

Planning Committee

- Date and Time - **Thursday 26 May 2022**
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 (Chair), S.M. Prochak, MBE (Vice-Chair), Mrs M.L. Barnes, T.J.C. Byrne, G.C. Curtis, S.J. Errington, A.E. Ganly, P.J. Gray, K.M. Harmer (ex-officio), L.M. Langlands, C.A. Madeley, A.S. Mier, Rev H.J. Norton and G.F. Stevens (+1 vacancy).

Substitute Members: J. Barnes, Mrs V. Cook and B.J. Drayson.

AGENDA

1. MINUTES

To authorise the Chair to sign the minutes of the meetings of the Planning Committee held on the 14 April 2022 and 16 May 2022 as correct records of the proceedings.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTES

3. ADDITIONAL AGENDA ITEMS

To consider such other items as the Chair 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 WITHDRAWN APPLICATIONS

The Director – Place and Climate Change to advise Members of those planning applications on the agenda which have been withdrawn.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/2020/2132/P - 29 SEABOURNE ROAD, BEXHILL** (Pages 3 - 22)

8. **RR/2022/164/P - 9 COODEN SEA ROAD, BEXHILL** (Pages 23 - 34)

9. **RR/2022/111/P - KEEPERS COTTAGE, MOUNTFIELD LANE, MOUNTFIELD** (Pages 35 - 42)

10. **RR/2022/112/L - KEEPERS COTTAGE, MOUNTFIELD LANE, MOUNTFIELD** (Pages 43 - 50)

11. **RR/2022/795/P - KINGSMEAD, CALDBEC HILL, BATTLE** (Pages 51 - 56)

12. **PLANNING STATISTICS FOR THE QUARTER JANUARY - MARCH 2022 (INCLUDING SUMMARY OF PLANNING STATISTICS FOR 2020-2022)** (Pages 57 - 66)

13. **UNDETERMINED MAJOR PLANNING APPLICATIONS** (Pages 67 - 72)

14. **APPEALS** (Pages 73 - 84)

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

Tuesday 21 June 2022 at 9:00am departing from the Town Hall, Bexhill.

Malcolm Johnston
Chief Executive

Agenda Despatch Date: 18 May 2022

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	-	26 May 2022
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 have been satisfactorily complied with. A delegated decision does not mean that planning permission or refusal will automatically be issued. If there are consultation objections, difficulties, or negotiations 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/2020/2132/P	BEXHILL	29 Seabourne Road The Warren – Plot 3 Bexhill TN40 2SN	3
8	RR/2022/164/P	BEXHILL	9 Cooden Sea Road Bexhill TN39 4SJ	23
9	RR/2022/111/P	MOUNTFIELD	Keepers Cottage Mountfield Lane Mountfield TN32 5JT	35
10	RR/2022/112/L	MOUNTFIELD	Keepers Cottage Mountfield Lane Mountfield TN32 5JT	43
11	RR/2022/795/P	BATTLE	Kingsmead Caldbec Hill Battle TN33 0JS	51

SITE PLAN RR/2020/2132/P	BEXHILL 29 Seabourne Road The Warren – Plot 3
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Rother District Council

Report to - Planning Committee
Date - 26 May 2022
Report of the - Director - Place and Climate Change
Subject - Application RR/2020/2132/P
Address - 29 Seabourne Road
The Warren - Plot 3
BEXHILL
Proposal - Demolition of existing bungalow and detached garage and construction of 3 No. new houses (previously approved under planning permission RR/2017/2588/P).

[View application/correspondence](#)

RECOMMENDATION: It be RESOLVED to GRANT (FULL PLANNING) DELEGATED (SUBJECT TO A SECTION 106 LEGAL AGREEMENT TO SECURE AN OFF-SITE RECEPTOR SITE FOR THE EXISTING REPTILE POPULATION)

Director: Ben Hook

Applicant: Mr Andrew Stewart Christie
Agent: Mr Andrew Stewart Christie
Case Officer: Mr Edwin Corke (Email: edwin.corke@rother.gov.uk)
Parish: BEXHILL
Ward Members: Councillors J.H.F. Brewerton and C.A. Clark

Reason for Committee consideration: Director – Place and Climate Change referral: Significant public interest received in relation to the impact of the proposed development on wildlife, particularly badgers.

Statutory 8-week date: 29/10/21
Extension of time agreed to: 23/02/2022

Members visited the application site earlier this year prior to the Planning Committee meeting on 17 February 2022.

1.0 UPDATE/SUMMARY

1.1 The proposal is a resubmission of a previously approved scheme for replacement of a bungalow and detached garage with a terrace of 3 houses. This current application was submitted prior to the previous planning permission expiring.

- 1.2 The application was reported to the February Planning Committee with an officer recommendation to grant planning permission subject to conditions. Members raised particular concern about the impact of the development on badgers, and the potential impacts of them being displaced into, and excavating under, neighbouring properties. The original mitigation strategy put forward at that time recommended retention of the main sett, with safeguards to protect badgers during development, and closure of the annex sett under licence. It also proposed the creation of a 5m wide badger/reptile/biodiversity habitat area across the northern part of the site, with the existing reptile (slow worm) population relocated to this area. The ecologist at East Sussex County Council (ESCC) advised that these mitigation measures were acceptable subject to an ecological design strategy – secured by condition – to address the rescue and translocation of reptiles.
- 1.3 Members resolved to defer a decision for further information regarding the potential re-location of protected species and impact on neighbouring properties. Natural England (NE) has subsequently confirmed that it is highly unlikely they would licence the trapping and translocation of badgers outside their social group territory due to disease risk implications. This has been acknowledged by the Applicant's new ecological consultant, who has undertaken a re-evaluation of the information submitted to date and has proposed an alternative mitigation strategy.
- 1.4 The Alternative Badger and Reptile Mitigation Strategy proposes the creation of an artificial sett on the site – located to the east of the existing main sett – followed by the permanent closure of the main and annex setts, and the establishment of underground barriers to prevent badgers tunnelling into neighbouring properties. The alternative strategy also proposes the creation of a 5m wide badger/reptile/biodiversity habitat area across the northern part of the site, with the existing reptile (slow worm) population relocated to this area – this is as per the original mitigation strategy.
- 1.5 The ESCC ecologist accepts that the alternative mitigation strategy would be the best option to retain badgers on site, and to address the concerns raised about them being displaced into, and excavating under, neighbouring properties. A Badger Mitigation Licence would be required from NE to execute the works, but it should be noted that NE will not consider a mitigation licence application until planning permission has been granted for the proposal. It should also be noted that planning permission gives no guarantee that NE will grant a licence. Without a licence, the proposed development will not be able to proceed. As a safeguard, a condition can be attached to the planning permission requiring proof that a licence has been obtained prior to works commencing.
- 1.6 With regard to the proposed reptile mitigation, the ESCC ecologist has advised that the construction of an artificial sett would impact all remaining reptile habitat on site, and as such, an off-site receptor site for the existing reptile population would need to be secured. A Section 106 Legal Agreement would be required to secure this off-site receptor site.
- 1.7 Overall the proposal is for a sustainable residential development, which will have an acceptable impact on the environment, including wildlife, and will make a positive contribution to the District's housing supply. Planning

permission should be granted, subject to a legal agreement to secure an off-site receptor site for the existing reptile population, and subject to appropriate conditions.

1.8 PROPOSAL DETAILS

PROVISION	
No of houses	3
CIL (approx.)	£16,781
New Homes Bonus (approx.)	£20,052

2.0 SITE

- 2.1 The application relates to a vacant residential plot located on the northern side of Seabourne Road, close to the junction with Bishops Walk. It lies within a large residential area within the Development Boundary for Bexhill.
- 2.2 The site slopes down from south to north and previously contained a detached bungalow and single garage. Ecological surveys have confirmed the presence of two badger setts and slow worms.
- 2.3 There are three adjoining properties – No. 4 Bishops Walk, which is a detached bungalow to the north, No. 33 Seabourne Road, which is a detached bungalow to the east, and No. 2 Bishops Walk, which is a detached bungalow to the west.
- 2.4 The surrounding area contains a mixture of bungalows, chalet-bungalows and two-storey houses on varying plot sizes. There is a variety of facing materials including brick, tile hanging and render.
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3.0 PROPOSAL

- 3.1 In January 2015, planning permission (Application Ref: RR/2014/1455/P) was granted for demolition of existing bungalow and detached garage and construction of 3 new houses on the site, arranged as a terrace. This was subsequently renewed in January 2018 under Application Ref: RR/2017/2588/P. The planning permission was never implemented and expired in January 2021.
- 3.2 The current application was submitted prior to the previous planning permission expiring and is a resubmission of that scheme. It is once again proposed to erect a terrace of three 2/3-bedroom dwellings on the site, in-between the neighbouring properties on either side.
- 3.3 The building follows a chalet-style design with first floor accommodation provided within the roof space. The main pitched roof faces Seabourne Road and has two pitched roof dormers in both the front and rear slopes. The main roof is flanked on either side by slightly lower gable-ended pitched roofs. These run at right angles to the main roof with the gable ends facing the front and rear of the site respectively. The external materials palette consists of brickwork and tile hanging to the walls and plain tiles to the roof.

- 3.4 Due to the sloping nature of the site, the building height increases to the rear as the ground level falls away.
- 3.5 The proposal includes the formation of a shared vehicular access onto Seabourne Road and the creation of a shared car parking and turning area in front of and to the side of the dwellings.
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4.0 HISTORY

- 4.1 RR/2014/459/P Demolition of existing bungalow and detached garage and construction of 3 No. new houses – Refused.
- 4.2 RR/2014/1455/P Demolition of existing bungalow and detached garage and construction of 3 new houses – Granted.
- 4.3 RR/2017/2588/P Demolition of existing bungalow and detached garage and construction of 3.No. new houses – Granted.
- 4.4 RR/2021/1234/P Demolition of existing dwelling and construction of 3 No. detached family dwellings including gardens, parking and access to Seabourne Road (alternative proposal to RR/2020/2132/P) – Not yet determined.
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5.0 LEGISLATION AND POLICIES

- 5.1 The following wildlife legislation is relevant to the proposal:
- Wildlife and Countryside Act 1981
 - Protection of Badgers Act 1992
 - Natural Environment and Rural Communities Act 2006
- 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 \(DaSA\)](#) are relevant to the proposal:
- DRM1 (Water Efficiency)

- DRM3 (Energy Requirements)
- 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)
- DEN4 (Biodiversity and Green Space)
- DEN5 (Sustainable Drainage)
- DEN7 (Environmental Pollution)
- DIM2 (Development Boundaries)

5.4 The National Planning Policy Framework, Planning Policy Guidance and previous planning permissions are also material considerations.

6.0 CONSULTATIONS

6.1 Lead Local Flood Authority (East Sussex County Council) – **UNABLE TO RESPOND**

6.2 East Sussex County Council Ecologist – **NO OBJECTION**

6.2.1 Subject to securing an off-site receptor site for the existing population of reptiles and the imposition of conditions.

6.3 Natural England – **GENERAL COMMENT**

6.3.1 A Badger Mitigation Licence is required. NE will not consider a mitigation licence application until planning permission has been granted.

6.3.2 Notwithstanding the above, NE is concerned that there appears to be insufficient space at the site, advising that they are under the impression that the development plans will need to be altered in order to practically accommodate the badgers in an artificial sett on site.

6.4 Waste & Recycling (Rother District Council) – **NO OBJECTION**

6.4.1 The three sets of bins would need to be presented where the entrance to the drive meets the main road.

6.5 Planning Notice

6.5.1 Over 600 letters of **OBJECTION** have been received. The main concern raised is summarised as follows:

- Badgers should not be harmed.

6.5.2 Additional concerns raised are summarised as follows:

- Overdevelopment of the site.
- Design not in keeping with the character and appearance of the area.
- Overlooking and loss of light to neighbours.
- Overshadowing of neighbouring properties.
- Inadequate parking provision.

- Proposed gardens would be restricted in size and out of keeping with large gardens of surrounding properties.
- The location of at least one of the proposed soakaways appears to be directly on a badger sett.
- Inadequate surface water drainage provision resulting in increased flood risk to surrounding properties.
- Poor architectural design.
- Overbearing.
- Noise, fumes and extra traffic.
- Harmful to wildlife.
- No tree survey included – potential impact on bats using trees as roosts.
- Works have already been carried out on the site (e.g. buildings partly demolished), which have been harmful to wildlife.
- County Ecologist recommends the buildings are moved 3m south, which would take them out of the building line, so against the character of the area.
- County Ecologist recommends construction near the badger sett should be conducted by hand tools as far as possible. Is it a serious expectation that the developers will construct portions of the houses with hand tools?
- Details of the badger setts not shown on the Council's website.
- Why not simply leave what there already is and reduce the footprint of the building to a similar style - a single storey single dwelling.
- Development has and will continue to affect health unless refused.
- The developer is relying on the previously granted application as having given 'principle of development'.
- Previous application did not meet the criteria yet was granted – suggests this is already decided and will go ahead.
- The bus stop was also moved.
- A site visit was conducted on 15/2/22 but the committee members did not look around the site. Another site visit should be conducted to fully appreciate the existing situation and the implications of the proposed development on the badgers and neighbouring properties.
- Developer should submit scaled drawings showing the relationship of the build to each of the 3 properties surrounding the site, as the topography of the land is not clear from existing drawings.
- It would be useful if the full plans and all correspondence relating to the proposal are shown under this planning application reference, as a lot of the paperwork is missing. It is very difficult to understand what is proposed.
- The Committee should have unredacted paperwork so that they are able to make an informed decision.

6.5.3 Four letters of **SUPPORT** have been received. The reasons are summarised as follows:

- Will provide affordable local homes.
- Construction period will provide lots of local businesses with work.
- Derelict site will be a brilliant place for beautiful homes to develop.

6.5.4 Three letters with **GENERAL COMMENTS** have been received. The comments are summarised as follows:

- Badgers should not be harmed.

6.6 Bexhill Town Council – **NO COMMENTS RECEIVED**

- 6.6.1 The planning application was submitted before the Town Council was created.
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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 £16,781.
- 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 £20,052 over four years.
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8.0 APPRAISAL

- 8.1 The main issues are determined to be:
- The effect of the proposal on the character and appearance of the area.
 - The effect of the proposal on wildlife.
 - The effect of the proposal on the amenities of neighbouring properties.
 - Whether the proposal would be capable of accommodating the reasonable expectations of likely occupiers, including in terms of indoor and outdoor space and the provision of appropriate means of access for disabled users.
 - Highway matters, including parking provision.
 - Foul and surface water drainage provision.

8.2 Character and appearance of the area

- 8.2.1 Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy and Policy DEN1 of the DaSA seek 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.
- 8.2.2 The surrounding area contains a mixture of bungalows, chalet-bungalows and two-storey houses on varying plot sizes. There is a variety of facing materials including brick, tile hanging and render.
- 8.2.3 As per the previously approved schemes, the proposal would introduce a terrace of three houses on the site. The new building would be larger than the previous bungalow and would therefore be more prominent in the street scene. However, it would be set well back from the road – in line with the established building line – with good separation to the side and rear boundaries. The building also follows a chalet-style design which seeks to avoid excessive height or bulk. The main pitched roof of the proposed terrace would only be some 400mm higher than the roof of the previous bungalow. In addition, the proposed external materials palette of brickwork and tile hanging to the walls and plain tiles to the roof would be in keeping with the mix of facing materials in the surrounding area.
- 8.2.4 The above combination of factors would allow the proposal to integrate appropriately with the surrounding development. Conditions relating to

external materials, hard and soft landscaping, and boundary treatment are necessary in order to preserve the visual amenities of the area.

8.3 Wildlife

8.3.1 A significant number of objections have been received about the impact of the proposed development on wildlife, particularly badgers.

8.3.2 Section 40(1) of the Natural Environment and Rural Communities Act 2006 says that:

“The public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”

8.3.3 Policy EN5 (ix) of the Rother Local Plan Core Strategy and Policy DEN4 (ii) of the DaSA require developers to integrate biodiversity into development schemes by avoiding adverse impacts from development on biodiversity or habitat, or where wholly unavoidable, provide appropriate mitigation against or compensation for any losses.

8.3.4 The Applicant has submitted ecological reports produced in October and November 2021. There are three ecological constraints associated with this site: badgers, reptiles and breeding birds. However, none of these preclude the proposed development.

8.3.5 With regard to badgers, these are protected under the Protection of Badgers Act 1992. Under the Act, it is an offence *inter alia* to: wilfully kill, injure or take a badger, or attempt to do so; cruelly ill-treat a badger; or intentionally or recklessly interfere with a badger sett, by a) damaging a sett or any part of one, b) destroying a sett, c) obstructing access to or any entrance to a sett, d) causing a dog to enter a sett, or e) disturbing a badger when it is occupying its sett. Activities that can affect badgers include noise, additional lighting or vibration.

8.3.6 Surveys have confirmed the presence of two setts on site: a main sett with eight active entrances in the north-west part of the site (with an additional two entrances in the garden of the neighbouring property, No. 2 Bishops Walk); and an annex/subsidiary sett with one active entrance by the western site boundary.

8.3.7 The original mitigation strategy recommended retention of the main sett, with safeguards to protect badgers during development, and closure of the annex sett under licence. It also proposed the creation of a 5m wide badger/reptile/biodiversity habitat area across the northern part of the site. The Applicant’s new ecological consultant says:

“The problem with this strategy is that once excluded from the main sett, the displaced badgers would have no alternative place of shelter and are likely to establish new setts elsewhere. This could lead to significant management problems within the active construction site, and a high risk of damage to neighbouring properties by displaced badgers. In the long term, the risk of structural damage to the new properties and neighbours remains the same once the development has been completed.”

8.3.8 The proposed alternative mitigation strategy is as follows:

“The proposed solution put forward by the Ecology Co-op involves the creation of an artificial sett on the north-east corner of the site and then permanently excluding badgers from both the main and annex setts under licence. This approach will enable permanent underground badger proofing to be installed around the site boundary and development site to prevent badgers from excavating tunnels under neighbouring properties. The proofing works would be completed in two stages, with that in the northeast corner installed before the artificial sett, and then around the area of the main sett once the badgers have been excluded and have established into the artificial sett.

This is a standard approach to badger mitigation that NE routinely licence, provided that the methods adhere to best practice guidance carried out successfully by The Ecology Co-op on other projects. The proposed 5m buffer zone along the northern section of the site would be retained as set out in the original proposal, together with a corridor for badgers along the western boundary so that badgers can disperse for foraging over their home territory as before the scheme.

