Terry Creasy

APPEALS ALLOWED

RR/2019/1565/P
(Delegation)

BATTLE: High Views - Land Adjoining, Loose Farm Lane, Battle
Change of use of existing agricultural land, for stationing of two mobile homes for residential purposes by gypsy family members, together with provision of communal utility/day-room. Extended family members linked to adjoining high views approved gyps site.
Ms A. Searle

APPEALS DISMISSED

RR/2020/487/P
(Delegation)

BATTLE: 1 Raven Court, Battle
Erection of fence. (Retrospective)
Mrs Lucy Pooley

RR/2020/1196/P
(Delegation)

BEXHILL: 150 Barnhorn Road - land to rear, Bexhill
Erection of new dwelling and garage.
Eco Now UK

RR/2020/2255/P
(Delegation)

BRIGHTLING: Telegraph Point, Coldharbour Farm Estate, Battle Road, Brightling.
Retention of existing mobile unit for B1a use, allied to existing B1/B8 Premises adjacent - 'Bloompower', To include staff parking.
Mr Miles Helliwell

RR/2021/457/P
(Delegation)

HURST GREEN: Bexhurst Oast, Merriments Lane, Hurst Green
Proposed garden room extension.
Mr A Jackson

RR/2020/2334/P
(Delegation)

PETT: 2 Long Croft, Pett Level Road, Pett Level, Pett
Erection of two-bay garage.
Miss Tara Lopez

APPEALS WITHDRAWN

RR/2020/1798/P
(Non-determination)

BURWASH: Former Ashwood Nursing Home, Heathfield Road, Burwash Common, Burwash
Demolition of existing buildings and redevelopment of site to provide 12 residential units, car parking, cycle and refuse facilities and associated works.
Artemis Design & Build Ltd

FORTHCOMING HEARINGS/INQUIRIES

NONE

Chief Executive:	Malcolm Johnston
Report Contact Officer:	Ben Hook, Director – Place and Climate Change
e-mail address:	ben.hook@rother.gov.uk
Appendices:	N/A
Relevant previous Minutes:	N/A
Background Papers:	N/A
Reference Documents:	N/A
