

Planning Committee

- Date and Time - **Thursday 12 January 2023**
9:30am – 1:00pm and 2:00pm until close of business
(At the discretion of the Chairman, the timing of lunch may be varied)
- Venue - **Council Chamber, Town Hall, Bexhill-on-Sea**
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Councillors appointed to the Committee:

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

Substitute Members: J. Barnes, Mrs V. Cook and L.M. Langlands.

AGENDA

1. MINUTES

To authorise the Chair to sign the minutes of the meeting of the Planning Committee held on the 15 December 2022 as a correct record of the proceedings.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTES

3. ADDITIONAL AGENDA ITEMS

To consider such other items as the Chair decides are urgent and due notice of which has been given to the Head of Paid Service by 12 noon on the day preceding the meeting.

4. WITHDRAWN APPLICATIONS

The Director – Place and Climate Change to advise Members of those planning applications on the agenda which have been withdrawn.

5. DISCLOSURE OF INTEREST

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the

NOTE: Representations on any items on the Agenda must be received in writing by 9:00am on the Monday preceding the meeting.

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Tel: 01424 787811

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Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

6. **PLANNING APPLICATIONS - INDEX** (Pages 3 - 4)
7. **RR/2022/1583/P - FURTHER DOWN, MAIN ROAD, WESTFIELD** (Pages 5 - 14)
8. **RR/2022/2506/P - WYLANDS FARM, POWDERMILL LANE, CATSFIELD** (Pages 15 - 26)
9. **RR/2022/2345/L - 36 HIGH STREET, ROBERTSBRIDGE** (Pages 27 - 34)
10. **RR/2022/2376/P - STRAND MEADOW - LAND TO THE SOUTH WEST OF, BURWASH** (Pages 35 - 44)
Not subject to the Council's Public Speaking Scheme at Planning Committee.
11. **PLANNING SCHEME OF DELEGATION - CLARIFICATIONS** (Pages 45 - 54)
12. **APPEALS** (Pages 55 - 66)
13. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**
Tuesday 14 February 2023 at 9:00am departing from the Town Hall, Bexhill.

Malcolm Johnston
Chief Executive

Agenda Despatch Date: 4 January 2023

NOTE: Representations on any items on the Agenda must be received in writing by 9:00am on the Monday preceding the meeting.

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

Rother District Council

Report to	-	Planning Committee
Date	-	12 January 2023
Report of the	-	Director - Place and Climate Change
Subject	-	Planning Applications – Index

Director: Ben Hook

Planning Committee Procedures

Background Papers

These are planning applications, forms and plans as presented in the agenda, pertinent correspondence between the applicant, agents, consultees and other representatives in respect of the application, previous planning applications and correspondence where relevant, reports to Committee, decision notices and appeal decisions which are specifically referred to in the reports. Planning applications can be viewed on the planning website <http://www.rother.gov.uk/planning>

Planning Committee Reports

If you are viewing the electronic copy of the Planning Applications report to Planning Committee then you can access individual reported applications by clicking on the link ([View application/correspondence](#)) at the end of each report.

Consultations

Relevant statutory and non-statutory consultation replies that have been received after the report has been printed and before the Committee meeting will normally be reported orally in a summary form.

Late Representations

Unless representations relate to an item which is still subject to further consultation (and appears on the agenda as a matter to be delegated subject to the expiry of the consultation period) any further representations in respect of planning applications on the Planning Committee agenda must be received by the Director - Place and Climate Change in writing by 9am on the Monday before the meeting at the latest. Any representation received after this time cannot be considered.

Delegated Applications

In certain circumstances the Planning Committee will indicate that it is only prepared to grant/refuse planning permission if/unless certain amendments to a proposal are undertaken or the application is subject to the completion of outstanding or further consultations. In these circumstances the Director - Place and Climate Change can be delegated the authority to issue the decision of the Planning Committee once the requirements of the Committee have been satisfactorily complied with. A delegated decision does not mean that planning permission or refusal will automatically be issued. If there are consultation objections, difficulties, or negotiations which cannot be satisfactorily concluded, then the application will be reported back to the Planning Committee. This delegation also allows the Director - Place and Climate Change to negotiate and amend applications, conditions, reasons for refusal and notes commensurate with the instructions of the Committee.