This strategy does rely on the full co-operation of the neighbouring homeowners to permit ecologists to install one-way badger gates on the main sett entrances and subsequently carry out excavation works to the main sett once badger have been excluded. However, ultimately this approach will be beneficial to them in the long term by preventing badgers from extending the sett under their property, whilst still ensuring that the badgers are able to continue to exhibit their natural behaviour and remain safe at the site.”

8.3.9 The proposed badger proofing measure is galvanised chain-link fencing buried to a depth of 2m. This underground barrier would prevent badgers digging beneath the adjacent properties. The ESCC ecologist has recommended that the barrier is installed along the western and northern boundaries of the site, and potentially the eastern boundary. The exact position can be secured by condition.

8.3.10 The ESCC ecologist accepts that the alternative mitigation strategy would be the best option to retain badgers on site, and to address the concerns raised about them being displaced into, and excavating under, neighbouring properties. A Badger Mitigation Licence would be required from NE to execute the works, but it should be noted that NE will not consider a mitigation licence application until planning permission has been granted for the proposal. It should also be noted that planning permission gives no guarantee that NE will grant a licence. Without a licence, the proposed development will not be able to proceed.

8.3.11 At this stage, NE has advised that there appears to be insufficient space at the site, advising that they are under the impression the development plans will need to be altered in order to practically accommodate the badgers in an artificial sett on site. The Applicant’s ecological consultant has also pointed out that the proposed badger mitigation strategy relies on the full co-operation of the neighbouring homeowners to permit ecologists to install one-way badger gates on the main sett entrances and subsequently carry

out excavation works to the main sett once badgers have been excluded. Ultimately these matters would be dealt with under the Badger Mitigation Licence application, which is dependent on planning permission being granted for the proposal. It should be noted that any changes to the design and layout etc. of the development which may arise from the licencing regime, would need to be subject to consideration under a revised planning application. As a safeguard, a condition can be attached to the planning permission requiring proof that a Badger Mitigation Licence has been obtained prior to works commencing.

- 8.3.12 Turning to reptiles, slow worms, grass snakes, common lizards and adders are protected against intentional killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981.
- 8.3.13 A reptile survey has confirmed a good population of slow worms distributed across the site, with the presence of juveniles indicating that it is a breeding population.
- 8.3.14 The proposed development would result in the loss of the majority of suitable reptile habitat. The alternative mitigation strategy proposes the creation of a 5m wide badger/reptile/biodiversity habitat area across the northern part of the site, with the existing reptile (slow worm) population relocated to this area. This is as per the original mitigation strategy. However, the ESCC ecologist has advised that the construction of an artificial sett would impact all remaining reptile habitat on site, and as such, an off-site receptor site for the existing reptile population will need to be secured. The Applicant's ecological consultant has accepted this and is currently exploring options for receptor sites in the local area. Ultimately, the provision of an off-site receptor site will need to be secured through a Section 106 Legal Agreement. A detailed ecological design strategy addressing the rescue and translocation of reptiles has been recommended by the ESCC ecologist and this can be secured by condition.
- 8.3.15 With regard to breeding birds, no bird nests were observed on the date of survey. Notwithstanding this, the site has the potential to support breeding birds. Under Section 1 of the Wildlife and Countryside Act 1981, wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In order to avoid disturbance to nesting birds, any demolition of buildings or removal of scrub/trees that could provide nesting habitat should be carried out outside the breeding season (generally March to August). If this is not reasonably practicable within the timescales, a nesting bird check should be carried out prior to any demolition/clearance works by an appropriately trained, qualified and experienced ecologist, and if any nesting birds are found, advice should be sought on appropriate mitigation.
- 8.3.16 The above information regarding breeding birds can be brought to the Applicant's attention by way of a note on the decision notice.

8.4 Amenities of neighbouring properties

- 8.4.1 Policy OSS4 (ii) of the Rother Local Plan Core Strategy requires development to not unreasonably harm the amenities of adjoining properties.

- 8.4.2 The application site is enclosed by residential properties on three sides. Use of the site would intensify as a result of the proposal, but there is nothing intrinsically harmful about domestic activities taking place in a residential area within a defined settlement. It is not considered that the intensification in use and resulting noise and disturbance (including from additional vehicle movements) arising from two additional dwellings would be unduly intrusive to neighbouring occupiers. Therefore, the amenities of adjoining properties would not be unreasonably harmed in relation to this matter.
- 8.4.3 In relation to light and outlook, the main bulk of the proposed terrace would be positioned between the flank walls of the neighbouring bungalows on either side (No. 33 Seabourne Road and No. 2 Bishops Walk), with a minimum separation of some 4m to the common boundaries with both those properties. This combination of factors would ensure that the building would not result in loss of light or outlook to the detriment of residential amenity. With regard to the neighbouring property to the north (No. 4 Bishops Walk), the rear elevation of the proposed terrace would be some 17.5m away from the common boundary with that property. This measure of separation would ensure that loss of light and outlook would not occur.
- 8.4.4 Turning to privacy, the main outlook from the windows serving the principal rooms of the proposed dwellings would be over the front and rear gardens of the respective dwellings. Where windows/rooflights are proposed in the side elevations, these are either high level or small hallway windows. For these reasons, harmful overlooking of the neighbouring properties on either side would not occur. With regard to the neighbouring property to the north (No. 4 Bishops Walk), the separation distance of some 17.5m to that property is considered to be sufficient to prevent harmful overlooking from the rear facing windows of the proposed dwellings.
- 8.4.5 Overall it is not considered that the proposal would unreasonably harm the amenities of neighbouring properties.

8.5 Needs of occupiers

- 8.5.1 Policy OSS4 (i) of the Rother Local Plan Core Strategy requires all development to meet the needs of future occupiers, including providing appropriate amenities.
- 8.5.2 Policy DHG3 of the DaSA requires all new dwellings to meet the minimum internal space in line with the Nationally Described Space Standards (NDSS).
- 8.5.3 The proposal is for three 2/3-bedroom houses. The end dwellings would each have a gross internal floorspace of 98sqm. The floorspace of the middle dwelling would be 82qm. According to the NDSS, a minimum gross internal floorspace of 84sqm should be provided for a 3-bedroom two-storey dwelling. This would be achieved for the two end dwellings but not the middle dwelling, which requires an additional 2sqm of floorspace. In this case however, the 'third' bedroom on the ground floor of the middle dwelling does not qualify as a bedroom, as it does not meet the minimum floor area requirement of 7.5sqm for a single bedroom. As the room is also shown as a study on the floor plans, it is treated as such for the purpose of determining this application. In this regard, the middle dwelling would achieve the

minimum gross internal floorspace requirement of 70sqm for a 2-bedroom two-storey dwelling.

8.5.4 Turning to external space, Policy DHG7 (i) of the DaSA normally requires private rear garden spaces of at least 10m in length. Excluding the 5m wide badger/biodiversity habitat area which is to be created across the northern part of the site, each of the dwellings would be provided with a rear garden of some 12.5m in length, which meets this requirement.

8.5.5 The provision of appropriately located cycle stores and refuse and recycling storage and collection point facilities can be secured by condition. The cycles sheds shown on the submitted drawings are not approved as they would be located within the badger/biodiversity habitat area.

8.5.6 Policy DHG4 of the DaSA requires all new dwellings to be built in accordance with Part M4(2) – Accessible and Adaptable Dwellings – of the Building Regulations. Policy DRM1 requires all new dwellings to achieve water consumption of no more than 110 litres per person per day. Both these requirements can be secured by condition.

8.6 Highway matters

8.6.1 Policies TR3 and CO6 (ii) of the Rother Local Plan Core Strategy seek to ensure adequate and safe access arrangements and avoid prejudice to road and/or pedestrian safety.

8.6.2 Access to the site would be as previously approved (i.e. via a new shared vehicular access from Seabourne Road). It would be some 6m wide, which well exceeds the minimum shared access width of 4.5m specified in the Highway Authority's *Minor Planning Application Guidance*.

8.6.3 With regard to car parking provision, Policy TR4 (i) of the Rother Local Plan Core Strategy requires the residual needs of the development for off-street car parking to be met having taken into consideration localised circumstances and having full regard to the potential for access by means other than the car, and to any safety, congestion or amenity impacts of a reliance on parking off-site whether on-street or off-street.

8.6.4 Having regard to the *Minor Planning Application Guidance*, 1 or 2-bedroom dwellings should generally be provided with one car parking space and 3 or 4-bedroom dwellings should generally be provided with two spaces. In this case three 2/3-bedroom dwellings are proposed and a total of six spaces (two per dwelling) would be provided. This is as per the previously approved scheme and would satisfy the car parking requirements for the development.

8.6.5 For the above reasons there is no objection to the proposal on highway grounds.

8.7 Drainage

8.7.1 This is a publicly sewered area with both foul and surface water sewers present. With regard to the disposal of foul sewage there is a presumption in favour of connection to the public sewer. This means of foul sewage disposal is proposed for the development, which is acceptable.

8.7.2 The application form and Site Plan indicate that surface water would be disposed of by soakaways. These are not approved, as no information/evidence has been provided to demonstrate that soakaways would provide effective disposal of surface water, including from both the dwellings and large area of hardstanding. As such, a pre-commencement condition is necessary in order to resolve this issue before the development commences.

8.8 Other matters

8.8.1 Restrictions on 'permitted development' rights (e.g. relating to enlargement of the dwellings, erection of outbuildings etc.) are considered to be necessary to safeguard the amenities of neighbouring properties, preserve the visual amenities of the area, retain appropriate outdoor amenity space for occupiers of the dwellings, and to protect habitats and species identified in the ecological surveys from adverse impacts post-development. These can be secured by condition.

9.0 **PLANNING BALANCE AND CONCLUSION**

9.1 The proposal is a resubmission of a previously approved scheme, which was extant at the time of submission. It is a sustainable residential development, which will have an acceptable impact on the environment, including wildlife, and will make a positive contribution to the District's housing supply. Planning permission should be granted, subject to a legal agreement to secure an off-site receptor site for the existing reptile population, and subject to appropriate conditions.

RECOMMENDATION: GRANT (FULL PLANNING) DELEGATED (SUBJECT TO A SECTION 106 LEGAL AGREEMENT TO SECURE AN OFF-SITE RECEPTOR SITE FOR THE EXISTING REPTILE POPULATION)

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 plan, drawings and document:
Site Location Plan, dated 08 Dec 2020.
Drawing No. 5901/100/B (PROPOSED DWELLINGS – SITE PLAN), dated DEC 20 (NB the new soakaways, proposed cycle sheds, proposed boundary treatment and proposed soft landscape works are not approved).
Drawing No. 1420-P-02C (PROPOSED PLAN AND ELEVATIONS), dated 14-02-14 (NB the sheds are not approved).
Drawing No. 1420-P-03C (PROPOSED FIRST FLOOR PLAN, SITE PLAN AND SECTION), dated 14-02-14 (NB the sheds are not approved).
Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence, including any ground works or works of demolition, until the Local Planning Authority has been provided with either:
 - a) a Badger Mitigation Licence, which relates to the development granted by this planning permission, issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017; or
 - b) a statement in writing from Natural England to the effect that it does not consider a Badger Mitigation Licence is required for the development granted by this planning permission.

Reason: A pre-commencement condition is required to ensure the existing badger population is conserved through appropriate mitigation/compensation measures, in accordance with Policy EN5 (ix) of the Rother Local Plan Core Strategy 2014, and Policy DEN4 (ii) of the Development and Site Allocations Local Plan 2019.

4. No development shall commence, including any ground works or works of demolition, until an ecological design strategy (EDS) addressing the rescue and translocation of reptiles has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:
 - a) purpose and conservation objectives for the proposed works;
 - b) review of site potential and constraints;
 - c) detailed design(s) and/or working method(s) to achieve stated objectives;
 - d) extent and location /area of proposed works on appropriate scale maps and plans;
 - e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
 - f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - g) persons responsible for implementing the works;
 - h) details of initial aftercare and long-term maintenance;
 - i) details for monitoring and remedial measures; and
 - j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: A pre-commencement condition is required to ensure the existing reptile population is conserved through appropriate mitigation/compensation measures, in accordance with Policy EN5 (ix) of the Rother Local Plan Core Strategy 2014, and Policy DEN4 (ii & iii) of the Development and Site Allocations Local Plan 2019.

5. No development shall commence, including any ground works or works of demolition, until a 5m wide badger/biodiversity habitat area has been created across the northern part of the site, in accordance with details (including a scale plan identifying the area) which have first been submitted to and approved in writing by the Local Planning Authority. The approved badger/biodiversity habitat area shall thereafter be retained and maintained in perpetuity as an undeveloped area.

Reason: A pre-commencement condition is required to ensure the existing badger population is conserved through appropriate mitigation/compensation measures, in accordance with Policy EN5 (ix) of the Rother Local Plan Core Strategy 2014, and Policy DEN4 (ii & iii) of the Development and Site Allocations Local Plan 2019.

6. A landscape and ecological management plan (LEMP) for the 5m wide badger/biodiversity habitat area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following:
- a) description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions, together with a plan of management compartments;
 - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) details of the body or organisation responsible for implementation of the plan; and
 - h) ongoing monitoring and remedial measures.

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

Reason: A pre-commencement condition is required as biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long-term management of habitats, species and other biodiversity features, in accordance with Policy EN5 (ix) of the Rother Local Plan Core Strategy 2014, and Policy DEN4 (ii & iii) of the Development and Site Allocations Local Plan 2019.

7. No development shall commence, including any ground works or works of demolition, until details of the following have been submitted to and approved in writing by the Local Planning Authority, and the development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority:
- a) badger proofing barrier (including a plan indicating the positions of the badger proofing barrier); and
 - b) timetable for installing the badger proofing barrier.

Reason: To prevent badgers being displaced into, and excavating under, neighbouring properties, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014.

8. No development shall commence until a scheme for the provision of surface water drainage works to serve the development has been submitted to and approved in writing by the Local Planning Authority, and the dwellings shall not be occupied until the drainage works to serve the development have been provided in accordance with the approved details.

Reason: A pre-commencement condition is required to ensure the satisfactory drainage of the site and to prevent water pollution, in accordance with Policies SRM2 and EN7 of the Rother Local Plan Core Strategy 2014, and Policy DEN5 of the Development and Site Allocations Local Plan 2019.

9. No development above ground level shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority, and the development shall thereafter be carried out in accordance with the approved details:
- c) manufacturer's/supplier's specifications of external facing materials;
 - d) manufacturer's/supplier's specifications of hard-surfacing materials;
 - e) boundary treatment (including a plan indicating the positions, design, height, materials and type of boundary treatment to be erected); and
 - f) measures to enhance the site for biodiversity.
- Reason: To preserve the visual amenities of the area and to enhance the site for biodiversity, in accordance with Policies OSS4 (iii) and EN5 (ix) of the Rother Local Plan Core Strategy 2014, and Policy DEN4 (iii) of the Development and Site Allocations Local Plan 2019.
10. No development above ground level shall take place until a scheme of soft landscape works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Details shall include: Planting plans. Written specifications (including cultivation and other operations associated with plant and grass establishment). Schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate.
- Reason: To preserve the visual amenities of the area and to enhance the site for biodiversity, in accordance with Policies OSS4 (iii) and EN5 (ix) of the Rother Local Plan Core Strategy 2014, and Policy DEN4 (iii) of the Development and Site Allocations Local Plan 2019.
11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- Reason: To preserve the visual amenities of the area and to enhance the site for biodiversity, in accordance with Policies OSS4 (iii) and EN5 (ix) of the Rother Local Plan Core Strategy 2014 and Policy DEN4 (iii) of the Development and Site Allocations Local Plan 2019.
12. The dwellings shall be 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 an acceptable standard of access to the dwellings is provided, in accordance with Policy OSS4 (i) of the Rother Local Plan Core Strategy 2014, and Policy DHG4 of the Development and Site Allocations Local Plan 2019.
13. The dwellings shall not be occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that they have been constructed to achieve water consumption of no more than 110 litres/person/day water efficiency as set out in Part G of Schedule 1 of the Building Regulations 2010 (as amended) for water usage.
- Reason: To ensure the dwelling is water efficient, in accordance with Policy SRM2 (v) of the Rother Local Plan Core Strategy 2014, and Policy DRM1 of the Development and Site Allocations Local Plan 2019.

14. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with the approved drawings.
Reason: To ensure adequate safe access arrangements, in accordance with Policies CO6 (ii) and TR3 of the Rother Local Plan Core Strategy 2014.
15. No dwelling shall be occupied until car parking and turning areas have been provided in accordance with the approved drawings. The car parking and turning areas shall thereafter be kept available for the parking and turning of motor vehicles and for no other purpose.
Reason: To ensure there is adequate off-street car parking provision and in the interests of highway safety, in accordance with Policies CO6 (ii), TR3 and TR4 (i & iii) of the Rother Local Plan Core Strategy 2014, and Policy DHG7 (ii) of the Development and Site Allocations Local Plan 2019.
16. No dwelling shall be occupied until secure cycle stores have been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The cycle stores shall thereafter be kept available for the parking of bicycles and for no other purpose.
Reason: To ensure there is adequate cycle parking provision, and to preserve the visual amenities of the area, in accordance with Policy OSS4 (i & iii) of the Rother Local Plan Core Strategy 2014, and Policy DHG7 (ii) of the Development and Site Allocations Local Plan 2019.
17. No dwelling shall be occupied until refuse and recycling storage and collection point facilities have been provided in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The refuse & recycling storage and collection point facilities shall thereafter be kept available for the storage and collection of refuse and recycling and for no other purpose.
Reason: To ensure there is adequate refuse and recycling storage and collection point facilities, and to preserve the visual amenities of the area, in accordance with Policy OSS4 (i & iii) of the Rother Local Plan Core Strategy 2014, and Policy DHG7 (iii) of the Development and Site Allocations Local Plan 2019.
18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no enlargement of any part of a dwelling shall be carried out without a planning permission granted by the Local Planning Authority.
Reason: To safeguard the amenities of neighbouring properties, preserve the visual amenities of the area, retain appropriate outdoor amenity space for occupiers of the dwellings, and to protect habitats and species identified in the ecological surveys from adverse impacts post-development, in accordance with Policies OSS4 (i, ii & iii) and EN5 (ix) of the Rother Local Plan Core Strategy 2014, and Policy DEN4 (ii) of the Development and Site Allocations Local Plan 2019.
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no garages, building, structure or erection of any kind (including wall, fences or other means of enclosure not permitted as part of this development) shall be erected, and no caravan or

mobile home shall be kept or stationed on the land, without a planning permission granted by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties, retain appropriate outdoor amenity space for occupiers of the dwellings, and to protect habitats and species identified in the ecological surveys from adverse impacts post-development, in accordance with Policies OSS4 (i & ii) and EN5 (ix) of the Rother Local Plan Core Strategy 2014, and Policy DEN4 (ii) of the Development and Site Allocations Local Plan 2019.

