

PLANNING COMMITTEE

1 September 2022

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 1 September 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, T.J.C. Byrne (substitute), B.J. Drayson, A.E. Ganly, N. Gordon, P.J. Gray, L.M. Langlands, C.A. Madeley and Rev. H.J. Norton.

Other Members present: Councillors C.A. Bayliss (in part) (remote), P.C. Courtel (in part), C.R. Maynard (in part) and D.B. Oliver (in part) (remote).

Advisory Officers in attendance: Director – Place and Climate Change (in part), Development Manager, Planning Lawyer, Planning Consultant (in part), Conservation Officer (in part), Senior Planning Officer (in part) and Democratic Services Officer.

Also Present: 16 members of the public in the Council Chamber and 44 via the live webcast.

The Chair advised that this would be Councillor Langlands last meeting as a substantive Member of the Planning Committee and on behalf of the Planning Committee he thanked her for her contribution.

COUNCILLOR PROCHAK IN THE CHAIR

PL22/47. **MINUTES**

(1)

Subject to the following additions/amendments in respect of RR/2022/840/P – Land at Beech Farm, Hawkhurst Road, Sedlescombe, RR/2022/1219/P – Pepperpot Barn, Carrisk Hill and RR/2022/1232/P – 3 Virgins Croft, Battle, the Vice-Chair was authorised to sign the Minutes of the meeting held on 21 July 2022 as a correct record of the proceedings:

RR/2022/840/P – Decision to be reworded, as follows: APPROVE (FULL PLANNING) SUBJECT TO CONDITIONS DELEGATED TO OFFICERS.

Paragraph 1 first sentence the word “neutral” to be replaced with “negative”.

Paragraph 4 remove the words “(kit or not)”.

Paragraph 5 to be replaced with the following: “Councillor Gray suggested that the application proposals did meet the terms of Part E of Paragraph of the NPPF, which was a material consideration in

respect of this application. In her view the scheme, did meet a truly outstanding standard of design, through its form, based on the shape of historic barns. The materials, appearance and function, achieving carbon negative standard would be achieved. It was also clear that, due to the method of construction and affordability, the proposals could act to raise design standards locally, thus contributing to the aim of achieving sustainable development and addressing the climate emergency. The design could also be considered on a site wide basis where it had been demonstrated that the scheme would restore and enhance the character of the High Weald landscape and net gains in biodiversity within the wider site, thus enhancing its setting and would be sensitive to the local area as acknowledged by the High Weald AONB Unit advice. The live work arrangement of the proposals, and the improved highway safety were further material considerations in favour of the development and when considered, in light of, the Council's current housing supply shortfall, an approval was considered to be justified subject to the imposition of suitable conditions and securing the long-term landscape and ecology benefits. It was agreed by the Vice-Chair that this, as well as it being an exemplar design were the reasons for recommending approval contrary to officer recommendation."

Paragraph 6 remove the words "subject to the signing of a legal agreement for the provision of a financial contribution in lieu of affordable housing."

RR/2022/1219/P – Add an additional two paragraphs after second paragraph, as follows: "There was discussion with regard to Paragraph 85 of the NPPF which required recognition that sites to meet local business and community needs in rural areas might have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances, it would be important to ensure that development was sensitive to its surroundings, did not have an unacceptable impact on local roads and exploited any opportunities to make a location more sustainable (e.g. by improving the scope for access on foot, by cycling or public transport). The use of previously developed land, and sites that were physically well-related to existing settlements, should be encouraged where suitable opportunities exist."

Officers reminded Members that this paragraph of the NPPF was in relation to building strong and effective economies, not housing and as such could not be used to justify the proposed development."

Paragraph 3 to remove "and paragraph 80 of the NPPF" at the end of the first sentence.

Paragraph 4 to be reworded, as follows: "Therefore, it was resolved by the Planning Committee to grant full planning permission subject to the inclusion of relevant standard conditions (delegated to officers to consider in consultation with and subject to the agreement of the Vice-Chair) including the removal of permitted development rights and that the permission included the continuation of the carpentry business."

RR/2022/1232/P – Paragraph 4 to be reworded, as follows: “Therefore, the Planning Committee resolved to grant full planning permission in accordance with the approved plans and subject to the inclusion of relevant standards conditions (delegated to officers to consider in consultation with and subject to the agreement of the Vice-Chair) including the use of relevant (in-keeping) materials.”

