

**PLANNING COMMITTEE**

15 December 2022

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 15 December 2022 at 9:34am.

Committee Members present: Councillors J. Vine-Hall (Chair), J. Barnes (substitute) (remote), B.J. Drayson, S.J. Errington, A.E. Ganly, N. Gordon, P.J. Gray, K.M. Harmer (ex-officio) (remote), C.A. Madeley, A.S. Mier (in part), Rev. H.J. Norton (in part) and G.F. Stevens (remote) (in part).

Other Members present: Councillor C.R. Maynard (remote) (in part).

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

Also Present: 6 members of the public in the Council Chamber and 14 via the live webcast.

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PL22/88. **MINUTES**

(1)

The Chairman was authorised to sign the Minutes of the meeting held on 10 November 2022 as correct record of the proceedings.

PL22/89. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

(2)

Apologies for absence were received from Councillors Mrs M.L. Barnes, T.J.C. Byrne, G.C. Curtis and S.M. Prochak, MBE.

It was noted that Councillor J. Barnes was present as a substitute for Councillor Mrs Barnes.

PL22/90. **DISCLOSURE OF INTEREST**

(5)

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

J. Barnes      Agenda Items 7 & 8 – Personal Interest as the Chairman of Etchingham Parish Council.

Maynard      Agenda Item 9 – Personal Interest as an Executive Member of East Sussex County Council.

## PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

### PL22/91. 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.

### PL22/92. RR/2022/2199/P - HORSEBROOKS FARM, LUDPIT LANE, BURWASH

(7)

#### **DECISION: REFUSE PLANNING PERMISSION**

#### **REASONS FOR REFUSAL:**

1. The proposal involves the erection of a new dwelling in a location that is outside of any settlement within the countryside. New residential development is only allowed in such areas where a countryside location is necessary. The proposal inadequately justifies the need for a dwelling contrary to Policies OSS1, OSS2, OSS3, RA2 and RA3 of the Rother Local Plan Core Strategy, Policy

DIM2 of the Development and Site Allocations Plan Policy, GP03 and GP06 of the Burwash Neighbourhood Plan and Chapters 2, 15 and 16 of the National Planning Policy Framework.

2. 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 materials, scale, proportion and bulk would adversely affect the setting and special architectural and historic character and interest of the listed buildings as designated heritage assets, 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, GP02 of the Burwash Neighbourhood Plan and Paragraphs 130, 199, 200 and 202 of the National Planning Policy Framework.
3. By virtue of the proposed materials, scale, proportion and bulk, the development would adversely impact upon the landscape character and scenic beauty of the High Weald Area of Outstanding Natural Beauty, and therefore fails to comply with Policy GP01 and GP04 of the Burwash Neighbourhood Plan, Policy EN1 and EN3 of the Rother Local Plan Core Strategy, Policy DEN2 of the Development and Site Allocations Local Plan and Paragraph 176 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 identifying matters of concern with the proposal. However, the issues are so fundamental to the proposal that it would not be 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.

(Councillor J. Barnes declared a Personal Interest in this matter as he was Chairman of Etchingam Parish Council and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PL22/93. **RR/2022/2201/L - HORSEBROOKS FARM, LUDPIT LANE, BURWASH**

(8)

**DECISION: REFUSE LISTED BUILDING CONSENT**

**REASON FOR REFUSAL:**

1. The proposal will cause significant harm to the setting of existing heritage assets by virtue of the unacceptable size, scale and siting of the proposed new dwelling resulting in an overbearing effect on the adjacent Grade II Listed Buildings located in the vicinity of the proposal, which will detract from the overall character and contribution the listed buildings make to the area, the proposals

intrude into the setting of the existing listed buildings to a harmful extent damaging their significance value as heritage assets and it is, therefore considered that the proposal fails to comply with Chapter 16 of the National Planning Policy Framework, Paragraphs 194, 197, 200, 2001 and 202, Local Policies EN2 of the Rother Local Plan Core Strategy, Policy GP02 of the Burwash Neighbourhood Plan and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**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. However, the issues are so fundamental to the proposal that it would not be 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.

(Councillor J. Barnes declared a Personal Interest in this matter as he was Chairman of Etchingham Parish Council and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PL22/94. **RR/2022/1583/P - FURTHER DOWN, MAIN ROAD, WESTFIELD**

(9)

**DECISION: DEFERRED TO ALLOW THE PLANNING COMMITTEE TO ATTEND A SITE VISIT**

(When it first became apparent, Councillor Maynard declared a Personal Interest in this matter as an Executive Member of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PL22/95. **RR/2022/2340/P - YONDOVA, TOP CROSS ROAD, BEXHILL**

(10)

**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 dated 29/11/2020  
Proposed Block Plan Drawing No. DWG.4 undated

Proposed Plinth Layout dated 14/09/2022  
Proposed Floor Plans dated 14/09/2022  
Proposed Elevations Section A-A undated  
Proposed Elevations Façade 7-1, E-A dated 14/09/2022  
Proposed Elevations Façade 1-7 A-E dated 14/09/2022  
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 stated in the submitted application form unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain the visual amenities of the surrounding 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 Plan.

4. The residential annexe is permitted solely as additional accommodation for the existing dwelling (Yondova, Top Cross Road, Bexhill, TN40 2RT) and shall not be occupied by any person who is not 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, unless that person is the carer for the member of the family occupying the annexe.

Reason: In the interests of protecting the character of the area, precluding the creation of a new dwelling in the countryside and protecting the residential amenities of neighbouring properties in accordance with Policies OSS4 and RA3 of the Rother Local Plan Core Strategy.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

## PL22/96. **APPEALS**

(11)

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.

The Development Manager advised that the Public Inquiry Planning Appeal for the Land at Fryatts Way, Bexhill had concluded, and the decision would be received within 4 to 5 weeks.

It was noted that the Planning Department would be reviewing all planning templates and that the Council's Pre-App Advice Service would be promoted to all applicants / agents.

The number of outstanding applications had reduced and all procedures for processing applications were on target. 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.

**RESOLVED:** That the report be noted.

PL22/97. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**

(12)

The next site inspection was scheduled to be held on Tuesday 10 January 2023 at 9:00am departing from the Town Hall, Bexhill.

**CHAIR**

The meeting closed at 12:10pm.