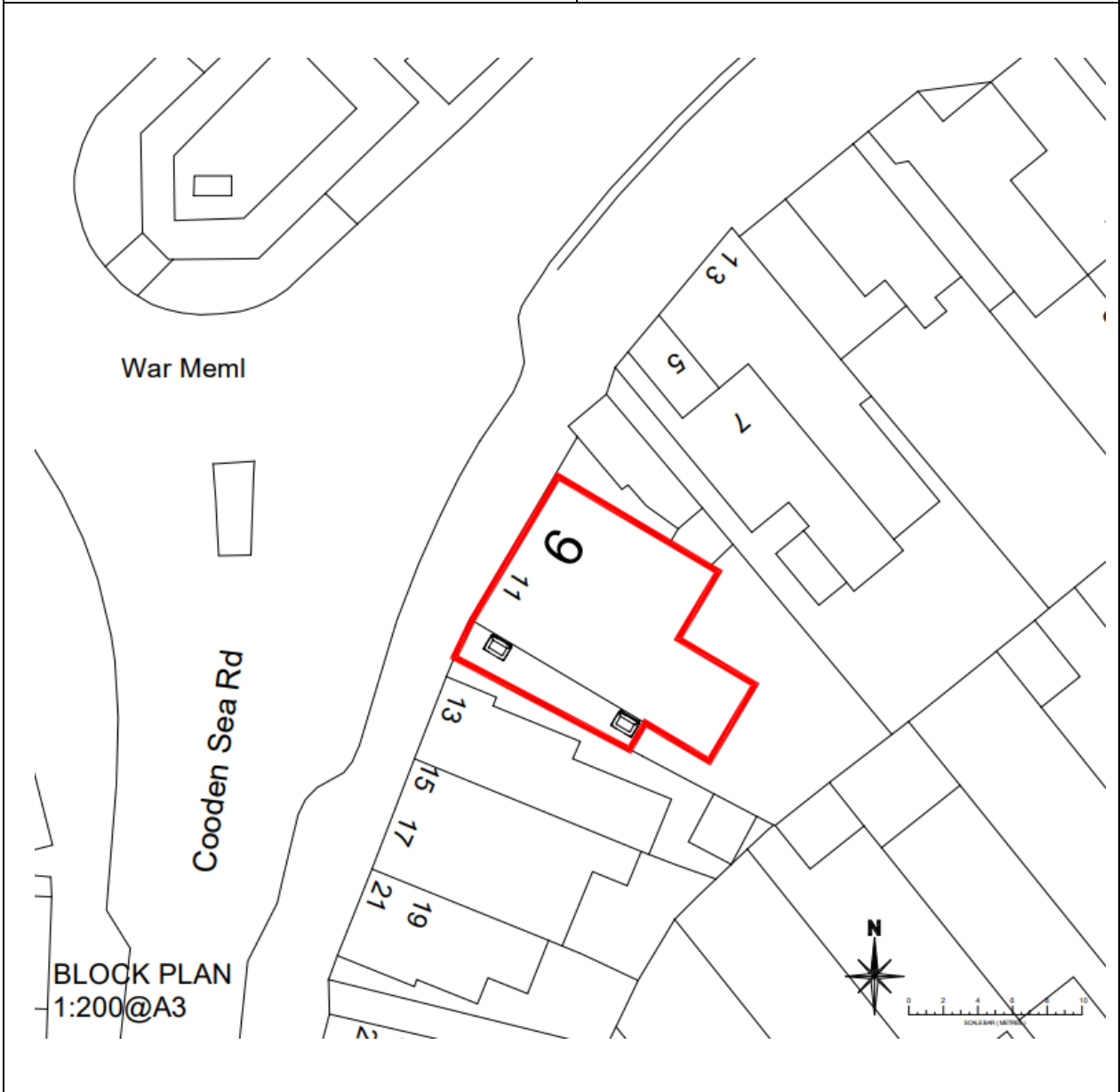
NOTES:

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 developer and/or landowner is advised that the site has the potential to support breeding birds. Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In order to avoid disturbance to nesting birds, any demolition of buildings or removal of scrub/trees that could provide nesting habitat should be carried out outside the breeding season (generally March to August). If this is not reasonably practicable within the timescales, a nesting bird check should be carried out prior to any demolition/clearance works by an appropriately trained, qualified and experienced ecologist, and if any nesting birds are found, advice should be sought on appropriate mitigation.
3. The developer and/or landowner is reminded that it is an offence to damage or destroy protected species under separate legislation. The granting of planning permission for a development does not provide a defence against prosecution under wildlife protection legislation.
4. The developer and/or landowner is advised that any proposed works on or abutting the existing highway will require a Section 184 Licence with the County Council, prior to the commencement of works. Details of construction, surface water drainage, gradients and potential traffic management requirements can all be discussed with East Sussex County Council through the Section 184 Licence process. Any temporary access would also be subject to the Section 184 Licence process prior to any commencement of work.
5. The developer and/or landowner is advised that a formal application for connection to the public sewerage system is required in order to service this development. Please read Southern Water's New Connections Services Charging Arrangements document, which is available at <https://beta.southernwater.co.uk/developing-building/connection-charging-arrangements>.
6. 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.

7. The developer and/or landowner 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 Public Holidays.

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/2022/164/P</p>	<p>BEXHILL 9 Cooden Sea Road</p>
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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 26 May 2022
Report of the - Director - Place and Climate Change
Subject - RR/2022/164/P
Address - 9 Cooden Sea Road, Bexhill TN39 4SJ
Proposal - Change of use from a Property Advisory Firm (Use Class E) to a Hot Food Takeaway unit (Sui Generis) including associated external alterations

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **APPROVE FULL PLANNING PERMISSION**

Director: Ben Hook

Applicant: Papa Johns GB Ltd
Agent: Miss K. Gregory Pegasus Group
Case Officer: Mr M. Simmonds
(Email: mark.simmonds@rother.gov.uk)

Parish: Bexhill Kewhurst
Ward Members: Councillors B.J. Drayson and L.M. Langlands

Reason for Committee consideration: Director – Place and Climate Change referral: Councillor Call-In – Councillor Drayson for the following reasons:
Lack of parking

Statutory 8-week date: 18 March 2022
Extension of time agreed to: 30 May 2022

This application is included in the Committee site inspection list.

1.0 SUMMARY

1.1 The proposal is for a change of use from a Property Advisory Firm (Use Class E) to a Hot Food Takeaway unit falling within Use Class Sui Generis of the Town and Country Planning (Use Classes) Order 1987 (as amended). The proposal includes minor external alterations to the building to accommodate the proposed use.

- 1.2 The property lies within the Little Common District Centre, adjacent the A259 trunk road at its junction with Cooden Sea Road and is considered to be a sustainable location.
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2.0 SITE

- 2.1 The application site is located amongst a parade of shops along Cooden Sea Road and falls within the defined District Centre. The unit was formally used for professional services, but now is a vacant unit and forms the ground floor unit of an existing three-storey building. Only the ground floor is subject to this application.
- 2.2 There are a limited number of on-street parking spaces outside the site on the road, including loading facilities, restricted between 8am and 6pm to two hours. The site is located within a sustainable location with access to public transport i.e. bus stops. Two existing takeaways are located to the south of the site.
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3.0 PROPOSAL

- 3.1 The proposal is for the change of use from a Property Advisory Firm (Use Class E) to a Hot Food Takeaway unit falling within Use Class Sui Generis of the Town and Country Planning (Use Classes) Order 1987 (as amended). The proposal includes minor external alterations to the building to accommodate the proposed use.
- 3.2 The application is accompanied by a number of plans which detail the proposed alterations. These include the retention of the north western facing shopfront and on the side (south west) elevation an extract grille, a fresh air intake grille, 2 No. condenser units will be installed in association with the use. On the northwest a boiler flue is also proposed.
- 3.3 The internal alterations include the creation of a customer reception area including seating and sales counter, a kitchen containing oven, freezer, preparation and dispatch area, cold storage, dry storage and a wash up area and WC. There will also be a control hub/office which will be used for the operational management of the store.
- 3.4 The supporting information confirms that the extraction system will remove heat produced during the cooking process and the air supply system would remove oven fumes and ventilate the premises. Air intake and extract grilles will be installed on the side elevation of the premises in association with the operation of the system and these shall discharge at low level.
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4.0 HISTORY

- 4.1 RR/2003/2151/P for the Change of Use to A2 Licensed Betting office. The application was Approved (Conditional) on 11/11/03.
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5.0 POLICIES

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- OSS3: Location of Development
 - OSS4: General Development Considerations
 - EC3: Existing Employment Sites
 - EC7: Retail Development
 - TR3: Access and New Development
 - TR4: Car Parking
- 5.2 The following policies of the [Development and Site Allocations Local Plan \(DaSA\)](#) are relevant to the proposal:
- DCO1: Retention of Sites of Social or Economic Value
 - DEC1: Shopfront, Signage and Advertising
 - DEC3: Existing Employment Sites and Premises
 - DIM2: Development Boundaries
 - BEX17: Little Common and Sidley District Centres
- 5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.
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6.0 CONSULTATIONS

6.1 [Highways England](#) – **NO OBJECTION**

6.2 [Environmental Health](#) – **RECOMMENDS CONDITIONS**

6.3 [Highways Authority](#) – **NO OBJECTIONS** and makes the following comments:
“This planning application is for a change of use from a Property Advisory Firm (Use Class E) to a Hot Food Takeaway unit (Sui Generis) including associated external alterations. I have no major concerns regarding the development proposal and therefore do not wish to object.

The application site is located amongst a parade of shops along Cooden Sea Road. The unit is located on the ground floor of a three-storey building and has a shop frontage and pedestrian access to Cooden Sea Road. The upper floors are not associated with the unit and do not form part of this application.

The site was previously used as a licensed Betting office; however, most recently it has operated as an independent property real estate advisory business. The proposed development comprises a change of use from a Property Advisory Firm to a Hot Food Takeaway unit.

The submitted information states that three deliveries to the site will be made per week; two food deliveries from the main distribution centre, using fixed-bed ten tonne delivery vehicles; and one by the drinks supply partner, utilising a 7.5 tonne non-articulated delivery vehicle. Food deliveries would be made on regular days to maintain stock levels in the store. Delivery vehicles need only be present at the site for approximately 20 minutes.

I have some concern that on-street parking in the immediate vicinity of the site is limited and so use of the takeaway may encourage customers to park in inappropriate places while collecting their food; however, this would be no different for customers visiting the existing or previous commercial uses of the site or any of the neighbouring businesses along this stretch of road. The site is also in an accessible location with alternative means of travel available to customers.

The submitted information also states that indicative figures derived from the Applicant's other stores indicate that traffic movements generated by the proposed use are typically low and that on average, 75% of orders are made online or by telephone and for delivery from the site.

Parking for delivery vehicles could also potentially be difficult in the immediate vicinity of the site and although it is stated that deliveries could be made to the rear of the store this does not appear possible. Nonetheless, only three deliveries to the store are required per week and whilst the lack of designated loading area is not ideal deliveries to the site could be managed in the same way as those associated with the neighbouring shops, restaurants and takeaways.

Overall, the limited on-street parking and the lack of a designated loading bay available in the immediate vicinity of the site is not ideal; however, I am satisfied that the proposed change of use is unlikely to have a significant impact on any existing on-street parking pressures in the immediate vicinity of the site and therefore a highway objection could not be justified.”

6.4 Planning Notice

6.4.1 11 objectors submitted representations. The concerns raised are summarised as follows:

- The proposed condensing units at the side would generate noise and smells and the opening hours until 11pm and virtually every day would cause a great deal of disturbance as my bedrooms overlook this. We have more than enough food takeaways at Little Common and we already have a problem with rats.
- This is an area of private housing and small shops. The noise overnight and daily as this centre for distribution will be significant. The parking and loading and unloading will be a traffic obstruction and noisy. Little Common is too small to accommodate such an operation.
- This is a difficult access especially when vehicles fill the limited parking bays at this road entrance. The requirement for large trucks to make deliveries several times per week into the rear of the premises, where there is no vehicular access, will necessitate parking for unloading whether the limited number of bays outside the premises are unoccupied or not. There is a serious risk of road blockage and accident under these circumstances and is likely to be exacerbated by delivery vehicles associated with the retail operations proposed.
- There is already enough take away restaurants in the area which causes parking problems for residents as customers seem to think that private parking is a free for all. There is also enough litter in the area along with a fly tipping haven for all.
- Little Common roundabout is already a nightmare to navigate, a take-away/delivery business will create more problems and it's not what a

village centre needs. Give us quality retail outlets on a 9-5pm basis that will benefit the people that live here, a pizza parlour is inappropriate for this site.

- Another fast takeaway food outlet does nothing to enhance the "village", causes more traffic / parking issues, increases litter. Causes a nuisance to the immediate neighbours with smells and noise.
- No facilities for either delivery vehicles or customer parking in an already congested area.
- Just going to clog up the roundabout even more especially with delivery companies. Might make sense opposite Tesco Express where co-op was but not the proposed location especially as you are still charging people to use the little common car park (east way) which used to be free and you can park in some parts of central Bexhill for free even. So those free spaces will be full even more than now and will be an extra danger to pedestrians and cars with all the extra activity delivery wise. If it was just an eat in restaurant then I would not be objecting.
- fails to meet even the minimum staff, delivery and user parking requirements of the East Sussex County Council SPD 'Guidance for Parking at Non-Residential Development' and fails to meet the National Planning Policy Framework Para 104 to 113 which clearly states that applications should be refused on planning and transport grounds where "the cumulative impacts of development are 'severe'. At this location there are on 5 regulated parking spaces serving the existing shops, a busy local butcher, both an Indian and a separate Fish restaurants and takeaways plus a Cashpoint Machine, Therefore the cumulative impact will be "severe" and generate double parking and highway safety issues.
- A new takeaway pizza shop next door to an existing takeaway will be detrimental to the business and other businesses around our village. After Covid-19 and a surge in energy, living and business prices rising already causing a struggle, business owners feel it will have a large effect on our income and local loyal trade, and not for the better. The late and loud operational running hours of this new business would be a negative impact as well as a heavy build-up of income traffic which some would say is bad enough already.
- Totally inappropriate area for yet another take-away business. The immediate area is already plagued with parking problems with double parking an increasing issue.

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

- Thank goodness it's not another residential development, but a useful business for the local community to enjoy.
- Support the village businesses and keep local shops alive.
- It will bring loads of new jobs to the area.
- It would bring one of the most biggest/popular UK pizza chains local to the area already showing great success to towns near Eastbourne and Hastings. This would create extra jobs for the community and will bring additional passing trade that gives the potential for other businesses to benefit.
- Given this present economic climate and the pandemic over the last couple of years it is lovely to see something positive being introduced to this village. A takeaway pizza restaurant is far more appealing than looking at yet another derelict building.

- Nice to see an empty shop being filled that will provide numerous job opportunities to local people.

6.3 Town/Parish Council – **NO COMMENTS RECEIVED**

7.0 LOCAL FINANCE CONSIDERATIONS

- 7.1 The proposal is for a type of development that is not Community Infrastructure Levy liable.
- 7.2 There are no other Local Finance Considerations.
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8.0 APPRAISAL

8.1 The main issues are considered to be:

1. Principle of development
2. Impact on the character and appearance of the property and street scene
3. Highways
4. Environmental Health
5. Other Matters

8.2 Principle of Development

8.2.1 Principle of Development OSS3 of the Rother Local Plan Core Strategy stipulates that in assessing the suitability of a particular location for development, when determining planning applications, sites and/or proposals should be considered in the context of the spatial strategy for the particular settlement or area, and its distinct character.

8.2.2 Policy OSS4 states that all development should be compatible with both the existing and planned use of adjacent land and takes full account of previous use of the site. Policy EC3 states that land and premises currently in employment, including tourism, use will be retained in such use unless it is demonstrated that there is no reasonable prospect of its continued use for employment purposes or it would cause serious harm to local amenities. The policy also permits intensification, conversion, redevelopment and/or extension having regard to other policies of the plan.

8.2.3 Policy BEX17 identifies Little Common as a District Centre and the primary focus for retail and other town centre uses and Hot Food Takeaways are generally considered an appropriate use in the town centre. Policy BEX17 also sets out principles which resist the loss of units within Use Class A1, which is now Use Class E, within District Centres. The site history details the Unit as most recently being a Property Advisory Company, having formerly operated as Betting Office (within Use Class A2 when that use was approved). A Property Advisory service would now fall under the new Class E use and the unit has been vacant for a notable period now. The proposed change of use to a hot food takeaway would allow for the reuse of the vacant building for a use which is generally accepted in this type of location among retail units and in addition the most recent use of the property has not been as a retail operation and therefore no retail use would be lost by the proposed change.

8.2.4 The proposal creates opportunities for local employment and on this basis and as detailed above, the principle of the proposal in this location is acceptable subject to any other material planning considerations.

8.3. Character and Appearance

8.3.1 Policy OSS4 of the Rother Local Plan Core Strategy states that all development should respect and not detract from the character and appearance of the locality. This is reiterated by Policy DEN1 of the DaSA.

8.3.2 The ground floor unit was formerly Property Advisory Company and the neighbouring unit to the south is also a takeaway. The unit to the north side is currently empty. The proposed change of use will result in very limited external changes with the most notable additions being with grilles on the side elevation and an extractor unit, but these are to the side elevation screened from view within the street scene. The frontage and existing entrance will be kept the same, with amended signage along the frontage. The changes proposed would be very similar in design to the other eateries and takeaways in the near vicinity as well as several other units within the Little Common district centre. Given the above it is not considered that the proposed changes would have a significant impact on the character and appearance of the locality and the existing building.

8.4 Highways

8.4.1 Policy CO6 states a safe physical environment will be facilitated by: (ii) ensuring that all development avoids prejudice to road and/or pedestrian safety. Policy TR4 states proposed developments should meet the residual needs of the development for off-street parking having taken into consideration localised circumstances and having full regard to the potential for access by means other than the car, and to any safety, congestion or amenity impacts of a reliance on parking of site whether on-street or off-street.