(Councillor Vine-Hall declared a Disclosable Pecuniary Interest regarding Minute Reference PL22/36 in so far as he was the Applicant and in accordance with the Members’ Code of Conduct left the room during the consideration thereof).

COUNCILLOR VINE-HALL IN THE CHAIR

PL22/48. APOLOGIES FOR ABSENCE AND SUBSTITUTES

(2)

Apologies for absence were received from Councillors G.C. Curtis, S.J. Errington, K.M. Harmer (ex-officio), A.S. Mier and G.F. Stevens.

It was noted that Councillors J. Barnes and Byrne were present as substitutes for Councillors Stevens and Errington respectively.

PL22/49. DISCLOSURE OF INTEREST

(5)

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

J. Barnes Agenda Item 9 – Personal Interest as until quite recently he was Vice-Chair of Friends of Rye Harbour.

Langlands Agenda Item 11 – Personal and Prejudicial Interest as Trustee of Community Support Group who were backing the project.

Vine-Hall Agenda Item 1 – Disclosable Pecuniary Interest as the Applicant of RR/2022/840/P – Land at Beech Farm.

PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

PL22/50. 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.

PL22/51. **RR/2021/2804/P - VILLA FLAIR, UNION STREET, FLIMWELL, TICEHURST**

(7)

RM
DECISION: REFUSE (FULL PLANNING)

The Planning Committee had visited the site which was for the erection of a detached 3-bedroom bungalow, a detached outbuilding and double garage together with associated hardstanding, plus a turning area for access on to the B2087. The proposed property related to a parcel of land on the south side of Union Street, which would be enclosed by road-fronted dwellings to the north, dwellings to the east and an established tree-line along the southern boundary. Access would be via an existing point between two dwellings. The site was adjacent to, but outside the development boundary as defined in the Ticehurst Neighbourhood Plan. It was noted that the site had a history of refused planning applications for new dwellings in the 1960s and 70s. The officer's opinion was that the proposed development would not have an adverse impact, significant benefits would be realised should the application be granted full planning permission and contributed towards the Council's housing supply shortfall.

The Planning Committee heard from one spokesperson representing those objecting to the scheme, a representative of Ticehurst Parish Council who were not supportive of the scheme and the Applicant's Agent, as well as one of the local Ward Members. Consideration was also given to the comments made by the statutory and non-statutory bodies as detailed within the report.

Members asked a series of questions in relation to several issues, these included: ownership of the land (covenants); access rights of the access road; narrowness of the existing access particularly for emergency vehicles; highway safety issues particularly increased traffic movements on a multiple speed limit road, which had minimal footpaths; sustainability / green credentials of the development; damage to the boundary trees; outside the development boundary; potential of increased backland development; limited amenities within the area and limited public transport services; privacy for the neighbouring properties; visual splay and landscaping; impact on the High Weald Area of Outstanding Natural Beauty (AONB); and potential harm / creation of an artificial hard edge to the village.

After deliberation, the Planning Committee felt that due to the proposed development's scale this would cause harm to the High Weald AONB contrary to Policies OSS4 and EN1 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan. It was situated outside the development boundary and was not accessible to local amenities. It was inappropriate development within the countryside contrary to Policies OSS2, RA2, RA3 of the Rother Local Plan Core Strategy. Therefore, the Planning Committee resolved to refuse full planning permission.

Councillor J. Barnes moved the motion to REFUSE (Full Planning) and this was seconded by Councillor Drayson. The motion was declared CARRIED (8 for / 4 against).

REASON FOR REFUSAL:

1. The proposed development is situated outside the development boundary and is not accessible located to access services and facilities. As such it is inappropriate development in the countryside contrary to Policies OSS2, RA2 R3 of the Rother Local Plan Core Strategy. The proposed development due to its scale would result in harm to the High Weald Area of Outstanding Natural Beauty contrary to Policies OSS4 and EN1 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan.

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 refuse planning permission for the reasons set out above.

PL22/52.

RR/2022/1113/P - 1 STABLEFIELDS – LAND AT COTTAGE LANE, WESTFIELD

(8)

DECISION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission **RR/2021/1197/P dated 10 February 2022**, i.e. before 10 February 2025.

Reason: This permission is granted pursuant to planning permission RR/2021/1197/P dated 10 February 2022 Under Section 73 of the Town and Country Planning Act 1990 the Council has considered the conditions subject to which the previous planning permission was granted and confirms that the conditions and associated reasons remain pertinent and are re-imposed, apart from as varied by this permission.

