

PLANNING COMMITTEE

23 June 2022

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 23 June 2022 at 9:30am.

Committee Members present: Councillors J. Vine-Hall (Chair), S.M. Prochak, MBE (Vice-Chair), J. Barnes (substitute), Mrs M.L. Barnes, B.J. Drayson (substitute) (remote) (in part), S.J. Errington (in part), A.E. Ganly, P.J. Gray, L.M. Langlands, C.A. Madeley (in part), A.S. Mier, Rev. H.J. Norton and G.F. Stevens.

Other Members present: Councillors C.A. Clark (in part), K.P. Dixon (in part), K.M. Field (remote) (in part) and Mrs. E.M. Kirby-Green (in part).

Advisory Officers in attendance: Development Manager, Development Management Team Leader (in part), Development Management Team Leader, Senior Planning Officer (in part) and Democratic Services Officer.

Also Present: Felicity Thomas – Pallant Chambers (Legal) (in part), 30 members of the public in the Council Chamber and 83 via the live webcast.

PL22/17. MINUTES

(1)

The Chairman was authorised to sign the Minutes of the meeting held on 26 May 2022 as correct record of the proceedings.

PL22/18. APOLOGIES FOR ABSENCE AND SUBSTITUTES

(2)

Apologies for absence were received from Councillors T.J.C. Byrne, G.C. Curtis and K.M. Harmer (ex-officio).

It was noted that Councillor Drayson was present remotely as substitute for Councillor Byrne and Councillor J. Barnes was present as a substitute for Councillor Curtis.

PL22/19. DISCLOSURE OF INTEREST

(5)

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

J. Barnes	Agenda Items 9 & 10 – Personal Interest as Chairman of Etchingam Parish Council who had made a representation on the application but had taken no part in the discussions on the application.
-----------	---

Barnes	Agenda Items 9 & 10 – Personal Interest as a member of
--------	--

Etchingham Parish Council who had made a representation on the application but had taken no part in the discussions on the application.

Gray	Agenda Item 11 – Personal Interest as a member of Bexhill Heritage.
Langlands	Agenda Item 11 – Personal Interest as a member of Bexhill Heritage.
Madeley	Agenda Item 11 – Personal Interest as a member of Bexhill Heritage.
Prochak	Agenda Items 9 & 10 – Personal Interest as she was known to Martin Saunders, Liberal Democrat Candidate who was one of the signatories on the application.

PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

PL22/20. PLANNING APPLICATIONS - INDEX

(6)

Outline planning permissions are granted subject to approval by the Council of reserved matters before any development is commenced, which are layout, scale, appearance, access and landscaping. Unless otherwise stated, every planning permission or outline planning permission is granted subject to the development beginning within three years from the date of the permission. In regard to outline permissions, reserved matters application for approval must be made within three years from the date of the grant of outline permission; and the development to which the permission relates must begin no later than whichever is the later of the following dates: the expiration of three years from the date of the grant of outline permission or, the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matters to be approved.

In certain circumstances the Planning Committee will indicate that it is only prepared to grant or refuse planning permission if, or unless, certain amendments to a proposal are undertaken or subject to completion of outstanding consultations. In these circumstances the Director – Place and Climate Change can be given delegated authority to issue the decision of the Planning Committee once the requirements of the Committee have been satisfactorily complied with. A delegated decision does not mean that planning permission or refusal will automatically be issued. If there are consultation objections, difficulties, or negotiations are not satisfactorily concluded, then the application will have to be reported back to the Planning Committee. 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. Any applications which are considered prior to the expiry of the consultation reply period are automatically delegated for a decision.

RESOLVED: That the Planning Applications be determined as detailed below.

PL22/21. **RR/2020/2132/P - 29 SEABOURNE ROAD, BEXHILL**

(7)

DECISION: 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 works shall commence on site, including any vegetation clearance, 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 vegetation clearance, ground works or demolition) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall deal with the

treatment of any environmentally sensitive areas as well as detailing the works to be carried out showing how the environment will be protected during the works. The CEMP shall include details of the following:

1. the timing of the works including timings to avoid environmentally sensitive areas or features and the times when specialist ecologists need to be present on site to oversee works;
2. construction methods;
3. any necessary pollution protection methods; and
4. information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking.