8.4.2 A number of the objections detail concerns with the parking arrangements near the site and difficulties with customers parking and the impact of deliveries on residents. The application details the deliveries and explains that the Applicant has a centrally controlled logistics operation to deliver the fresh dough and other products necessary to meet the business needs of each store. The delivery model is company-wide and based on three deliveries per week; two food deliveries from the main distribution centre, using fixed-bed ten tonne delivery vehicles; and one by the drinks supply partner, utilising a 7.5 tonne non-articulated delivery vehicle. Food deliveries would be made on regular days to maintain stock levels in the store. Delivery vehicles are expressed as only needing to be present at the site for approximately 20 minutes per delivery.

8.4.3 The Highways Authority have been appraised of the proposal and in their consultation response, acknowledge that there are concerns with on-street parking in the immediate vicinity of the site as spaces are limited. It is entirely possible that the use of the takeaway may encourage customers to park in inappropriate places while collecting their food; however, County Highways confirm that this could be said of customers of the existing or any commercial use of the site and also any number of the neighbouring businesses along this stretch of road.

8.4.4 The parking for delivery vehicles could also potentially be difficult in the immediate vicinity of the site, but again County Highways confirm that this would be the case with any commercial use of this and the neighbouring buildings. Therefore, on balance County Highways do not object as the proposed change of use is unlikely to have a significant impact on any existing on-street parking pressures in the immediate vicinity of the site. On this basis a highway objection could not be justified in this instance. It is also noted that National Highways (formerly Highways England) also have no objection on highway grounds to the proposal.

8.4.5 The location is considered to be highly sustainable in terms of access by way of public transport and on foot and on the basis of the Highway Authorities comments, the proposal is considered acceptable in highway terms and in accordance with Local and National Planning Policy highway principles.

8.5 Environmental Health

8.5.1 The unit is located on the ground floor with the floors above accommodating residential units. Environmental Health has been consulted especially with regard to the Applicants detailed Acoustic Impact Assessment. Environmental Health do not object to the proposal subject to conditions which enhance the insulation standards with regard to the residential unit above. In addition to this, odour protection measures were detailed in the application and again the Environmental Health team has conditioned these details to mitigate any odour impacts on nearby residents and businesses.

8.6 Other Matters

8.6.1 Waste: Local residents raised concerns with regard to fly tipping. Littering and accumulation of vermin. The Applicant's submission details that in order to prevent pests the refuse bins would be BIFFA lockable wheelie bins. The Applicant has a standard contract with a pest control agency to control and manage the presence of vermin around the premises. The premises would also be sealed to prevent pests gaining access via the windows or under the doors. On this basis the proposal is not considered to cause any harm in this respect, over and above any other potential or lawful use of the premises.

8.7. Amenity

8.7.1 The area surrounding the site comprises a mix of retail and professional services some of which includes a Laundrette, a Butchers, Tesco Express, Nationwide bank, Cafes, a Fish and Chip shop and other fast-food outlets. There are also a number of residential units in the vicinity, including the upper floor conversions to residential of these particular units. The area represents a vibrant mix of facilities, expected and encouraged in the Little Common District Centre where sustainability is a key consideration. With the existing mix of facilities and the current and historic use of this commercial unit, the addition of an additional Pizza takeaway is not expected to negatively affect the amenity of nearby residents especially with the imposition of the conditions recommended by the Council's Environmental Health team.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposed change of use for this proposal is similar in visual design to other buildings in the near vicinity and the impacts comparable with a takeaway being generally accepted in this defined District Centre. The impacts on the highway are noted, however do not appear to go over and above any other potential or existing use of this commercial unit in this location and with no objection from the relevant statutory bodies, the proposal is considered acceptable in highway terms.
- 9.2 Given the location and the previous use of the unit, it is not considered that the proposed changes would have a significant impact on the character and appearance of the locality and the existing building, nor the amenity of residents. The imposition of conditions recommended by Environmental Health mitigate any potential harm to amenity, therefore on this basis the proposal, on balance, is considered to comply with both Local and National policy requirements.

RECOMMENDATION: APPROVE (FULL PLANNING)

CONDITIONS

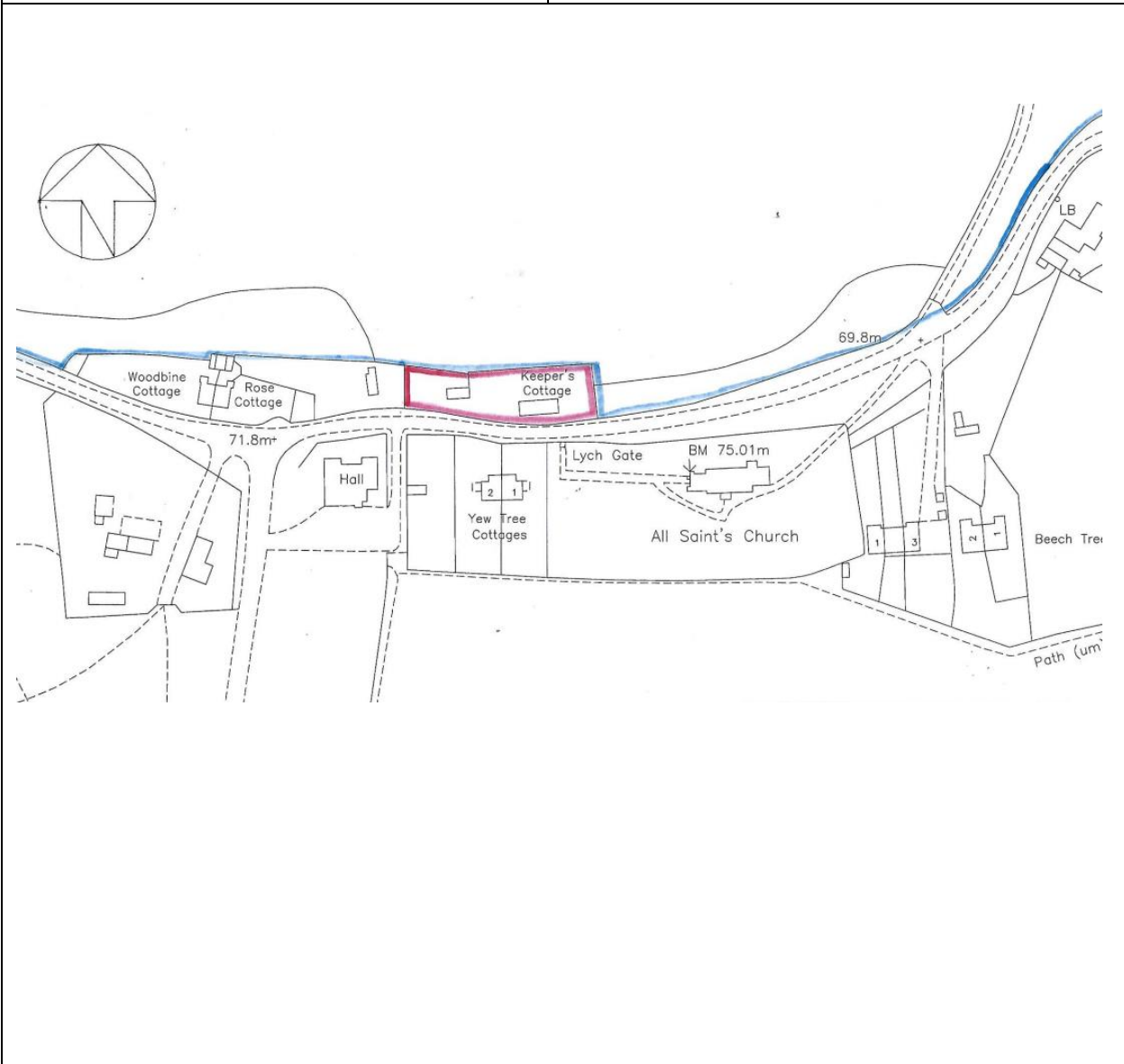
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Site/ Location Plan, 21007-01, received 24.01.22
21007-10 Rev F Proposed Ground Floor, received 30.03.22
21007-02 Rev A Existing Ground Floor, received 24.01.22
21007-03 Existing Elevations, received 24.01.22
21007-11 B proposed elevations amended, received 30.03.22
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Before the kitchen extraction system and outdoor condenser units are used on the premises, they shall be acoustically attenuated as specified in the 'Acoustic Impact Assessment' report by Enviroconsult (Report Reference: 288/PapaJohn (Bexhill), 9 March 2022) and the 'Supporting Information on the Proposed Extraction System and Plant' submitted with the application. They shall be mounted in a way which will minimise transmission of structure-borne sound and vibration. Additionally, the extraction system shall be provided with all grease baffle filters and activated carbon filters specified in the latter document, the whole system to be maintained as described in section 9.0 of that document. The noise mitigation scheme shall be maintained for the life of the approved development and shall not be altered without the prior written approval of the Local Planning Authority.
Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

4. Before the unit is occupied for the approved use, change of use is begun the airborne sound insulation performance of the separating floor/ceiling between the commercial property and the residential premises above shall be determined and, if necessary, insulated against airborne and impact sound to achieve a minimum airborne sound insulation performance of 5 dB better than the standard for 'Residential purposes formed by material change of use' detailed in the Building Regulations Approved Document E (i.e. $D_nT,w + C_{tr} 43 + 5$ dB). Written details of the scheme, including calculations showing that this performance standard can be achieved, shall be submitted to and be approved in writing by the Local Planning Authority before the occupation of the unit of the development commences. The Applicant shall certify to the Local Planning Authority that noise mitigation measures agreed have been installed and shall be permanently maintained thereafter.
Reason: To protect the residential amenities of the occupiers in the above flats, in accordance with Policy OSS4 (ii) and (iv) of the Rother Local Plan Core Strategy.
5. The hot food takeaway and pizza delivery shall only operate between the hours of 11:00hrs to 23:00hrs from Sundays to Thursdays and; 11:00hrs to 24:00hrs on Fridays and Saturdays. Deliveries shall be restricted to take place only between the hours of 07:00hrs and 19:00hrs.
Reason: To protect the residential amenities of the locality, in accordance with Policy OSS4 (ii) and (iv) 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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<p>SITE PLAN</p> <p>RR/2022/111/P</p>	<p>MOUNTFIELD</p> <p>Keepers Cottage Mountfield Lane</p>
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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 26 May 2022
Report of the - Director – Place and Climate Change
Subject - Application RR/2022/111/P
Address - Keepers Cottage, Church Lane, TN32 5JT
Proposal - Two storey extension to rear. Demolition of existing porch. Internal alterations.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mountfield Court Estate
Agent: Roger Howells Architects
Case Officer: Mr Sam Koper
(Email: sam.koper@rother.gov.uk)

Parish: MOUNTFIELD
Ward Members: Councillors J. Barnes and Mrs E.M. Kirby-Green

Reason for Committee consideration: Application called in by Councillor Mrs Kirby-Green and Director – Place and Climate Change referral: “Local community including the Parish Council strongly supports the plan to modernise the cottage. The view is that the plans are sympathetic and in keeping with the position and locality.”

Statutory 8-week date: 11 March 2022
Extension of time agreed to: 3 June 2022

This application is included in the Committee site inspection list.

1.0 SUMMARY

The proposal is for the erection of a two-storey rear extension and internal alterations. The main issues for consideration are the effect of the proposal on the character of the listed building, on the character and appearance of the locality within the remote countryside and the High Weald Area of Outstanding Natural Beauty (AONB) and the impact on neighbouring properties. The application is recommended for refusal due to harm caused to the character and appearance of the listed building and impact on the AONB and landscape character of the countryside.

2.0 SITE

- 2.1 Keepers Cottage is a Grade II listed detached two-storey dwelling on the north side of Church Lane. The property is stated to be 17th Century or earlier. The building on the application site was listed on 13 May 1987. The site also sits opposite The Parish Church of All Saints, a Grade II* listed building.
- 2.2 The site is within the remote countryside and the High Weald AONB. It also sits within an Archaeological Notification Area. It is not situated within any designated development boundary.
- 2.3 The listing description of Keepers Cottage describes it as:
“C17 or earlier. Two storeys. Two windows. Ground floor red brick, above tile-hung. Tiled roof. Casement windows. Gabled brick porch.”

3.0 PROPOSAL

- 3.1 This application seeks planning permission for the demolition of the existing porch on the western elevation, the erection of a two-storey rear extension and associated internal alterations.
- 3.2 The proposed rear extension would be part single storey and part two storey, with the existing roof pitch extended along the western side elevation. The upper roof form on the northern elevation would be fully hipped and match the pitch of the existing roof.
- 3.3 The proposed extension would measure 4.1m in depth and 6.65m in width. The height of the eaves along the western elevation would match the existing roof and would continue along to join the new roof above the first-floor level. The eaves height of the new hipped roof above would match the existing dwelling and the ridge height would not exceed the highest part of the house.
- 3.4 The proposed exterior materials to be used for the walls are reclaimed bricks and handmade plain clay tiles to match the existing building, for the roof it is proposed to use reclaimed plain clay peg tiles to match the existing roof tiles. The new windows and external doors are proposed to be painted timber to match the existing house.

4.0 HISTORY

- 4.1 RR/2021/1825/P Two storey rear extension. Demolition of existing porch. Internal alterations. – Withdrawn
- 4.2 RR/2021/1826/L Two storey rear extension. Demolition of existing porch. Internal alterations. – Withdrawn

5.0 POLICIES

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

- OSS4: General Development Considerations
 - RA1: Villages
 - RA3: Development in the Countryside
 - EN1: Landscape Stewardship
 - EN2: Stewardship of the Historic Built Environment
 - EN3: Design Quality
- 5.2 The following policies of the adopted Development and Site Allocations (DaSA) Local Plan are relevant to the proposal:
- DHG9: Extensions, Alterations and Outbuildings
 - DEN1: Maintaining Landscape Character
 - DEN2: The High Weald AONB
- 5.3 The following objectives of the adopted High Weald AONB Management Plan 2019-2024 are relevant to the proposal:
- Objective S2: To protect the historic pattern and character of settlement
 - Objective S3: To enhance the architectural quality of the High Weald and ensure development reflects the character of the High Weald in its scale, layout and design
- 5.4 The National Planning Policy Framework and Planning Policy Guidance are also material considerations particularly section 16 on the conservation of historic assets.
- 5.5 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 building or its setting or any features of special architectural or historic interest which it possesses.
-

6.0 CONSULTATIONS

6.1 Sussex Newt Officer – NO OBJECTION

- 6.1.1 I am satisfied that if this development was to be approved, it is unlikely to cause an impact on great crested newts and/or their habitats.

6.2 Planning Notice – No representations received

6.3 Mountfield Parish Council – NO OBJECTION

- 6.3.1 Mountfield Parish Council strongly supports this application.
-

7.0 APPRAISAL

- 7.1 The main issues for consideration on this application are:
- The effect of the proposal on the character of the listed building.
 - The effect of the proposal on the character and appearance of the locality within the remote countryside and the High Weald AONB.
 - Impact on neighbouring properties.

- 7.2 *The effect of the proposal on the character of the listed building*
- 7.3 Policy EN2 relates to development affecting the historic built environment, including that both statutorily protected and the non-statutorily protected, and it 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.
- 7.4 Policy DHG9 (v) of the DaSA states that extensions to existing buildings will be permitted where they fully respect and are consistent with the character and qualities of historic buildings and areas, where appropriate
- 7.5 Paragraph 189 of the National Planning Policy Framework states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
- 7.6 Paragraph 196 of the National Planning Policy Framework states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
- 7.7 Paragraph 199 of the National Planning Policy Framework states that 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.
- 7.8 Paragraph 200 of the National Planning Policy Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.9 The impact on the listed building is discussed in more detail within the corresponding report for application ref: RR/2022/112/L.
- 7.10 It is considered that the restoration of the property to create viable living space and its re introduction to residential housing after a period of vacancy is supported. However, the proposal in terms of providing additional living space by way of an extension to the rear will cause harm to the plan form of the historic building and its associated aesthetic, evidential and historic value.
- 7.11 Overall, it is concluded that the unwelcomed mass of the proposed extension at right angles to the host building and visible from the road, with loss of historic fabric, plan form and erosion of the buildings historic phasing and legibility, would cause irreparable harm to the special historic significance of the listed building.
- 7.12 *The effect of the proposal on the character and appearance of the locality within the remote countryside and the High Weald AONB and the listed building.*

- 7.13 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.
- 7.14 Policy EN3 of the Rother Local Plan Core Strategy seeks high quality design so that development contributes positively to the site and its context.
- 7.15 Policy RA3 (iv) & (v) of the DaSA aims to ensure that extensions to existing buildings would maintain and not compromise the character of the countryside and landscape and that all development in the countryside is of an appropriate scale, will not adversely impact on the on the landscape character or natural resources of the countryside and, wherever practicable, support sensitive land management.
- 7.16 Policy DHG9 (ii) & (iii) of the DaSA states that extensions to existing buildings 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; They do not detract from the character and appearance of the wider street-scene, settlement or countryside location, as appropriate, in terms of built density, form and scale.
- 7.17 Policy DEN2 states that development within the High Weald AONB should be small-scale, in keeping with the landscape and settlement pattern.
- 7.18 The overall size of the proposed extension is excessive when compared to the existing historic simple plan form of the dwelling. While matching materials and similar roof forms are proposed, the overall size, design and siting detracts from the character and form of the existing dwelling and it would be visually dominating.
- 7.19 Although it is located towards the rear of the property, the extension would be a prominent feature in the public view, having an overall negative effect on the existing street scene, the landscape character of the High Weald AONB and remote countryside location.
- 7.20 *Impact on neighbouring properties*
- 7.21 Policy OSS4 (ii) of the Rother Local Plan Core Strategy states that new development should not unreasonably harm the amenities of adjoining properties.
- 7.22 Policy DHG9 (i) of the DaSA 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.
- 7.23 The application only has one adjacent neighbour, Rose Cottage, however the distance between the two dwellings and the large plot sizes would result in no harm to the amenities of this neighbour from the proposed extension.
- 7.24 The proposed extension would largely be out of direct view from the neighbouring houses on the other side of the road (1&2 Yew Tree Cottages) and would not cause any harm to these neighbours.

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 The proposal would have a negative impact on the character of the AONB and landscape character of the countryside. Also, the design and scale of the proposed alterations and extension would detract from the character and appearance of the listed building; therefore, the application is recommended for refusal.