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

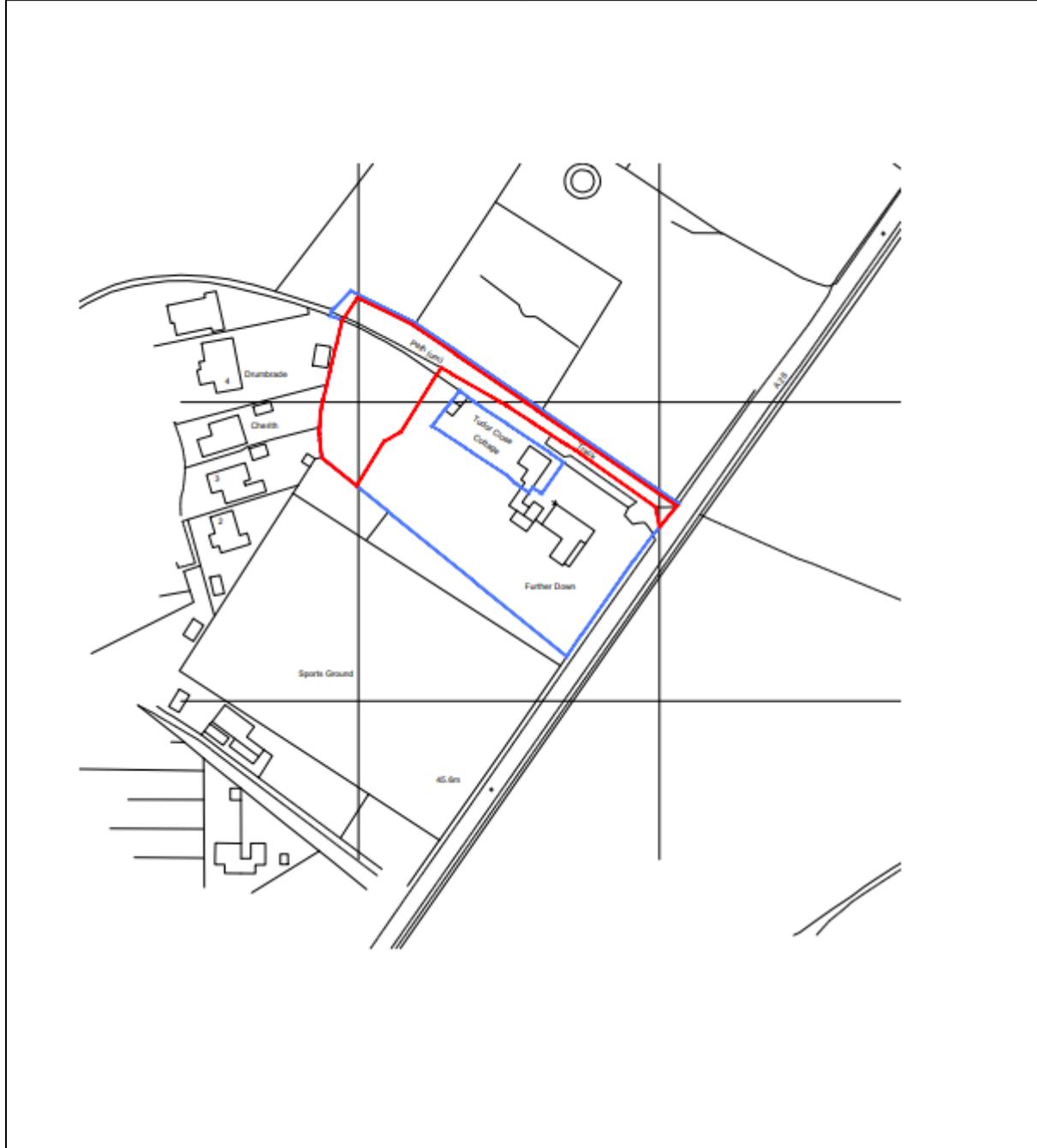
Order of Presentation

The report on planning applications is presented in the following order as shown below:

Agenda Item	Reference	Parish	Site Address	Page No.
7	RR/2022/1583/P	WESTFIELD	Furtherdown Main Road Westfield TN35 4SL	5
8	RR/2022/2506/P	CATSFIELD	Wylands Farm Powdermill Lane Catsfield TN33 0SU	15
9	RR/2022/2345/L	SALEHURST/ ROBERTSBRIDGE	36 High Street Robertsbridge TN32 5AL	27
10	RR/2022/2376/P*	BURWASH	Strand Meadow – Land to the south west of Burwash TN9 7BS	35

*Agenda Item 10 is not subject to the Council's public speaking scheme at Planning Committee.

<p>SITE PLAN</p> <p>RR/2022/1583/P</p>	<p>WESTFIELD</p> <p>Further Down Main Road</p>
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Rother District Council

Report to - Planning Committee
Date - 12 January 2023
Report of the - Director – Place and Climate Change
Subject - Application RR/2022/1583/P
Address - Further Down, Main Road, Westfield TN35 4SL
Proposal - Reserved Matters for the erection of two detached 3-bedroom residential dwellings.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mr Waller
Agent: Kent Design Studio Ltd
Case Officer: Mr M. Simmonds
(Email: mark.simmonds@rother.gov.uk)

Parish: WESTFIELD
Ward Members: Councillors C.R. Maynard and J. Vine-Hall

Reason for Committee consideration: Councillor Call-In reason of overdevelopment of site, height and scale of properties.

Statutory 8-week date: 2 September 2022
Extension of time agreed to: 30 December 2022

This application was deferred at the December Planning Committee Meeting for a site inspection to be carried out.

1.0 SUMMARY

1.1 The application provides the details for two dwellings following the grant of outline permission. The proposed footprint is comparable to that indicated at outline stage. The details are considered to be acceptable and to comply with policy.