The works shall be carried out in accordance with the approved CEMP.

Reason: A pre-commencement condition is necessary to ensure that the environmental impacts of construction are identified and agreed before works take place in order to prevent or minimise their impacts on the environment, in accordance with Policies OSS4 (ii & iii) and EN5 (viii) of the Rother Local Plan Core Strategy 2014 and Policy DEN4 of the Development and Site Allocations Local Plan 2019.

5. No works shall commence on site, including any vegetation clearance, 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.

6. No works shall commence on site, including any vegetation clearance, 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.

7. No works shall commence on site, including any vegetation clearance, ground works or works of demolition until a Landscape and Ecological Management Plan (LEMP) for the 5m wide badger/biodiversity habitat area has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) 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.

8. No works shall commence on site, including any vegetation clearance, ground works or works of demolition, until a badger corridor has been created along the western boundary of the site, in accordance with details (including a scale plan identifying the corridor) which have first been submitted to and approved in writing

by the Local Planning Authority. The approved badger corridor 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.

9. No works shall commence on site, including any vegetation clearance, ground works or works of demolition, until details of the following have been submitted to and approved in writing by the Local Planning Authority (LPA), and the development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the LPA:

- a) badger proofing barriers (including a plan indicating the positions of the badger proofing barriers).
- b) timetable for installing the badger proofing barriers.

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.

10. 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.

11. 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:

- a) manufacturer's/supplier's specifications of external facing materials.
- b) manufacturer's/supplier's specifications of hard-surfacing materials.
- c) boundary treatment (including a plan indicating the positions, design, height, materials and type of boundary treatment to be erected).
- d) 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.

12. 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.

13. 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 5 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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 and 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.

20. 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.

21. 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.

PL22/22. **RR/2022/240/P - BATTLE GREAT BARN, LAND ADJACENT TO MARLEY LANE**

(8)

DECISION: REFUSE (FULL PLANNING)

REASONS FOR REFUSAL:

1. The site lies outside of the defined development boundary for Battle as set out in the Battle Civil Parish Neighbourhood Plan (BCPNP). The proposal would conflict with the overall spatial strategy set out in Policies OSS2, OSS3 and BA1 of the Rother Local Plan Core Strategy and Policies HD1 (development boundaries) and HD2 (site allocations) of the BCPNP, which seek opportunities within the development boundary of the town. The site is 0.8km from the edge of Battle and fails to meet the spatial strategy policy requirements of the district. In addition, the proposed development does not meet any of the exceptions for providing new dwellings in the countryside under Policy RA3 (iii) of the Rother Local Plan Core Strategy or those for isolated new homes listed in paragraph 80 of the National Planning Policy Framework.
2. The application site is part of a lawned field which contributes positively to the rural character of its surroundings. The proposed dwelling would have an urbanising impact, with associated driveway and parking area, together with inevitable external domestic paraphernalia. The development would represent an unjustified intrusion of residential development in a rural, countryside setting which would fail to conserve or enhance the landscape and scenic beauty of the High Weald AONB, contrary to Policies OSS4 (iii), BA1 (i), RA2 (viii), RA3 (v) and EN1 (i) (v) of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the Development and

Sites Allocation Local Plan (2019), Policies HD5, HD7 and EN3 of the BCPNP and paragraph 176 of the National Planning Policy Framework.