RECOMMENDATION: REFUSE (PLANNING PERMISSION)

REASONS FOR REFUSAL:

1. Having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed works, by virtue of scale, mass, siting, design and detail would be out of keeping with the character and form of the existing building and would result in the loss of fabric. As such the proposal would adversely affect the special architectural and historic character and interest of the listed building as a designated heritage asset, contrary to Policies EN2 (iii) and EN3 of the Rother Local Plan Core Strategy, Policy DHG9 (v) of the adopted Development and Site Allocations Local Plan and Paragraphs 199 and 200 of the National Planning Policy Framework.
2. The proposed extension by reason of its scale, design and form, would be out of keeping with the existing listed cottage, a typical feature of the High Weald Area of Outstanding Natural Beauty (AONB) and hence also impact harmfully on the landscape character of the High Weald AONB and remote countryside location. Therefore, the proposal conflicts with Policies OSS4 (iii), EN1 (i), EN3 and RA3 of the Rother Local Plan Core Strategy, Policies DHG9(ii)(vii), DEN1 and DEN2 of the Development and Site Allocations Local Plan and Objective S3 of the High Weald AONB Management Plan.

NOTE:

1. This refusal relates to the proposal as shown on the following plans:
Drawing No. 2106/RS1, dated March 2021
Drawing No. 2106/RS2, dated March 2021
Drawing No. 2106/1, dated July 2021
Drawing No. 2106/2, dated July 2021
Drawing No. 2106/3, dated July 2021
Drawing No. 2106/4, dated July 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 reason 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.

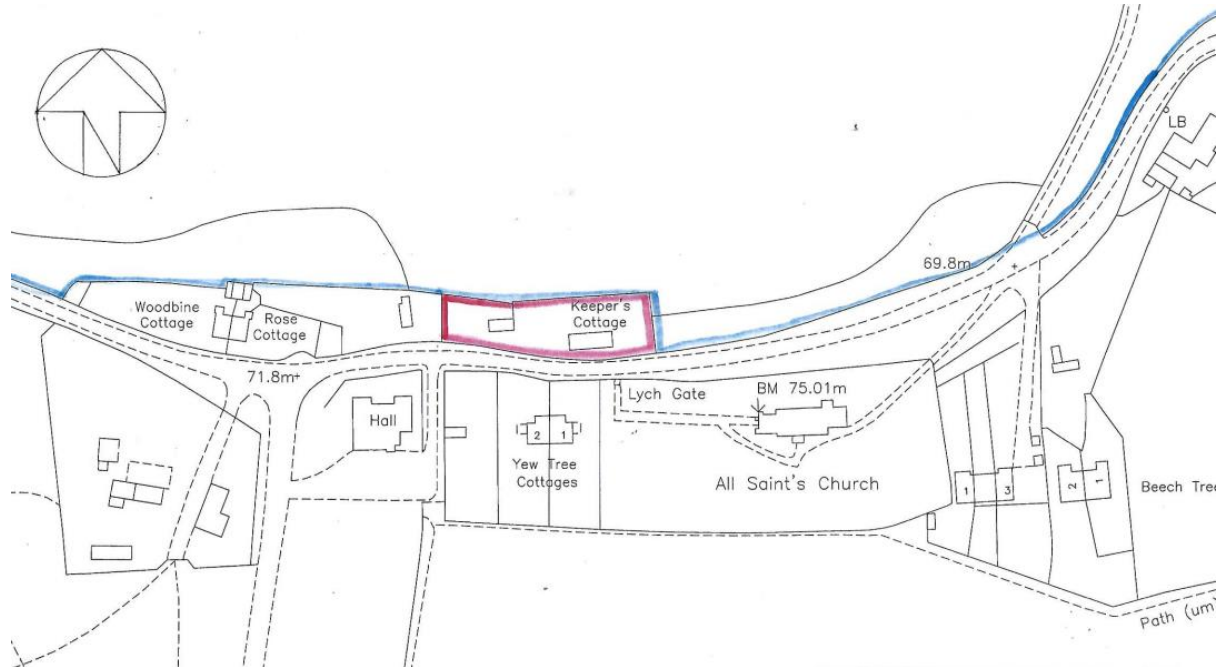
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SITE PLAN

MOUNTFIELD

RR/2022/112/L

Keepers Cottage
Mountfield Lane



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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 26 May 2022
Report of the - Director - Place and Climate Change
Subject - Application RR/2022/112/L
Address - Keepers Cottage, Church Lane, TN32 5JT
Proposal - Two storey extension to rear. Demolition of existing porch. Internal alterations.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **REFUSE (LISTED BUILDING CONSENT)**

Director: Ben Hook

Applicant: Mountfield Court Estate
Agent: Roger Howells Architects
Case Officer: Mr Sam Koper
(Email: sam.koper@rother.gov.uk)

Parish: MOUNTFIELD
Ward Members: Councillors J. Barnes and Mrs E.M. Kirby-Green

Reason for Committee consideration: Application called in by Councillor Mrs Kirby-Green and Director – Place and Climate Change referral: “Local community including the Parish Council strongly supports the plan to modernise the cottage. The view is that the plans are sympathetic and in keeping with the position and locality.”

Statutory 8-week date: 11 March 2022
Extension of time agreed to: 3 June 2022

This application is included in the Committee site inspection list.

1.0 SUMMARY

The proposal seeks listed building consent for the erection of a two-storey rear extension and internal alterations. The only issue for consideration for this listed building application is the impact on the importance of the listed building and its setting. The application is recommended for refusal due to harm caused to the listed building.

2.0 SITE

- 2.1 Keepers Cottage is a Grade II listed detached two-storey dwelling on the north side of Church Lane. The property is stated to be 17th Century or earlier. The building on the application site was listed on 13 May 1987. The site also sits opposite The Parish Church of All Saints, a Grade II* listed building.
- 2.2 The site is within the remote countryside and the High Weald Area of Outstanding Natural Beauty (AONB). It also sits within an Archaeological Notification Area. It is not situated within any designated development boundary.
- 2.3 The listing description of Keepers Cottage describes it as:
“C17 or earlier. Two storeys. Two windows. Ground floor red brick, above tile-hung. Tiled roof. Casement windows. Gabled brick porch.”
-

3.0 PROPOSAL

- 3.1 This application seeks listed building consent for the demolition of the existing porch on the western elevation, the erection of a two-storey rear extension and associated internal alterations.
- 3.2 The proposed rear extension would be part single storey and part two storey, with the existing roof pitch extended along the western side elevation. The upper roof form on the northern elevation would be fully hipped and match the pitch of the existing roof.
- 3.3 The proposed extension would measure 4.1m in depth and 6.65m in width. The height of the eaves along the western elevation would match the existing roof and would continue along to join the new roof above the first-floor level. The eaves height of the new hipped roof above would match the existing dwelling and the ridge height would not exceed the highest part of the house.
- 3.4 The proposed exterior materials to be used for the walls are reclaimed bricks and handmade plain clay tiles to match the existing building, for the roof it is proposed to use reclaimed plain clay peg tiles to match the existing roof tiles. The new windows and external doors are proposed to be painted timber to match the existing house.
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4.0 HISTORY

- 4.1 RR/2021/1825/P Two storey rear extension. Demolition of existing porch. Internal alterations. – Withdrawn
- 4.2 RR/2021/1826/L Two storey rear extension. Demolition of existing porch. Internal alterations. – Withdrawn
-

5.0 POLICIES

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

- RA1: Villages
 - EN2: Stewardship of the Historic Built Environment
- 5.2 The following policies of the adopted Development and Site Allocations (DaSA) Local Plan are relevant to the proposal:
- DHG9: Extensions, Alterations and Outbuildings
- 5.3 The following objectives of the adopted High Weald AONB Management Plan 2019-2024 are relevant to the proposal:
- Objective S2: To protect the historic pattern and character of settlement
- 5.4 The National Planning Policy Framework and Planning Policy Guidance are also material considerations particularly section 16 on the conservation of historic assets.
- 5.5 Section 16 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.
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6.0 CONSULTATIONS

- 6.1 Planning Notice – No representations received
- 6.2 Mountfield Parish Council – **NO OBJECTION**
- 6.2.1 Mountfield Parish Council strongly supports this application.
-

7.0 APPRAISAL

- 7.1 The only issue for consideration for this listed building application is the impact on the importance of the listed building and its setting.
- 7.2 Policy EN2 relates to development affecting the historic built environment, including that both statutorily protected and the non-statutorily protected, and it 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.
- 7.3 Policy RA1 of the Rother Local Plan Core Strategy states that the needs of rural villages will be addressed by: Protection of the locally distinctive character of villages, historic buildings and settings, with the design of any new development being expected to include appropriate high-quality response to local context and landscape.
- 7.4 Policy DHG9 (v) of the DaSA Local Plan states that extensions to existing buildings will be permitted where they fully respect and are consistent with the character and qualities of historic buildings and areas, where appropriate

- 7.5 Paragraph 189 of the National Planning Policy Framework states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
- 7.6 Paragraph 196 of the National Planning Policy Framework states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
- 7.7 Paragraph 199 of the National Planning Policy Framework states that 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.
- 7.8 Paragraph 200 and 202 of the National Planning Policy Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification and that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.9 Although not unique, it is considered that a lobby entrance house of such a period that maintains its original plan form (with the exception of the very minor outshot to the West elevation) is considered to be relatively rare. As such it is considered that the rear extension over the two stories will alter the historic interpretation of the building and remove it from its traditional format to an unacceptable degree.
- 7.10 Although considered as harmful it is acknowledged that the harm caused would be considered to be less than substantial and therefore can be mitigated by way of clear and convincing justification or public benefits as detailed under paragraphs 200 and 202 of the National Planning Policy Framework. In this particular case there is no evidence that justifies why the property requires a further extension.
- 7.11 Currently the property benefits from a kitchen, bathroom, two reception rooms, two bedrooms and an additional toilet on the first floor. It is considered in this current existing layout the property could function as a small two-bedroom family dwelling without further extensions being added to the building and thus maintaining its historical significance and architectural interest. In terms of public benefits, it is considered that the properties re introduction to provide residential housing after a period of vacancy is a public benefit however, the larger format proposed would not provide sufficient mitigation against the harm caused.
- 7.12 In terms of the buildings general condition internally it is noted that various adaptations reconstruction and other works have taken place particularly during the 19th century. Nevertheless, the general plan form of a lobby entrance cottage remains. It is acknowledged that the staircase access has been relocated and significant alteration has occurred to the main chimney stack,

however this does not excessively detract from the properties historic character.

- 7.13 It is considered that the refurbishment of the property would be welcomed without the proposed extension. The extension would unacceptably alter the buildings plan form which is an element with great weight in terms of overall significance. The removal of what can only be described as a poor shed like addition referred to as a 'porch' to the western elevation is encouraged and does not benefit from listed building consent and is a very poor addition.
- 7.14 The proposed extension is considered to fail to satisfy the policies detailed above in terms of bulk, scale and associated impact upon the setting. The proposed footprint is approx. 27sqm, being 6.65m wide and over 4.1m deep. For sake of comparison, the cottage including the 19th century outshot is approx. 61sqm. This makes the new floor space increase by almost 50% over the area of the whole building at ground floor level. The first floor will have an additional 16sqm afforded to its existing 50sqm floorplan. The depth of the development will almost double the depth of the building at the western end giving an additional 4.1m to the 4.5m deep building.
- 7.15 The overall bulk and form adopted is compounded by its vertical scale being equal to the of the host building removing a sense of subservience which is a requirement of the above policies.

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 The proposal would have a detrimental impact on the character and setting of the listed building; therefore, the application is recommended for refusal.

RECOMMENDATION: REFUSE (LISTED BUILDING CONSENT)

REASONS FOR REFUSAL:

1. Having regard to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed works, by virtue of excessive bulk, scale, loss of a clear building form and typology would adversely affect the setting and special architectural and historic character and interest of the listed building as a designated heritage asset, and as such would be contrary to Policies EN2 and RA1 of the Rother Local Plan Core Strategy, Policy DHG9 of the Development and Site Allocation Plan, and paragraphs 200 and 202 of the National Planning Policy Framework.

NOTES:

1. This refusal relates to the proposal as shown on the following plans:
Drawing No. 2106/RS1, dated March 2021
Drawing No. 2106/RS2, dated March 2021
Drawing No. 2106/1, dated July 2021
Drawing No. 2106/2, dated July 2021
Drawing No. 2106/3, dated July 2021

Drawing No. 2106/4, dated July 2021

2. It is suggested that a revised application to only consider the restoration of the cottage may be accepted and given due consideration. However, in this case the principle of extension is not supported.

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<p>SITE PLAN RR/2022/795/P</p>	<p>BATTLE Kingsmead Caldbec Hill</p>
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Not to Scale

Rother District Council

Report to - Planning Committee
Date - 26 May 2022
Report of the - Director – Place and Climate Change
Subject - Application RR/2022/795/P
Address - Kingsmead Public Open Space, Caldbec Hill, Battle
Proposal - Installation of a brazier for the Queen's Platinum Jubilee which will be lit once on Thursday 2 June 2022 at 9:45pm.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **GRANT (FULL PLANNING)** (subject to expiry of the consultation period on 27 May 2022)

Director: Ben Hook

Applicant: Battle Town Council
Agent: Battle Town Council
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: Director – Place and Climate Change referral: The application site is located on land owned by Rother District Council.

Statutory 8-week date: 24 May 2022
Extension of time agreed to: 30 May 2022

This application is included in the Committee site inspection list.

1.0 SUMMARY

1.1 The proposal is for the installation of a beacon brazier. The main issues for consideration are the effect of the proposal on the character and appearance of the area within the Area of Outstanding National Beauty (AONB) location and the impact of the proposed on neighbouring properties. The application is recommended for approval.

2.0 SITE

- 2.1 The application site is the Kingsmead Public Open Space, which is located to the west of Caldbec Hill and to the north of Battle Town Centre. It has housing to the southern side off Caldbec Hill, to the west in Bowmans Drive and part north in Dukes Hill. The location of the proposed brazier would be to the eastern side of the site closer to the path leading from Caldbec Hill. The converted Kings Mead Windmill, grade II listed, lies nearby to the east. The site lies within the High Weald AONB.
-

3.0 PROPOSAL

- 3.1 This application seeks planning permission for the erection of a beacon brazier in the Kingsmead Public Open Space to commemorate the Queen's Platinum Jubilee, which will take place on 2 June 2022.
- 3.2 The proposed brazier would be located on the eastern side of the site approximately 15m in from the site boundary. The closest neighbouring properties would be "Under Mill" and "Fairings" located to the east.
- 3.3 The Beacon Brazier would comprise of a timber post with a metal brazier basket sitting on top and a metal shield below and to the side. The timber post would measure 0.305m wide and 6.2m tall with 4.4m being above ground level. The metal brazier basket would measure 1.4m wide by 1.23m high, sitting atop the timber post. The metal shield would measure 0.76m wide by 0.92m high and be extended from the side of the timber post, located below the brazier basket.
-

4.0 HISTORY

- 4.1 None.
-

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
 - EN4: Management of the Public Realm
- 5.2 The following policies of the [Development and Site Allocations Local Plan \(DaSA\)](#) are relevant to the proposal:
- DEN1: Maintaining Landscape Character
 - DEN2: The High Weald AONB
- 5.3 The following policies of the [Battle Civil Parish Neighbourhood Plan 2019-2028](#) (BNP) are relevant to the proposal:
- EN1: Local Green Space Designations
 - EN3: The High Weald AONB and Countryside Protection

- 5.4 The National Planning Policy Framework, Planning Policy Guidance and the High Weald AONB Management Plan are also material considerations.
-

6.0 CONSULTATIONS

6.1 Planning Notice

6.1.1 At the time of writing, the planning notice has yet to expire. One letter with general comments has been received. The comments are summarised as follows:

- The exact planned location is not described in relation to existing on-the-ground reference points.
- Relationship with Public Right of Way Battle Footpath 41 and the 950th Anniversary-of-1066 tree and adjacent property boundaries is unknown.
- The potential hazard for occasional Air Ambulance use of the field.

6.2 Battle Town Council – No comments received.

7.0 APPRAISAL

7.1 The main issues for consideration on this application are:

- The effect of the proposal on the character and appearance of the locality within the High Weald AONB.
- Impact on neighbouring properties.

7.2 The effect of the proposal on the character and appearance of the locality within 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 seeks high quality design so that development contributes positively to the site and its context.

7.5 Policy DEN1 of the DaSA states that the siting, layout and design of development should maintain and reinforce the natural and built landscape character of the area in which it is to be located.

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 EN1 of the BNP sets out local green space designated sites within Battle and states that proposals for any development on the land will not be supported other than in very special circumstances or if it is essential to meet necessary utility infrastructure needs and no alternative feasible site is available.

7.8 The proposed beacon brazier would be located within a designated green space as set out in the BNP. In this case, the development is proposed for the Queen's Platinum Jubilee, which is considered to be a "very special circumstance" when judging against Policy EN1 of the BNP. In addition, the

development is small scale and minor in comparison to the site. Therefore, the principle of this development is considered acceptable.

- 7.9 The overall height of the beacon and brazier would be 5.78m from ground level. Its overall modest scale and location would not cause a detrimental impact on the character of the locality within the AONB location and its design would be similar to other beacon braziers in the nearby villages for commemorative uses.
- 7.10 Its retained use would not be considered to be harmful to the public space given its siting and scale, and its occasional use for commemorative events would not cause any harm to the locality.
- 7.11 *Impact on neighbouring properties*
- 7.12 The beacon brazier would be located roughly 15m from the eastern boundary of the application site. The closest neighbouring dwellings in proximity would be “Under Mill” and “Fairings” which have rear gardens and thus the separation distance between the brazier and dwellings themselves is around 30m.
- 7.13 The location of the beacon would be far enough away from these boundaries and given its infrequent use would not be overbearing or create a loss of light or outlook given its modest height. The area is public open space and while the brazier may generate additional congregations of people and thus noise closer to the dwellings than usual, given its use would be very infrequent, this is not considered to give rise to unacceptable impacts on amenity.
- 7.14 When the beacon is in infrequent use, the size of the basket and resultant fire and distance from these neighbouring gardens is unlikely to cause harm from the flames or potential smoke to their amenity space.
- 7.15 *Other matters*
- 7.16 Since first submission an additional plan has been submitted to indicate the position of the brazier. The position would not block the public footpath and its location towards the side of the field would not preclude access to the air ambulance.

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 designated public space or character of the locality within the AONB. It complies with Policies OSS4 (ii), (iii), RA1, EN1, EN3 and EN4 of the Rother Local Plan Core Strategy, Policies DEN1 and DEN1 of the adopted DaSA Local Plan and Policy EN4 of the BNP.