Condition 2 is varied as follows:

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

Detailed on RR/2021/1197/P

Existing Layout Plan, Drawing No. 6760/EX, dated January 2021

Detailed on RR/2022/1113/P

Proposed Location Block Plan, Drawing No. 6760/200/LBP, dated April 2022

Amended Proposed Block Plan, Drawing No. 6760/200/2/A, dated June 2022

Proposed Elevations and Block Plan, Drawing No. 6760/200/1/A, dated April 2022

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

The following conditions remain extant:

3. No development above ground level of the site shall take place until samples of the materials to be used in construction of the dwelling have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is in character with its surroundings and to maintain the visual amenities of the locality in accordance with Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy.

4. The development shall not be occupied until the boundary walls and fences shown on the permitted plans have been constructed. They shall thereafter be retained in accordance with the approved details.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting this Order with or without modification), the garage hereby approved shall be retained for

such use and shall not be altered internally or externally for use as habitable accommodation.

Reason: To ensure a satisfactory level of off-road parking facilities so as not to prejudice the free flow of traffic and conditions of general safety along the highway and to preclude the creation of a separate dwelling and to accord with Policy TR4 and RA3 of the Rother Local Plan Core Strategy.

6. Prior to occupation of the development hereby permitted, the reconstructed access shall be in the position shown on the submitted plan and laid out and constructed in accordance with the attached HT407 form and all works undertaken shall be executed and completed by the Applicant to the satisfaction of the Local Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.

7. The access shall not be used until visibility splays of 2.4m by 43m are provided in both directions and maintained thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.

8. No part of the development shall be first occupied until pedestrian visibility splays of 2m x 2m have been provided either side of the proposed site vehicular access onto Cottage Lane. These visibility splays shall thereafter be kept free of all obstructions over a height of 600mm.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.

9. The gate shall be positioned at least 5.5m back from the edge of the highway (and open inwards) in order that a vehicle may wait clear of the highway whilst the gate is being operated.

Reason: To ensure that the use of the highway by persons and vehicles is not obstructed by waiting vehicles in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.

10. The development shall not be occupied until parking area have been provided in accordance with the approved plans which has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.

11. The development shall not be occupied until cycle parking areas have been provided in accordance with the details which have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.

12. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plan which has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.

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

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

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

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

NOTES:

1. The development is subject to the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision. All interested parties are referred to <http://www.rother.gov.uk/CIL> for further information and the charging schedule.

2. The landowner and/or developer should take all relevant precautions to minimise the potential for disturbance to adjoining occupiers from noise and dust during the construction period.
3. The Applicant is advised that it is their responsibility to notify their Building Control Body (Local Authority or Approved Inspector) that conditions triggering the optional technical standards for Water Efficiency and Accessibility are attached to this planning permission and that development should be built accordingly. Enforcement action may be taken without further notice if the relevant standards are not achieved

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.

PL22/53.

RR/2022/463/P - FRENCHMAN'S BEACH HOLIDAY VILLAGE, RYE HARBOUR ROAD, ICKLESHAM

(9)

DECISION: GRANT (FULL PLANNING PERMISSION)

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; Drawing No. 3105.00.01 Rev 01 dated 11.10.21
Proposed Site Plan; Drawing No. 3105.05.01 Rev 01 dated 11.10.21
Proposed Ground Floor Plan; Drawing No. 3105.06.00 dated Jul' 21
Proposed Roof Plan; Drawing No. 3105.07.00 dated Jul' 21
Proposed Elevations; Drawing No. 3105.08.00 dated Jul' 21
Landscape Statement by Enzygo Environmental Consultants (February 2022)
National Planning Policy Framework: Flood Risk Assessment by Enzygo Environmental Consultants (July 2021)
Supporting Statement including Planning Statement by Rural & Urban Planning Consultancy (February 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 those detailed in the submitted application, unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the development reflects the character and/or appearance of the existing building and to preserve the visual amenities of the area in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy.
4. No development above ground level at the site shall take place until the hard and soft landscaping details including details of 10 No. new trees to be planted as specified within the submitted Landscape Statement (February 2022) have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.
Reason: To ensure the development has a satisfactory appearance in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.
5. If within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted, destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
Reason: To ensure the ongoing enhancement of the development in accordance with Policies OSS4 (iii) and EN3 (ii) (e) of the Rother Local Plan Core Strategy.
6. The development shall be carried out in accordance with the Mitigation Measures contained within the Landscape Statement (February 2022). The mitigation measures identified in the statement shall be implemented in full prior to the buildings being brought into use.
Reason: To ensure the ongoing enhancement of the development in accordance with Policies OSS4 (iii) and EN3 (ii) (e) of the Rother Local Plan Core Strategy.
7. The development shall be carried out in accordance with the Mitigation Measures contained within the National Planning Policy Framework: Flood Risk Assessment (July 2021). The mitigation measures identified in the assessment shall be implemented in full prior to the buildings being brought into use.
Reason: To reduce the risk of flooding having regard to Policy EN7 of the Rother Local Plan Core Strategy.
8. Unless otherwise agreed in writing by the Local Planning Authority, in accordance with the conditions attached to the Premises License issued under the Licensing Act 2003 for activities of regulated entertainment the clubhouse shall not be open to customers outside the following times 10:00 to 23:00 Sunday to Thursday and 10:00 to 02:00 Friday and Saturday.