3. The site lies within an unsustainable countryside location where occupiers of the development would be highly reliant on private motor vehicles and would not be able to make the fullest possible use of public transport, walking and cycling to access local services and facilities. The development is contrary to Policies PC1, OSS3 (v), SRM1 (vii) and TR3 of the Rother Local Plan Core Strategy (2014), Policy IN4 of the Battle Civil Parish Neighbourhood Plan and paragraphs 8 and 110 (a) of the National Planning Policy Framework which seek to minimise the need to travel and to support the transition to a low carbon future.
4. 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 the incorporation of a new man-made feature into the landscape within the setting of the Grade II listed Battle Great Barn. The change to the landscape would erode and cause harm to the rural setting of the listed barn currently characterised by open lawns and fields to either side, which gives it a spacious and isolated feel, adversely affecting 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 Policy EN2 of the Rother Local Plan Core Strategy, Policy EN4 of the Battle Civic Parish Neighbourhood Plan and paragraphs 197 and 199 of the National Planning Policy Framework.
5. The first-floor window on the northern side elevation would directly overlook the rear garden of the neighbouring property 'Windy Ridge' to an unacceptable extent and would adversely impact on the living conditions of the occupiers' contrary to Policy OSS4 (ii) of the Rother Local Plan Core Strategy.
6. The development would be served by vehicular access with substandard visibility splays in the south direction due to the alignment of the road. The proposed development would result in additional vehicle movements to and from the site which would prejudice highway safety, contrary to Policy CO6 (ii) of the Rother Local Plan Core Strategy.

NOTE:

1. This decision notice relates to the following set of plans:
Site Block Plan, Drawing No. NH001/03, dated Jan 2022
Proposed Site Plan and Sections, Drawing No. NH001/02, dated Jan 2022
Proposed Elevations and Floor Plans, Drawing No. NH001/02, dated Jan 2022
Proposed Landscaping Plan, Drawing No. NH001/05, dated Jan 2022
Proposed Drainage Strategy, Drawing No. NH001/06, dated Jan 2022

Proposed Visibility Splays, Drawing No. NH001/07, dated Jan 2022
Heritage Statement
Design and Access Statement
Planning Statement
Landscaping Details
Assessment of Significance

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the 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.

PL22/23. **RR/2021/1573/P - NEW HOUSE FARM, SHEEPSTREET LANE, ETCHINGHAM**

(9)

DECISION: GRANT (FULL PLANNING) TEMPORARY UNTIL DECEMBER 2023

CONDITIONS:

1. The use hereby permitted shall be discontinued and the land and buildings restored to their former condition and use, on or before 31 December 2023 in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

Reason: The use is potentially detrimental to the amenities of the adjacent and nearby properties and the surrounding tranquil rural area within the countryside of the High Weald Area of Outstanding Natural Beauty and this permission is granted temporarily to enable the Local Planning Authority to monitor and assess the effects of the proposal, having regard to the criteria set out in Policies OSS4 and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:

- a) DGC-22062-09, dated 09/03/2022, in so far as it identifies the buildings, areas and parking locations only.
- b) DGC-22062-07 dated 13/12/2021
- c) DGC-22062-08 dated 13/12/2021
- d) DGC-22062-02 Rev.A dated 21.12.2021
- e) DGC-22062-03 Rev.A dated 21.12.2021
- f) DGC-22062-05 Rev.B dated 21.12.2021
- g) DGC-22062-06 dated 27/05/2021
- h) DGC-22062/CU/100 Rev.A dated 21.12.2021

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The use of the site is hereby approved for holiday lets only and by resident guests only, with exception of the house and its gardens when in use as a family home by the owner/occupier.
Reason: To preclude excessive noise, activity, numbers of vehicles and general disturbance at the site, and to limit the number of visitors to the site to protect the residential amenities of the immediate neighbours and wider locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii), EN1 and TR4 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
4. Within one month of the date of this decision, details shall be submitted to the Local Planning Authority for the removal of the black plastic sheeting along the east side boundary between the swimming pool and neighbouring property and for its replacement with an acoustic barrier for approval details for the barrier to require that:
- The barrier should be pool side of the line of conifers along the Eastern side of the pool area.
 - The barrier should be 1.8m to 2m high above the poolside ground level extending from the existing brick wall at the northern tip of the pool area, along the NNE side extending past the pool pump housing at least to the hedge on the SSE side of the area.
 - Details of the proposed acoustic fence, including its surface mass and details of boarding.
- The approved details shall be implemented within one month of the date of the approval of the said details.
Reason: To preclude excessive noise and general disturbance at the site to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
5. The curtilage listed barn as hereby permitted shall only be used ancillary to the holiday lets only and by resident guests only.
Reason: To preclude excessive noise, activity, numbers of vehicles and general disturbance at the site, and to limit the number of visitors to the site to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
6. No amplified music shall be played in any external areas or in any guest sleeping accommodation and no live bands, soloists, music groups or DJs shall be permitted to perform on site. The use of Public Address system to amplify speech is not permitted on site.
Reason: To preclude excessive noise and general disturbance at the site to protect the residential amenities of the locality and the

tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

7. The only use of amplified music on site shall be played within the curtilage listed barn through the limiter installed in the barn. The following sound levels and details apply to use of amplified music here:

- a) Sound levels of amplified music played through the limiter in the barn, measured 3m directly in front of the entrance to the barn and 1.5m above ground level, with all doors and windows closed, shall not exceed background sound levels ($LA_{90,15min}$) measured at the same location, within the same hour, when the music is turned off and the doors and windows of the long barn are closed.
- b) Sound levels (dB) of the Octave Band Centre Frequencies 63Hz to 500Hz, of music played through the limiter in the Long Barn, when measured 3m directly in front of the entrance to the long barn and 1.5m above ground level, with doors and windows closed, shall match or be lower than the levels measured at the same location, within the same hour, when the music is turned off and the doors and windows of the long barn are closed. Measurements of Octave Band Centre Frequencies shall be undertaken over a 15 minute period.
- c) The door to the long barn shall be kept closed at all times except for access and egress.
- d) Windows to the long barn shall always be kept closed.

Reason: To protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

8. No sound systems shall be operational on site.

Reason: To protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

9. There shall be no activity in the pool area (zone G) before 09:00 of after 20:00 hours.

Reason: To preclude excessive noise and general disturbance at the site to protect the residential amenities of the neighbouring property and surrounding locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

10. All external caterers must use the kitchen facilities provided on site. External caterers must not bring generators onto site. Catering vans are not permitted.
Reason: To control external activity, noise and general disturbance to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
11. Wedding ceremonies and wedding receptions are not permitted on site.
Reason: To control external activity, noise and general disturbance to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty and having regard to the limited space for the parking and turning of vehicles, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
12. The parking and turning areas within the site and as set out on approved Drawing No. DGC-22062-09, dated 09/03/2022 shall be used by the occupiers of the site and the area[s] shall thereafter be retained for that use and shall not be used other than for the parking and turning of motor vehicles.
Reason: To provide on-site parking and turning areas to ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the highway in accordance with Policy TR4 of the Rother Local Plan Core Strategy.
13. The managers' flat hereby permitted within the main dwelling, shall only be occupied as additional accommodation (an annexe) to the main dwelling, New House Farm, and shall not be occupied by any person who is not a manager of the holiday accommodation within the site or is a member of the family (as defined by section 186 of the Housing Act 1985 or in any provision equivalent to any re-enactment of that Act) residing in the family dwelling.
Reason: To ensure that the approved managers' flat is retained for the operation and management of the site and that it is not used for unauthorised permanent separate residential occupation in accordance with Policies OSS4 (iii) and RA3 of the Rother Local Plan Core Strategy.
14. The manager shall be on site or contactable by nearby residents during the stay of guests. For clarification, the manager's contact details shall be provided to all neighbours within 500m of New House Farm and they shall be contactable during the period that guests are on site.
Reason: To ensure on-site presence of a manager to manage the site and to control external activity, noise and general disturbance to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty and having regard to the limited space for the

parking and turning of vehicles, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

15. No floodlighting or other external means of illumination of the site shall be provided, installed or operated at the site without a further planning permission.

Reason: To prevent light pollution and obtrusive lighting to safeguard the special landscape character, including dark skies and ecology of the countryside area within the High Weald Area of Outstanding Natural Beauty and in the interests of the amenities of adjoining residents, in accordance with Policies OSS4 (ii) (iii), RA3 (v) and EN1 of the Rother Local Plan core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

NOTES:

1. Your attention is drawn to the associated listed building consent RR/2021/1574/L and the attached conditions.
2. The developer is advised that any other structures or buildings proposed to be erected anywhere within the application site would require a specific planning permission.
3. The Applicant is reminded that this permission is for holiday let use only and does not permit the holding of any events being sought within the application documents.

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.