RECOMMENDATION: GRANT (FULL PLANNING) (subject to expiry of the consultation period on 27 May 2022)

CONDITIONS:

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Location Plan, not dated.
Amended Block Plan, received 11 May 2022
Beacon Brazier Details, not dated
Reason: For the avoidance of doubt and in the interests of proper planning.

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.

Rother District Council

Report to: Planning Committee

Date: 26 May 2022

Title: Planning Statistics for the Quarter January – March 2022
(including summary of planning statistics for 2020/2022)

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.

DLUHC Statistics PS1 & PS2 Returns Jan - Mar 2022 (4th Qtr)

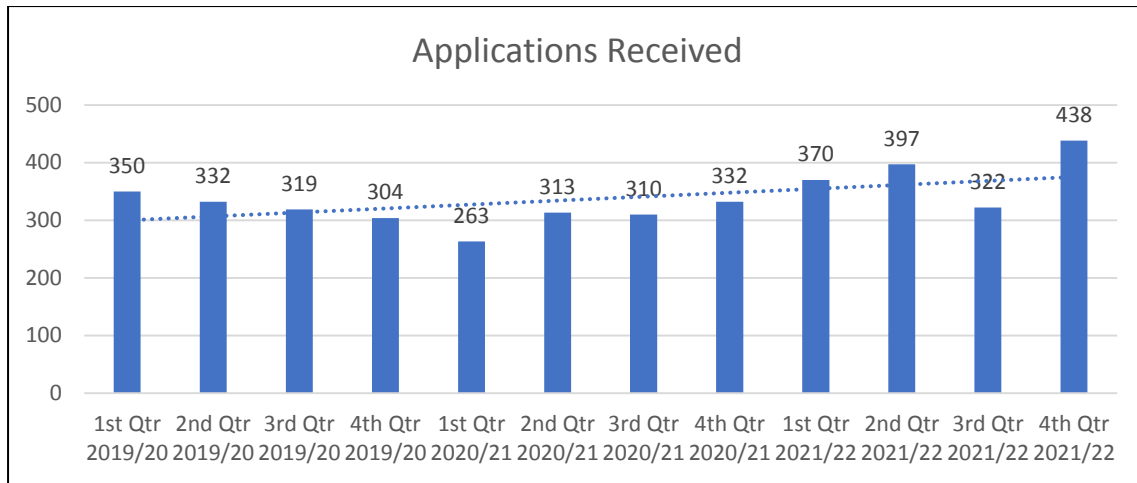
1.0	Total number of planning applications Received during the quarter:	438
2.0	Total number of planning applications Determined during the quarter:	398
	% Percentage of applications determined	
2.1	% of applications for major developments issued within agreed timeframe	86%
2.2	% of applications for minor developments issued within agreed timeframe	63%
2.3	%of other planning applications issued within agreed timeframe	75%
3.0	Total no. of applications withdrawn	37
4.0	Number of planning applications on hand and not determined at the end of the quarter:	510
5.0	Applications not included in DLUHC PS1 & PS2 Returns (Miscellaneous applications) Jan - Mar 2022 (4th Qtr)	
	i.e. Prior notifications, Discharge of Condition, Lawful Development Certificates, Minor Amendments, Works to Trees, Consultations from neighbouring authority or ESCC	
5.1	Total number of miscellaneous applications received during quarter	184

5.2	Total number of miscellaneous applications determined during quarter	141
5.3	Number of miscellaneous applications on hand and not determined at the end of the quarter	96
	*Where received date from 1 April 2020	
6.0	Total number of applications on hand at end of quarter (DLUHC PS1 & PS2 & Miscellaneous) Jan - Mar 2022 (4th Qtr)	
6.1	Total number of applications on hand	606
7.0	Planning Application Appeals Jan - Mar 2022 (4th Qtr)	
7.1	Number of planning appeals on hand (no decision):	74
7.2	Number of Planning appeals lodged:	36
7.3	Planning Appeal Decisions:	
	Allowed:	2
	Allowed in part:	0
	Dismissed:	10
8.0	Planning Enforcement Jan - Mar 2022 (4th Qtr)	
8.1	Number of complaints received	68
8.2	Number of complaints resolved	136
8.3	Number of active complaints on hand	261
9.0	Local Land Charge Searches Jan - Mar 2022 (4th Qtr)	
9.1	No. of Local Land Charge searches received:	721
9.2	No. of Local Land Charges completed	720

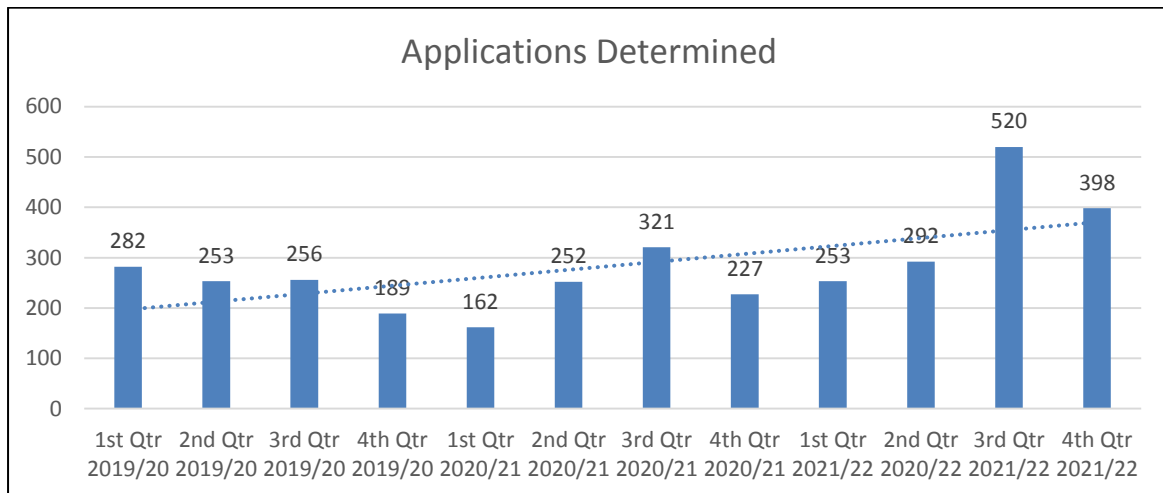
Summary of Planning Statistics 1 April 2019 – 31 March 2022

Planning Applications (DLUHC PS1/2)