Reason: To protect the amenity of the locality in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy, Policy DEN7 of the Rother Development and Site Allocations Local Plan and Paragraph 185 of the National Planning Policy Framework.

9. Amplified music, other entertainment noise and/or the public address system shall be restricted to a maximum of 40 dBLA90 as measured at any point along the north west boundary of the car part (north west of Martello Tower), 3.5m inside the fence and shall be controlled by volume limiting device to be agreed with the Local Planning Authority. Should the use of the device alone not be sufficient to attain the specified noise level, then a scheme for soundproofing of the buildings shall be submitted to and approved by the Local Planning Authority. The use of the premises shall not commence until all soundproofing works have been carried out to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity of the locality in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy, Policy DEN7 of the Rother Development and Site Allocations Local Plan and Paragraph 185 of the National Planning Policy Framework.

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.

(When it first became apparent, Councillor J. Barnes declared as Personal Interest in this matter as he was until quite recently Vice-Chair of Friends of Rye Harbour and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PL22/54.

RR/2022/64/P - 49 & 49A DEVONSHIRE ROAD, BEXHILL

(10)

DECISION: REFUSE (FULL PLANNING) PERMISSION

REASON FOR REFUSAL:

1. The proposed replacement windows would be harmful to the character and appearance of the Bexhill Town Centre Conservation Area failing to preserve or enhance it. The proposed is therefore contrary to Policies EN2 and BX2 of the Rother Local Plan Core Strategy, as well as to the statutory duty conferred on local planning authorities in the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as the Framework which places weight on preserving or enhancing the character or appearance of that area.

NOTE:

1. The refusal relates to the plans:
1135 - LBP The Location and Block Plan, received 13.1.2022
1135 - 2 Proposed Window and Door Details, received 13.1.22
1135 - 3 Joinery Details, received 13.1.22
1135 - 1 Plans and Elevations, received 13.1.22
1135 - Ex Existing Plans and Elevations, received 13.1.22
Amended drawing Heritage Rose design, received 17.5.22

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 discussing those with the Agent. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm, which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

PL22/55. **RR/2022/1325/P - WEST PARADE, BEXHILL**

(11)

DECISION: GRANT

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, Drawing No. BG/LP, dated May 2022
Beach Garden & WC Plan, Drawing No. BG/001, dated May 2022
Elevations Ramp & WC, Drawing No. BG/002, dated May 2022
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the disabled WC hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure that the development reflects the character and/or appearance of the existing building and to preserve the visual amenities of the area in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy and Policy DHG9(ii) of the Rother Development and Site Allocations Local Plan.

4. No development above ground level shall take place on any part of the site until the full soft landscaping details have been submitted to and approved by the Local Planning Authority, which shall include:
 - a. planting plans; ensuring no non-native species are included;
 - b. written specifications (including cultivation and other operations associated with plant and grass establishment);
 - c. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
 - d. implementation programme.

Reason: To ensure the creation of a high quality public realm and landscape setting in accordance with Policies OSS4 (iii) and EN3 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.

(Councillor Langlands declared a Personal and Prejudicial Interest in this matter in so far as she was Trustee of Community Support Groups who were backing the project and in accordance with the Members' Code of Conduct left the room during the consideration thereof, after addressing the Planning Committee in accordance with the public speaking scheme).

PL22/56.