(Councillor J. Barnes declared a Personal Interest in so far as he was the Chairman of Etchingam Parish Council who had made a representation on the application, but he had not taken part in the discussions regarding the application and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

(Councillor Mrs Barnes declared a Personal Interest in so far as she was a member of Etchingam Parish Council who had made a representation on the application, but she had not taken part in the discussions regarding the application and in accordance with the

Members' Code of Conduct remained in the meeting during the consideration thereof).

(Councillor Prochak declared a Personal Interest in so far as she was known to Martin Saunders, Liberal Democrat Candidate who was one of the signatories of the application and in accordance with the Member's Code of Conduct remained in the meeting during the consideration thereof).

PL22/24. **RR/2021/1574/L - NEW HOUSE FARM, SHEEPSTREET LANE, ETCHINGHAM**

(10)

DECISION: DEFERRED

Due to time constraints and the length of time of the meeting, the Planning Committee agreed that Application No. RR/2021/1574/L be deferred until the next meeting scheduled to be held on 21 July 2022 to allow all the registered speakers to address the committee.

PL22/25. **RR/2022/289/L - SHELTER NUMBER 1, EAST PARADE, BEXHILL**

(11)

DECISION: GRANT (LISTED BUILDING CONSENT)

CONDITIONS:

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.
Reason: In accordance with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Location Plan; Submitted with the application
Elevation and Plan View Drawing; submitted via email dated 20 May 2022
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described within the application, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the historic fabric and the special architectural and historic character of the Listed Building in accordance with Policy EN2 of the Rother Local Plan Core Strategy (2014).

(Councillors Gray, Langlands and Madeley each declared a Personal Interest in so far as they were members of Bexhill Heritage and in

accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

PL22/26. **RR/2022/602/P - 22 CRANSTON AVENUE, BEXHILL**

(12)

DECISION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Site Location Plan, Drawing No. 21.391/01, dated March 2022,
Proposed Block Plan, Elevations and Floor Plan, Drawing No. 21.391/02, dated March 2022.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in materials, colour and texture those used in the existing building unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.
Reason: To maintain the characteristics of the existing building in accordance with Policies OSS4 (iii) of the Rother Local Plan Core Strategy.

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.

PL22/27. **RR/2022/497/P - 2 WOODSIDE, PETT ROAD, PETT**

(13)

DECISION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004)

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Site Plans & Elevations, Drawing No. 21_63-10 Rev A dated 30.5.2022

Proposed Outbuilding Drawings Drawing No. 21_63-15 Rev A dated 30.5.2022

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the building hereby permitted shall be as submitted on Drawing No. 21_63-15 Rev A dated 28/4/22 unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is in character with its surroundings in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy and Policy DHG9(ii) of the Rother Development and Site Allocations Plan.

4. The outbuilding hereby permitted shall only be used for incidental uses in association with the existing dwelling and shall not be used as habitable accommodation or a separate dwelling unit.

Reason: In the interests of protecting the character of the area and protecting the residential amenities of neighbouring properties and precluding the creation of a new dwelling, in accordance with Policies OSS4 (ii) (iii) of the Rother Local Plan Core Strategy and DGH9 of the Development and site Allocations Local Plan.

5. No external lighting shall be provided or installed on the outbuilding hereby approved unless full details have been submitted to and approved in writing by the Local Planning Authority. Any external lighting shall be installed and thereafter retained in accordance with the approved details.

Reason: To prevent light pollution and to protect the dark night skies and local ecology of the surrounding countryside, in accordance with Policies EN1 and EN5 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN7 of the Development and Site allocations Local Plan.

NOTE:

1. You are advised that the Planning Committee would welcome the addition of a green roof and solar panels to the outbuilding and would encourage you to give consideration to the addition of these elements.

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.

PL22/28. APPEALS

(14)

Members noted the report on Appeals that had been started, allowed or dismissed since the Committee's last meeting, together with the list of forthcoming Hearings and Inquiries.

Assurance was given that multiple and persistent applications / appeals by the same applicant was being monitored and action would be taken, where and when appropriate.

RESOLVED: That the report be noted.

PL22/29. TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS

(15)

The next site inspection was scheduled to be held on Tuesday 19 July 2022 at 9:00am departing from the Town Hall, Bexhill.

CHAIR

The meeting closed at 2:46pm