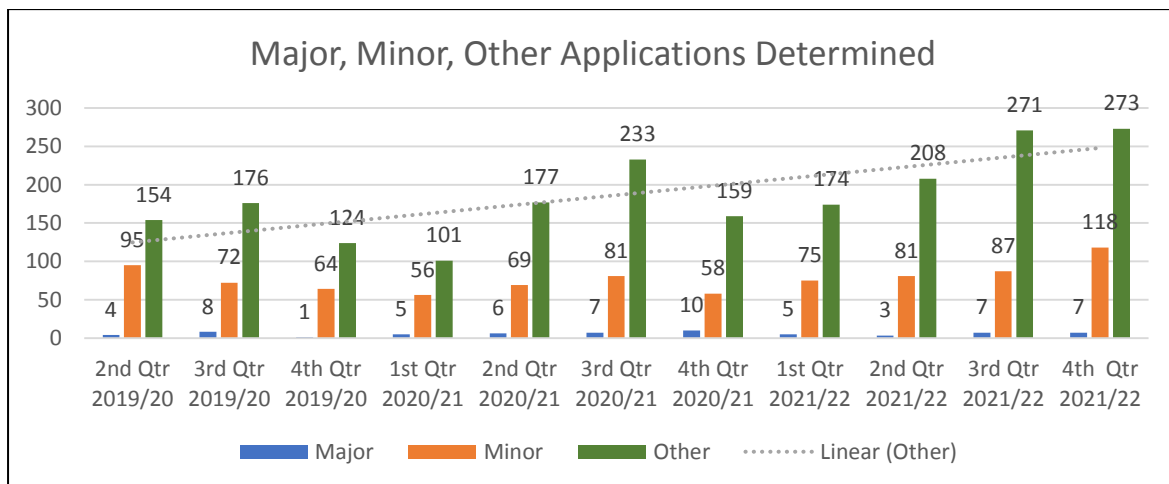
1.0 Applications received



2.0 Total number of planning applications determined

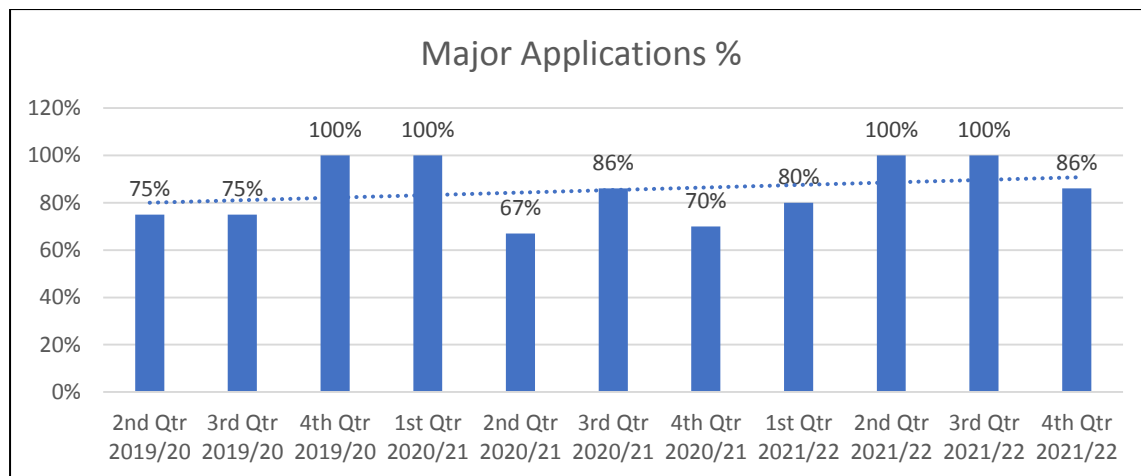


2.1 Category of Applications Determined

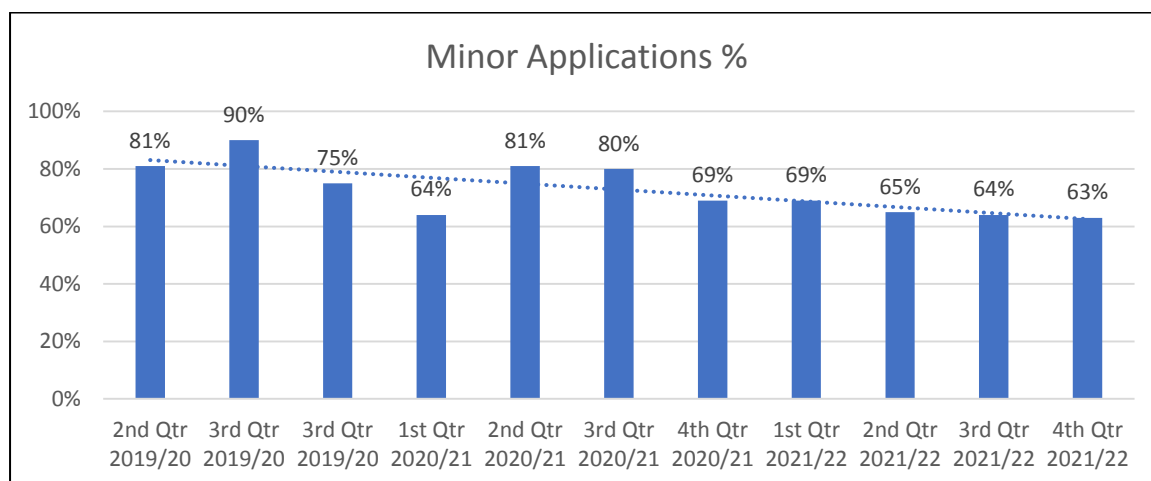


3.0 Percentage of planning applications determined within agreed timeframe

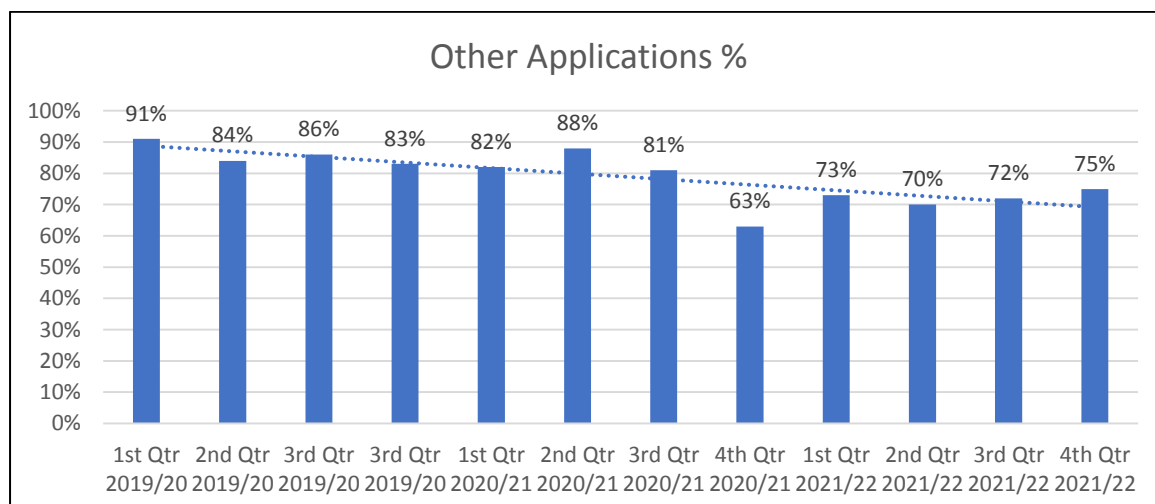
3.1 Major applications



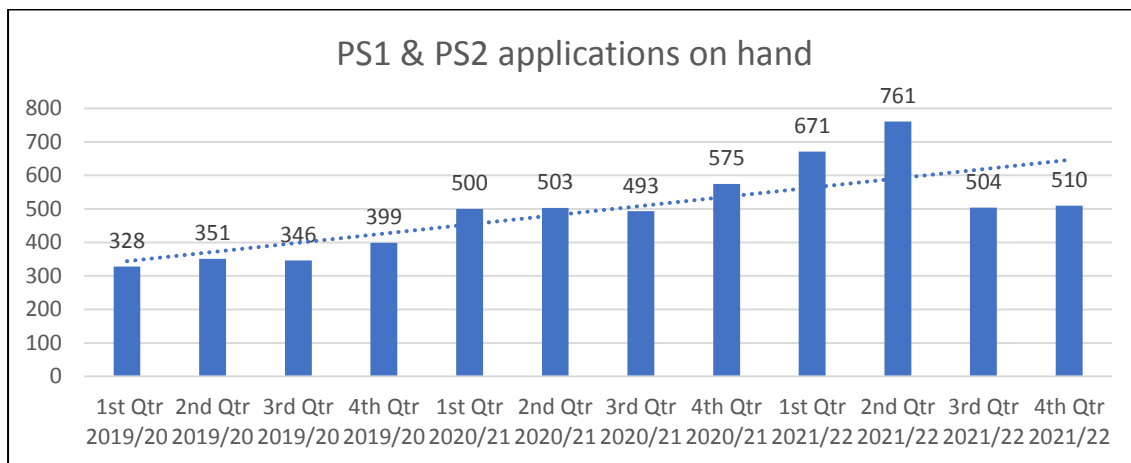
3.2 Minor applications



3.3 Other applications

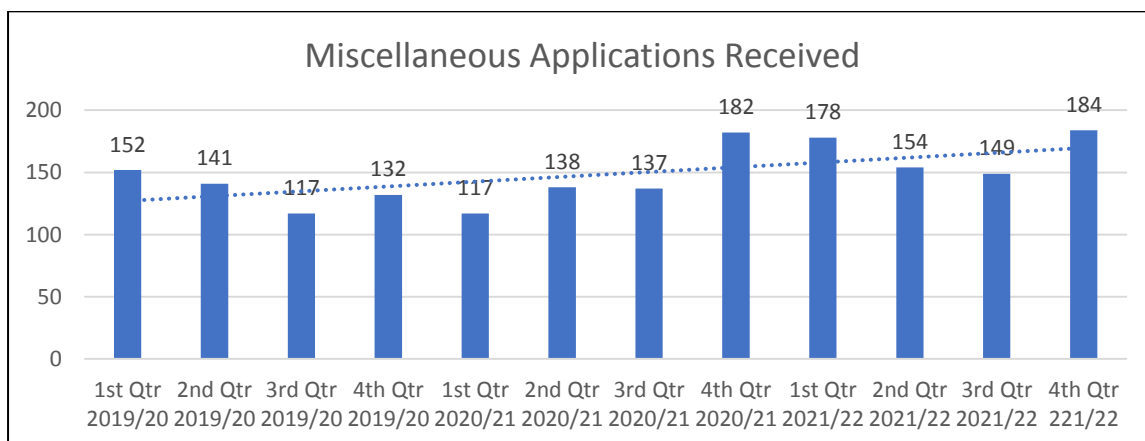


4.0 No of applications on hand and not determined (DLUHC PS1 & PS2 Returns)

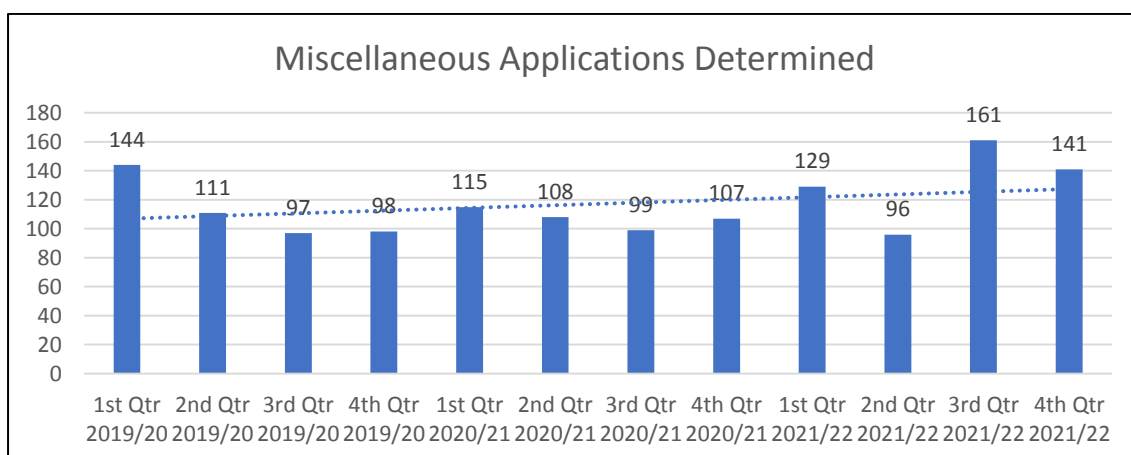


5.0 Applications not included in DLUHC PS1 & PS2 Returns (Miscellaneous applications)

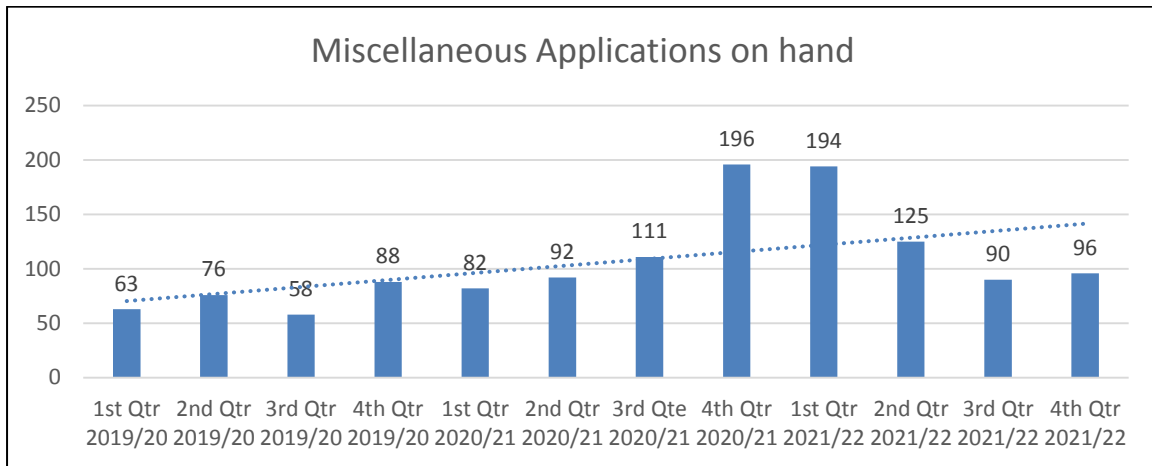
5.1 Received



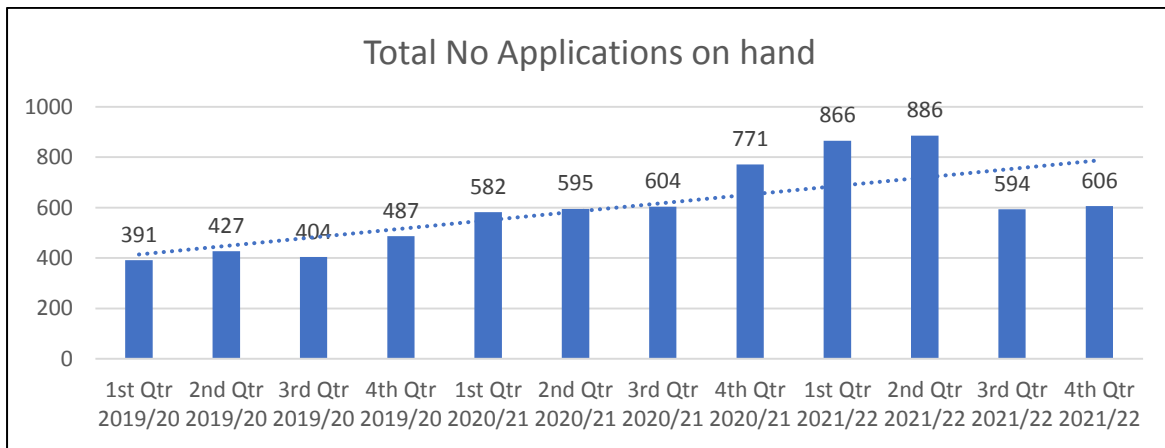
5.2 Determined



5.3 No of miscellaneous applications on hand

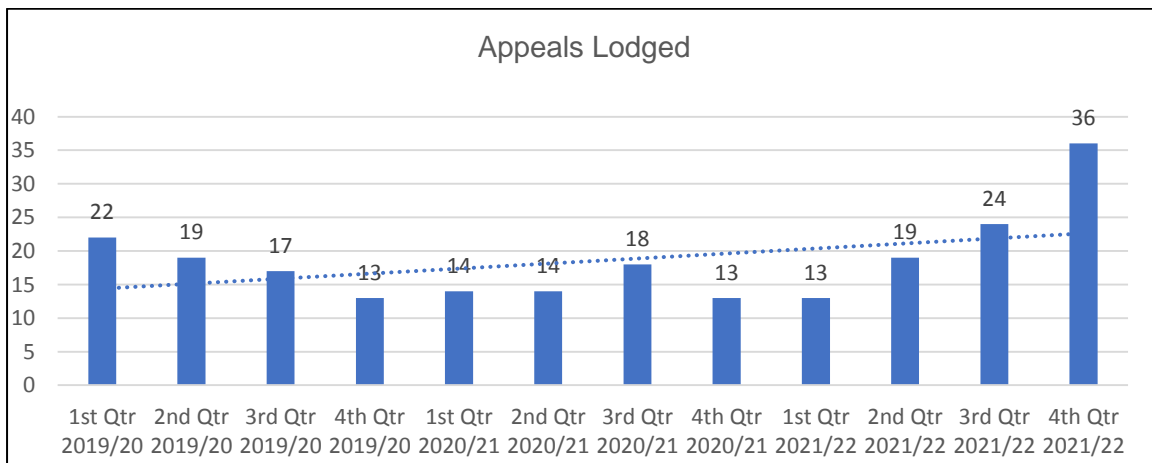


6.0 Total number of applications on hand (DLUHC PS1 & 2 & Miscellaneous applications)

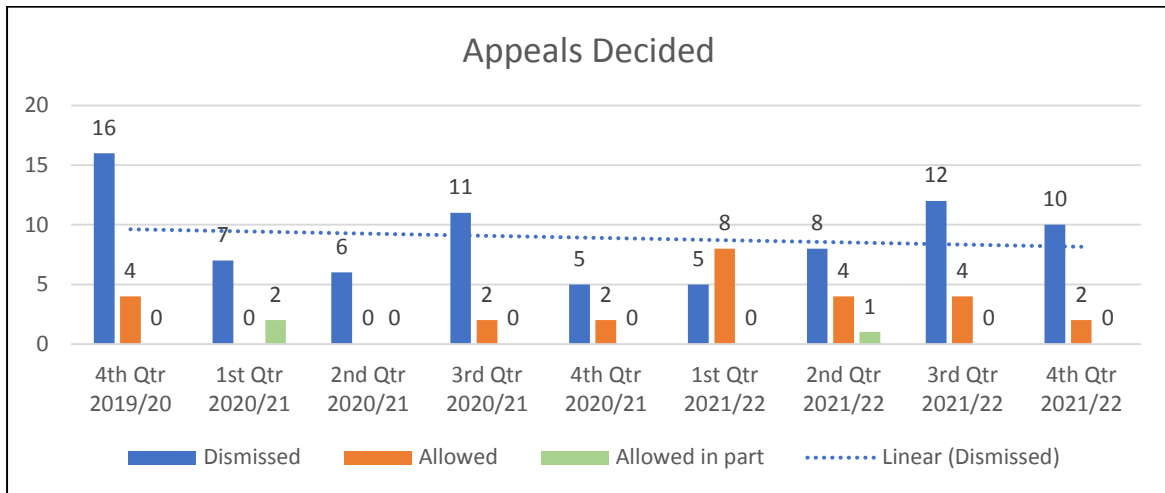


7.0 Planning Appeals

7.1 Appeals Lodged

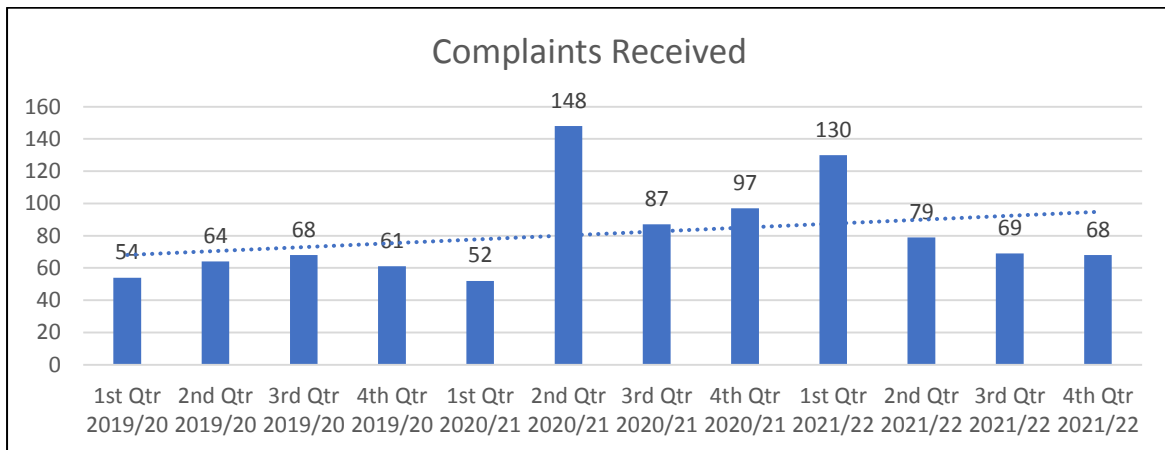


7.2 Appeals Decided

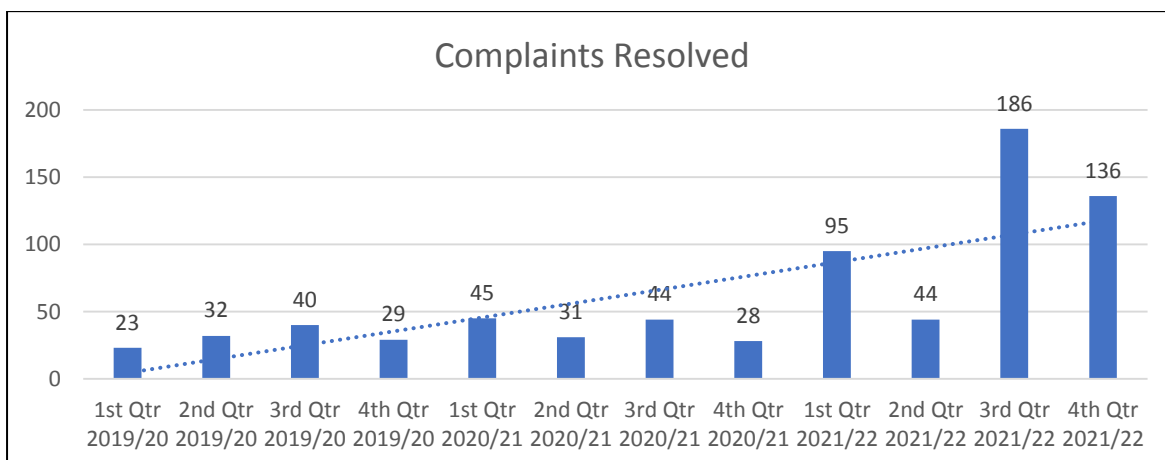


8.0 Planning Enforcement Complaints

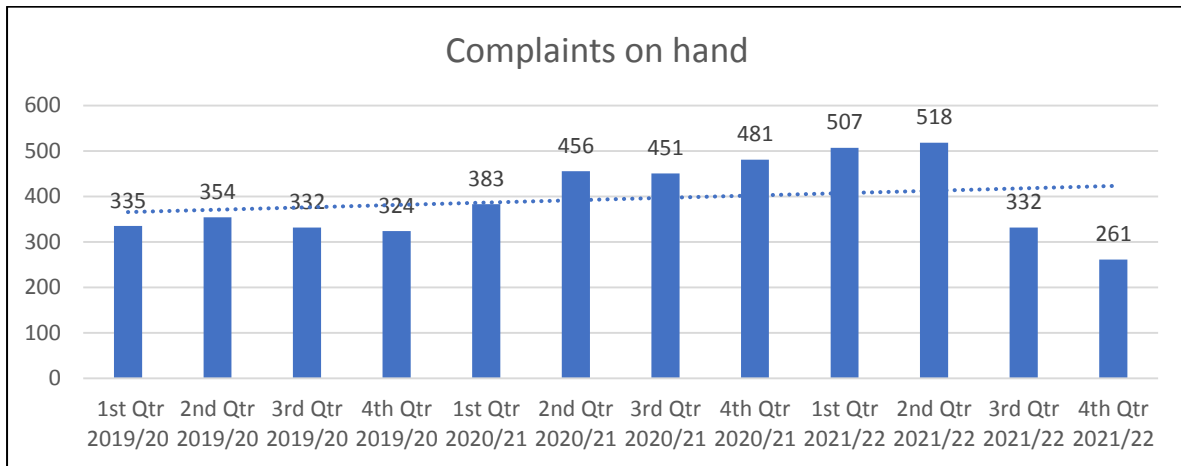
8.1 Complaints received



8.2 Complaints resolved

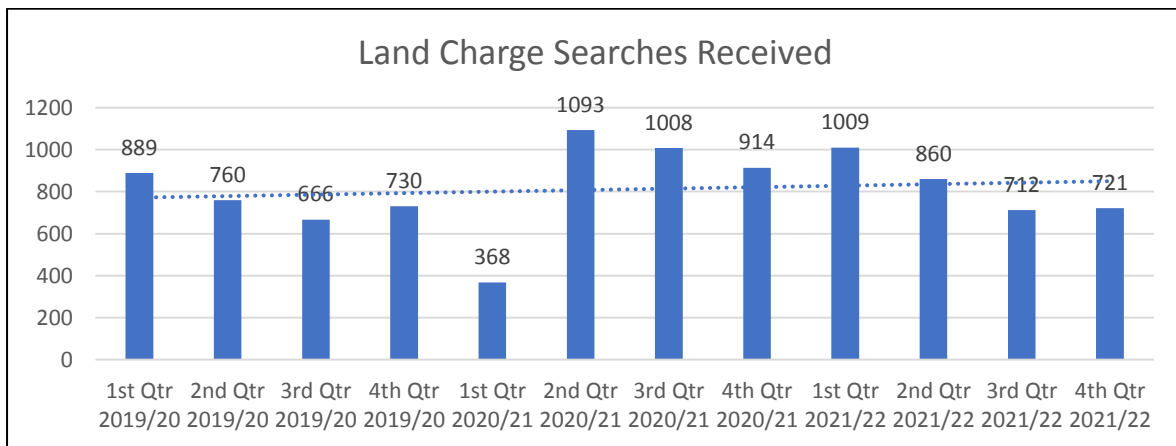


8.3 Active complaints on hand

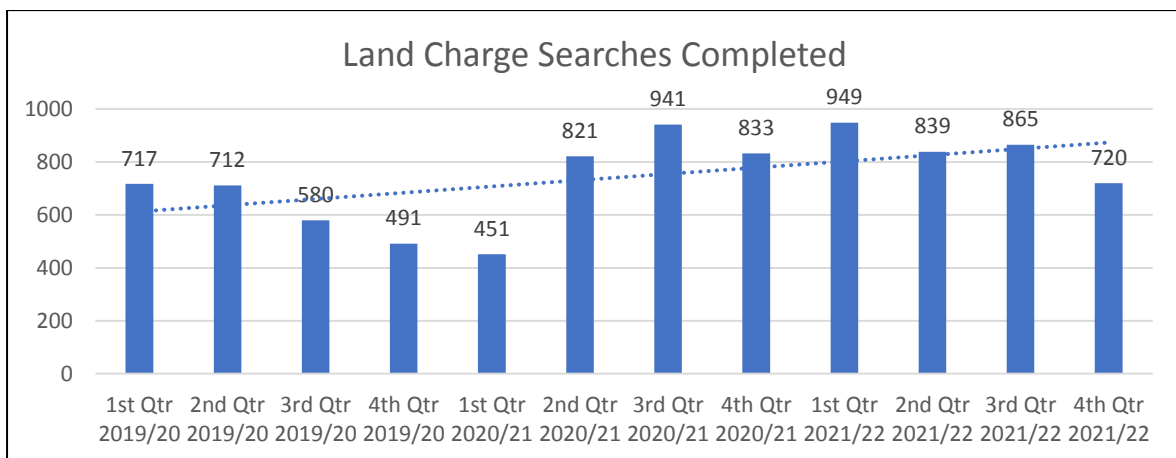


9.0 Local Land Charge Searches

9.1 Local Land Charge Searches Received



9.2 Local Land Charge Searches Completed



Chief Executive: Malcolm Johnston
 Report Contact: Ben Hook, Director – Place and Climate Change
 Officer:
 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

Date: 26 May 2022

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 housing sites 8 and 7, Churchill Farm and Gate Cottage, In the Sedlescombe Neighbourhood Plan.

Status: Delegated to approve subject to completion of Section 106. Currently with Legal for Section 106.

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 RDC 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/2020/1562/P

The Brooks, Church Road, Catsfield

Outline: Proposed 29 No. new dwellings and 1 No. communal building, all with parking and new access from The Green and Church Road.

Status: Under discussion.

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: Applicant has advised they are to appeal.

RR/2020/585/P

Singehurst - Land at, Pashley Road, Ticehurst

Erection of 10 residential dwellings comprising of 3 x two bed houses, 2 x three bed bungalows, 2 x three bed houses and 3 x four bed houses together with associated development.

Status: Delegated approval granted January 2022 subject to the completion of a Section 106 Planning Obligation to secure an affordable housing contribution, off-site highway improvement works and an ecological management plan. Legal have prepared a draft Section 106 and are liaising with the Applicant. Once agreed the decision can be issued.

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/2021/1656/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/2021/2059/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: Applicant is currently seeking to address objections raised by the Environment Agency and Natural England.
- 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: Information to satisfy East Sussex County Council (ESCC) Highways Authority and ESCC Archaeology requirements has now been submitted. The final issue that remains outstanding is the potential impact on GCN. The agent has a copy of the comments from Nature Space and the Council awaits her response.
- 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: Amendments under consideration.
- 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: Extension of time until 30 June 2022, with further extension anticipated. Waiting on applications for BEX3a and BEX3b to be submitted so all three applications can be considered together due to interrelated highway issues.
- RR/2021/2798/P London Road - Land West of, Hurst Green
Development of site to provide 26 No. dwellings with associated hard standing, car parking, landscaping, public open space and provision of a car park for the Church.
- Status: Amendments are awaited.
- RR/2021/2947/P Former Putting Green Site - Land at, Old Lydd Road, Camber
Erection of 10 No. dwellings with new vehicular access, car parking with hard and soft landscaping.