RR/2022/925/P - 4 THE CLOSE, ROSEWAYS, FAIRLIGHT

(12)

RM

DECISION: APPROVE (FULL PLANNING)

Members had visited the site which was a proposal to remodel an existing chalet style property into a contemporary designed family home with a new detached garage/workshop and driveway, with boundary treatments and landscaping, using sustainable materials to improve the thermal efficiency of the building e.g. solar panels, air source heat pumps, green roof areas etc. The property was located near to the Hastings Country Park, was situated on a sloping plot that fell away from north west to south east which set the dwelling lower than the street level. The site was outside the development boundary and the High Weald Area of Outstanding Natural Beauty but was within a Strategic Gap as defined in the Development and Site Allocations Local Plan (DaSA). The officer's opinion was that the proposed development did not comply with the Council's Local Plan Core Strategy (Policies OSS3(vi), OSS4(iii), RA1(i), RA3(iv) and EN3(i & ii), DaSA (Policies DHG9(ii & iii & iv) and DEN1 or paragraph 130 of the National Planning Policy Framework (NPPF).

The Planning Committee heard from the Applicant who outlined the site history, provided details of the application, materials to be used, details of the designs of the neighbouring properties and referred to No. 1 The Close which was of modernistic design. Consideration was given to the comments of the Local Ward Member (which was read out by the Chair) and Fairlight Parish Council, as well as the statutory and non-statutory bodies as detailed within the report.

After deliberation, the Planning Committee felt that the proposed contemporary design was innovative, of high quality, enhanced the host building, would not be out of character with the neighbouring properties, as No. 1 The Close was of a modernistic design. There was no cohesive “sense of place” as the properties were of all different designs and some already had flat roofed extensions. The property was located within a relatively low-lying area and the height would not be domineering or block the neighbours’ views, therefore would have a positive impact on the streetscene. Sustainable and energy efficient materials / products would be used. Concern was raised regarding the size of the concrete terrace and the impact on the trees and ecological character of the garden. It was recommended that an additional condition be added that prior to the commencement of the development details of the terrace (including materials to be used) be provided to the Local Planning Authority.

The Planning Committee felt that the proposed development complied with Policies OSS4 and EN3 of the Rother Local Plan Core Strategy and DHG9 of the DaSA and resolved to grant full planning permission subject to the inclusion of relevant standard conditions (delegated to officers to consider in consultation with and subject to the agreement of the Chair) including the removal of permitted development rights, plus the inclusion of the condition regarding the terrace.

Councillor Prochak moved the motion to APPROVE (Full Planning) and this was seconded by Councillor Drayson. The motion was declared CARRIED (unanimous).

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 00821_PL_50 dated 12.4.22
Proposed Floor Plans 00821_PL_225, 00821_PL_226, 00821_PL_227 dated 12.4.22
Proposed elevations 00821_PL_35(Front), 00821_PL_351Elevation (Side) dated 12.4.122
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 those detailed in the submitted application, unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the development reflects the character and/or appearance of the existing building and to preserve the visual amenities of the area in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy.
4. Notwithstanding the approved plans submitted, no work above ground level at the site shall take place full details of the proposed rear terrace shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, footprint, floor. Height and proposed materials and include elevation plans. The approved works shall be implemented in accordance with the approve details and retained thereafter.
Reason: To ensure the development has a satisfactory appearance and impact on the residential amenity of the occupiers of the adjoining properties in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting this Order with or without modification), the garage hereby approved shall be retained for such use and shall not be altered internally or externally for use as habitable accommodation.
Reason: To ensure a satisfactory level of off-road parking facilities so as not to prejudice the free flow of traffic and conditions of general safety along the highway and to preclude the creation of a separate dwelling and to accord with Policy TR4 and RA3 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.

PL22/57.

PLANNING STATISTICS FOR THE QUARTER APRIL – JUNE 2022 (1ST QUARTER) INCLUDING SUMMARY OF PLANNING STATISTICS FOR 2020-2023

(13)

Consideration was given to the report of the Director – Place and Climate Change on the planning statistics for the quarter April to June 2022 which included a summary of planning statistics for 2020/23.

The backlog of work was reducing which was attributed to the re-introduction of pre-application advice service. Focus would continue to manage all cases and monitoring would be ongoing.

Members paid tribute to the Development Manager and his Teams for their hard work in processing applications and the work of the Enforcement Team in reducing the length of time that enforcement matters were dealt with and resolved.

RESOLVED: That the report be noted.

PL22/58. **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.

RESOLVED: That the report be noted.

PL22/59. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**

(15)

The next site inspection was scheduled to be held on Tuesday 11 October 2022 at 9:00am departing from the Town Hall, Bexhill.

CHAIR

The meeting closed at 3:10pm.