Status: Case officer to write to applicant to raise several issues with scheme.

RR/2021/2974/P

Moorsholme Farm, Cackle Street, Brede
Variation of Condition 2 (approved drawings) imposed on planning permission RR/2016/2288/P to allow changes to design and use of farm buildings.

Status: Case officer to write up for approval.

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 8 (Parking and Turning of Vehicles), 9 & 10 (Archaeology), 13 (Levels) and 19 (Proposed Landscaping).

Status: Awaiting update from agent.

RR/2022/283/P

Grove Farm - Land at, George Hill, Salehurst / Roberstbridge
Reserved matters relating to appearance, landscaping and scale together with the discharge of Conditions 6 (Details); 7 (Hard Landscaping); 8 (Soft Landscaping); 14 (Car Parking Spaces); 15 (Cycle Parking) and 22 (Link Road Surface) pursuant to outline permission RR/2017/1629/P for the erection of 24 No. residential dwellings, car parking, landscaping and associated development.

Status: Amendments and further information requested.

RR/2022/547/P

17 Dorset Road South, Bexhill
Variation of Condition 2 imposed on RR/2019/1229/P to allow raised roofline for installation of traction lift.

Status: Recently re-allocated to new Case Officer - currently under consideration.

RR/2022/58/P

Old Mears, Harbour Road, Icklesham
Variation of conditions imposed on planning permission RR/2019/1841/P to allow changes to the site layout, and design changes to the industrial unit.

Status: Waiting for applicant to submit Shadow Habitats Regulations Assessment and drainage details.

RR/2022/625/P

The Saltings, Rye Wharf, Harbour Road, Icklesham
Construction of new industrial building known as Unit E comprising self-contained business industrial units (Mixed B2 & B8 Use).

Status: Relatively early stages of the application. Some

consultee responses awaited.

RR/2022/651/P

Ivyhouse Lane Industrial Estate, Burgess Road - Land at, Block C, Guestling

Variation of Condition 1 imposed on RR/2017/1829/P to allow for an amendment to Block C to allow for the amalgamation of the planning approved four units into one single unit; reduction in the number of roller shutters doors from four to two; reduction in the number of personnel doors (including fire escape doors) from seven to four and re-arrangement of car spaces.

Status: Relatively early stages of the application - consultation period has not yet expired.

RR/2022/834/P

Old Mears, Harbour Road, Icklesham

Variation of Condition 12 imposed on RR/2006/258/P for changes to elevations, floorplans and externals.

Status: Waiting for comments from Highway Authority. Also waiting for applicant to submit Shadow Habitats Regulations Assessment and drainage details.

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: 26 May 2022

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/2020/1875/P (Delegation)	BATTLE: Frederick Thatcher Place - Land west of, North Trade Road, Battle Construction of 4 No. dwellings with associated parking and landscaping. Mr Harry Wills
RR/2020/357/P (Delegation)	BATTLE: Marley House - Outbuilding (Former Squash Court), Marley Lane, Battle Conversion of outbuilding (Former Squash Court) into a dwellinghouse with gardens and use of existing parking area and access. Mr & Mrs Tine Desoutter
RR/2021/102/P (Delegation)	BEXHILL: Chestnut Meadow Camping & Caravan Park, Ninfield Road, Bexhill Change of use of land for the siting of 50 residential caravans (park homes) to form a retirement park. Osborn Leisure LLP
RR/2021/1519/P (Delegation)	BEXHILL: 81 Cooden Drive, Bexhill Demolition of existing bungalow and garage, replacement with four flats and a family dwelling, parking for nine cars, stopping up of an existing driveway access on Cooden Drive and construction of a new access and highway crossover on Pages Avenue. Anomaly Consultants
RR/2022/62/P (Delegation)	BEXHILL: 8 Church Vale Road, Bexhill Erection of single storey dwelling with associated parking and landscaping. (Resubmission following refusal of application RR/2021/1696/P) The Goldeneye Group

RR/2021/1830/P (Delegation)	BEXHILL: 42 Ingrams Avenue, Bexhill Erect 1 bed room semi-detached dwelling. ox1group
RR/2021/2529/T (Delegation)	BEXHILL: 44 Collington Rise, Bexhill T1 Sycamore - Reduce western spread of lower and mid crown to 9m; height by up to 1.5m; branch lengths to draw in over- extended laterals and balance with remainder of crown; reduce southern and eastern spread of crown from 4-10m height by up to 2m branch lengths; reduce crown height by maximum 2m branch lengths to balance with reduced lateral spread; remove major deadwood. Mr Peter Bennett
RR/2021/1893/PN3 (Delegation)	BEXHILL: 32-34 Collington Avenue, Conquest House, Bexhill Application to determine if prior approval is required for a proposed change of use from offices (Class B1(a)) to 78 No. dwellinghouses (Class C3). Paramount Land and Development Ltd
RR/2021/194/P (Delegation)	BODIAM: Park Farm Oast, Park Farm Lane, Bodiam Erection of an external staircase and balcony / veranda, construction of an overhanging roof entrance feature, new entrance doors at first floor level, changes to the previously approved elevations, comprising vertical timber boarding, amendments to the elevations to involve additional windows and enclosure of a previous opening and the surfacing of a track in permeable material. (Retrospective) Oastbrook Winery
RR/2021/2644/P (Delegation)	BODIAM: Oast View - Land Opposite, Bodiam Business Park, Bodiam Construction of 2 No. two bedroom homes and 3 No. three bedroom homes with associated landscaping. Westridge Bodiam Park Limited
RR/2020/70/P (Delegation)	BREDE: Barns Site, Steeplands - Land Adjacent to, Pottery Lane, Brede Erection of 4 bedroom detached dwelling and detached garage. Mrs A. Patel
RR/2021/2562/P (Delegation)	BURWASH: Linkway, Vicarage Road, Burwash Common, Burwash Erection of potting shed, Polytunnels and shed for storing bee keeping equipment. Mrs Debbie Beckley
RR/2021/2449/P (Delegation)	BURWASH: White House, High Street, Burwash Replacement of existing shed and open bay garage with integrated workshop and open bay garage.

Dr John O'Connor

RR/2021/2450/L
(Delegation)

BURWASH: White House, High Street, Burwash
Replacement of existing shed and open bay garage with
integrated workshop and open bay garage.
Dr John O'Connor

RR/2020/1304/P
(Delegation)

CAMBER: Dorena, Wall Farm Lane, Camber
Demolition of existing single storey chalet bungalow and
erection of a two storey 3-bedroom detached dwelling
with associated car parking.
Mr Eric Moon

RR/2020/558/P
(Non-determination)

CAMBER: Car Park Central, Old Lydd Road, Camber
Demolition of the beach locks up and replace with
boutique hotel including 'Dunes Bar' restaurant at first
floor level (relocated from Old Lydd Road). New visitors
centre and landscaping. Existing car parking spaces
relocated to the over flow.
Mr Jimmy Hyatt

RR/2021/2077/P
(Delegation)

CROWHURST: Willow Pond House, Swainham Lane,
Crowhurst
Change of use of land for the siting of a timber cabin
(caravan) for retreat holidays, re-positioned vehicular
access off Swainham Lane and parking for two vehicles.
Mr Richard Warden

RR/2021/2992/P
(Delegation)

DALLINGTON: Haselden Farm, Battle Road, Dallington
Change of use of stables to residential annexe, and
installation of sewage treatment plant (Retrospective).
Mr and Mrs Richard and Dianne Mower

RR/2020/923/P
(Delegation)

GUESTLING: The Olde Piggery, Eight Acre Lane, Three
Oaks, Guestling
Change of use from Agricultural to residential. Proposed
erection of 1no. Eco Dwelling, conversion of Piggery
building into garage and workshop, along with associated
parking, landscaping and general site features that
promote a high level of ecological interest.
Mr Bill Coney

RR/2021/2348/P
(Delegation)

GUESTLING: Wild Meadows, Chapel Lane, Guestling
Green, Guestling
Demolition of existing stables and sand arena and
erection for four new dwellinghouses (Use Class C3).
Ms Carol Adams

RR/2021/1821/O
(Delegation)

HURST GREEN: Silverhill Pump House Business Unit
Bodiam Road Silverhill Hurst Green
Certificate of Lawfulness for the change of use of building
from Class B8 (storage and distribution) to Class B1a
(office).
FR Studio Limited

RR/2021/2699/P (Committee - Decision)	ICKLESHAM: 6 Spring Steps, Winchelsea, Icklesham Proposed attic conversion and installation of 3 x rooflights to rear elevation. Mr Chris Meyer
RR/2020/2261/P (Delegation)	NORTHIAM: Mill Corner Stables, New Road, Northiam Construction of an 'Earth House' comprising an Eco- Dwelling in conjunction with associated rural business, incorporating conversion of Stables into therapy and treatment rooms and a permaculture and smallholding business. Mr & Mrs Matthew & Anneli Hukins
RR/2021/1935/P (Delegation)	NORTHIAM: Cooks Farmhouse – Land Adj, New Road, Northiam Proposed siting of a static holiday let unit and associated change of use of the land. Mrs Sarah Secker
RR/2021/1657/P (Delegation)	PEASMARSH: Teviot, Malthouse Lane, Peasmarsh Proposed 4 x bedroom dwelling with associated landscaping and driveway for two vehicles. Bright Develop Ltd
RR/2021/664/P (Delegation)	SEDLSCOMBE: Little Swailes Green Farmhouse, Little Swailes Green Farm, Cripps Corner, Sedlescombe Construction of a single storey extension with a glazed link connected to existing dwelling, new enclosed porch to the North, insertion of three conservation rooflights and alterations to the existing facades with new timber weatherboarding and re-instatement of an existing brick garden wall and minor landscaping works. Ms Tina Kennard
RR/2021/665/L (Delegation)	SEDLSCOMBE: Little Swailes Green Farmhouse, Little Swailes Green Farm, Cripps Corner, Sedlescombe Construction of a single storey extension with a glazed link connected to existing dwelling, new enclosed porch to the North, insertion of three conservation rooflights and alterations to the existing facades with new timber weatherboarding and re-instatement of an existing brick garden wall and minor landscaping works. Ms Tina Kennard
RR/2020/646/P (Delegation)	TICEHURST: Bantham Farm, London Road, Ticehurst Change of use of art studio to live/work unit. Mr N. Watts
RR/2021/2600/P (Delegation)	TICEHURST: Bantham Farm, London Road, Ticehurst Change of Use of existing redundant and disused barn to residential use. Mr N. Watts

RR/2021/1787/P

TICEHURST: Slaves Dream, Lower Hazelhurst, Ticehurst

- (Delegation) Demolition of existing dwelling and replacement with new dwelling including new detached car port.
Pedro and Jay Milborne
- RR/2021/2337/P
(Delegation) WESTFIELD: Little Holme, Westbrook Lane, Westfield
Conversion of existing detached annexe building to create a new two bedroom dwelling, with new balcony to the rear. Associated division of plot to provide amenity space and detached outbuilding to be converted into summerhouse.
Mr George Allen
- RR/2021/1473/P
(Delegation) WESTFIELD: The Old Chicken Barn, Hoads Farm, Moat Lane, Westfield
Replace existing chicken barn with 1 No. detached house on same footprint and raising to accommodate a second floor, however lowering the pitch of the roof to keep the new height to a minimum.
Mr Warren Behling
- 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/2022/132/O
(Delegation) WHATLINGTON: Forest Lodge, Hooks Beach, Vinehall Street, Whatlington
Certificate of Lawfulness for a proposed part 2 storey, timber framed "granny" annex to the existing garage, with dormer to front.
Jamie Pearson

APPEALS STARTED

- RR/2021/1102/P
(Delegation) BATTLE: Caldbec Hill - Land at North Side of, Battle
Proposed detached dwelling.
Mr N. Whistler
- RR/2021/2851/P
(Delegation) BATTLE: 3 Virgins Croft, Battle
First floor rear extension and new pitched roof to side porch and new windows and doors.
Mr Daniel Bryant
- RR/2021/1151/P
(Delegation) BEXHILL: 3 & 5 Gunters Lane, Bexhill
Two storey rear extension to No. 3 and single storey rear extension to No. 5, existing pair of cottages. Side extension to provide an additional 3 bedroom dwelling (resubmission).
Dale Saunders Holdings Ltd

RR/2021/2942/P (Delegation)	BEXHILL: 21A Leopold Road, Bexhill Proposed loft conversion including construction of dormer to rear and addition of rooflight windows to front of dwellinghouse currently being created by conversion approved under extant planning permission RR/2018/1528/P. Mr J. Davison
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/2020/2306/P (Delegation)	CAMBER: Poundfield Farm, Farm Lane, Camber Siting of holiday lodge for seasonal tourist/holidaymakers accommodation. Mrs Michelle Bristow
RR/2021/2012/P (Delegation)	CATSFIELD: St Kitts - Site Adjacent, Church Road, Catsfield Erection of 1 No. Chalet Bungalow, together with parking and landscaping. Mr Jack Waller
RR/2021/1765/P (Delegation)	GUESTLING: Sunnyside - Garage and land opposite, Eight Acre Lane, Three Oaks, Guestling Change of use of land to allow proposed parking space associated with dwellinghouse. Ms Christine Harmar-Brown
RR/2021/1907/P (Delegation)	MOUNTFIELD: Johns Cross Cafe - Land at, Johns Cross Road, Mountfield Outline: Replacement of existing self-storage containers and construction of buildings for self-storage (Class B8) along with parking, landscaping and use of existing access to the A21, with access considered. Mr M. Horley
RR/2021/2888/P (Delegation)	PEASMARSH: 1 Brickfield, Main Street, Peasmarsh Erection of a two-storey side extension over part of existing footprint to form 1 bedroom maisonette. Mr Peter Bedborough
RR/2021/2759/P (Delegation)	PEASMARSH: Partridge Farm, Starvecrow Lane, Peasmarsh Change of use of the building and land from holiday let accommodation to permanent dwelling. Mr and Mrs A. and W. Thomas
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/2020/2116/P
(Delegation) SEDLESCOMBE: The Croft, 'Aurora', Hurst Lane,
Sedlescombe
Construction of a dwelling house and associated
landscape and access works.
Mr & Mrs G.M. & V.G. Slowman

APPEALS PENDING

RR/2021/116/P
(Delegation) BATTLE: 85-86 High Street, Battle
Change of use of ground floor from disused shops to 2
holiday lets.
Crowhurst Farm Developments Ltd

RR/2021/1591/P
(Delegation) BATTLE: Telham Meadows, Hastings Road, Battle
Removal of existing structures and replace with
residential dwelling. Retrospective planning approval for
the siting of emergency temporary mobile home, minor
site clearance and drive widening. (Resubmission
following refusal of RR/2020/2510/P).
Ms Clare Gilchrist

RR/2020/1791/P
(Delegation) BEXHILL: 38 Thorne Crescent, Bexhill
Proposed rear extension at ground floor and first floor.
Mr Daniel Talbot

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/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/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/2020/512/P
(Delegation) EWHURST: Upper Morgay Wood, Junction Road,
Staplecross, Ewhurst

	Demolition of existing agricultural buildings and existing dwelling and replacement dwelling including extension of residential curtilage. Mr Paul Greenwood
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/2021/1174/P (Delegation)	HURST GREEN: 76 London Road, Ravynsden, Hurst Green Erection of double garage and domestic workshop with home office over. Mr Nicholas Meurice
RR/2021/1020/P (Committee - Decision)	ICKLESHAM: 6 Spring Steps, Winchelsea, Icklesham Proposed attic conversion and installation of 3no 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/2021/2164/P (Delegation)	MOUNTFIELD: 3 Church Cottages, Church Road, Mountfield Construction of replacement garage/carport Mr & Mrs C. Norman
RR/2019/2677/P (Non-determination)	NORTHIAM: Station Road - Land South of, Northiam Demolition of the existing marketing suite and erection of 2 x detached dwellings, car parking spaces, refuse and cycle stores. Persimmon Homes Ltd
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/2021/2467/P (Delegation)	NORTHIAM: Torphin, Station Road, Northiam New outbuilding to provide ancillary accommodation / annexe for disabled relative (retrospective). Mr E. Hatcher and Ms K. Russell

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/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/2021/559/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 & front porch. Mr Terry Creasy
RR/2019/2833/L (Non-determination)	SEDLSCOMBE: Beanford Farmhouse, New Road, Sedlescombe Alterations and conversion of existing outbuilding to form 4 No. holiday-lets. Mr & Mrs J. Ford
RR/2019/2832/P (Non-determination)	SEDLSCOMBE: 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/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 and Mrs W. Cornish
RR/2021/1094/O (Delegation)	WESTFIELD: Holland House, Hoads Farm, Moat Lane, Westfield Certificate of Lawfulness for an existing residential mobile home. Mrs S.A. Hawkins
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 and Mrs D. Ridler

RR/2021/1466/ENF
(Enforcement) Big Wood, Land to the East of London Road, Battle
Change of use from agriculture to residential and
operational development.
Mr Jordon Measom

APPEALS ALLOWED

RR/2020/1822/P
(Committee -
Decision) BURWASH: 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 and 10 (archaeology), 13
(levels) and 19 (landscaping).
Park Lane Homes (South East) Ltd

APPEALS DISMISSED

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/2021/382/P
(Delegation) IDEN: Sobraon, Church Lane, Iden
Alterations to existing dwelling, including replacing
existing single storey extensions with new single storey
extensions, new cladding and windows, and alteration of
roof form.
Mr Christopher Vane

RR/2019/2594/L
(Delegation) RYE: 18 Landgate, Rye
Renewal of roof. (Retrospective)
Mr Michael Ruse

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

APPEALS WITHDRAWN

NONE

FORTHCOMING HEARINGS/INQUIRIES

RR/2020/2418/P
(Delegation) BEXHILL: Beulah Baptist Church, Clifford Road, Clifford
Road
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
Informal Hearing on 15 June 2022
Council Chamber, Town Hall, Bexhill

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

FAIRLIGHT: Pett Level Road - Land South of, Fairlight Cove, Fairlight Cove
Outline: Development of up to 43 residential units (including 40% affordable), including new vehicular access from Pett level Road.
Wellbeck Strategic Land III
Informal Hearing on 19 July 2022
Council Chamber, Town Hall, Bexhill

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

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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