2.0 SITE

2.1 The proposal site is located within the development boundary for Westfield and within the High Weald Area of Outstanding Natural Beauty (AONB).

- 2.2 The proposal site is accessed from Main Road and is located to the North West of Tudor Close and Further Down. The site abuts the rear of a row of properties that form a cul-de-sac accessed from Cottage Lane.
- 2.3 The site currently forms part of the curtilage of Further Down, a residential two storey Victorian detached dwelling house set within substantial grounds. Constructed in the late 19th Century, the building was once serviced with outbuildings and stables which have since been converted into a separate dwelling house known as Tudor Close Cottage. There are trees to the west side boundary with the properties off Cottage Lane.
-

3.0 PROPOSAL

- 3.1 The approved outline proposal was to erect 2x two-storey detached dwellings. The dwellings present a gable to the front, a gabled side dormer with a large opening (though labelled obscured). They are rendered at ground level with timber clad at first floor and slate roof tiles.
- 3.2 This application is the detailed design following approval of outline application RR/2019/2723/P. The details are accompanied by tree survey and protection details, access details and a landscaping and biodiversity plan.
-

4.0 HISTORY

- 4.1 RR/2019/2723/P Outline: Erection of two detached 3-bedroom residential dwellings – land at rear of Further Down, Main Road, Westfield. APPROVED CONDITIONAL
-

5.0 POLICIES

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- OSS2 Use of Development Boundaries
 - OSS4: General Development Considerations
 - RA1: Villages
 - EN3: Design Quality
 - EN1: Landscape Stewardship
 - EN6: Flood Risk Management
 - EN7: Flood Risk and Development
 - TR3: Access and New Development
 - TR4: Car Parking
- 5.2 The following policies of the [Development and Site Allocations Local Plan \(DaSA\)](#) are relevant to the proposal:
- DIM2: Development Boundaries
 - DEN1: Maintaining Landscape Character
 - DEN2: The High Weald AONB
 - DEN4: Biodiversity and Greenspace
 - DHG3: Residential Internal Space Standards
 - DHG7: External Residential Areas

- DHG11: Boundary Treatments
- DHG12: Accesses and Drives

- 5.3 High Weald AONB Management Plan 2019-2024:
Objective S2: To protect the historic pattern and character of settlement.
Objective S3: To enhance the architectural quality of the High Weald and ensure development reflects the character of the High Weald in its scale, layout and design.
- 5.4 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.
-

6.0 CONSULTATIONS

6.1 Waste and Recycling: **COMMENT**

- 6.1.1 This area is served by a 26 tonne vehicle therefore the bins for both properties will need to be presented at the curtilage with Main Road, they will not drive up to the properties.

6.2 County Archaeologist: **NO OBJECTION**

- 6.2.1 It is noted the application documentation has not met the requirements of Policy 194 of the National Planning Policy Framework. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions. No further comments on re-consultation.

6.3 County Highways: **NO OBJECTION**

- 6.3.1 The details are acceptable subject to compliance with conditions.

6.4 Planning Notice

- 6.4.1 Five letters of objection have been received from the public. The concerns raised are summarised as follows:

- The proposal is clearly substantial detached 4-bedroom houses with generous accommodation and their height and scale are not acceptable for this site. Plot 2, closest to our boundary, will have an overbearing impact on Brumbrade and will ruin the outlook.
- The hedging on the boundary line is sparse, mainly deciduous and ineffective as a screen.
- Dead-end access routes longer than 20m require turning facilities and this site is located over 120m from the A28 (Main Road). The plan does not allow for a suitable and compliant turning facility thus making it impossible for a fire appliance to access and turn. In addition, the track would need to be significantly upgraded, taking into account weight, height and width specifications, in order to accommodate a fire appliance of 17 tonnes minimum, in line with current East Sussex Fire and Rescue Service requirements.
- With regard to the positioning of the soakaway and tree root protection restrictions, we question whether the existing track can be significantly

upgraded to support the weight of fire appliances and refuse/recycling vehicles.

- Badgers and other wildlife such as bats, newts, dormice etc. are prevalent to the area and it is possible that this site forms habitat or foraging grounds to these and others – would therefore expect a Phase One Ecological Appraisal of the site and access track to form part of this planning application.
- Houses too large and out of character with the area. The land is much higher and will dominate the outlook of neighbours.
- Rear windows will invade privacy of neighbours and overlook.
- Rainwater run off may affect neighbouring homes as we are so much lower than the proposed building plot.
- Negative impact on schools, surgeries and wildlife.
- Size of dwellings will be very oppressive for the occupiers of the neighbouring bungalows.

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

6.5 Parish Council: **OBJECT**

6.5.1 Object on the grounds that the proposal is an overdevelopment of the site. The Parish Council objected to the original application No. RR/2019/2723/P and feels this is a further overdevelopment. Rather than it being a 'modest built form, scale and mass' it seems two properties with now an additional two car ports are being squeezed onto the site. The level of density seems far more suited to urban living than in the rural areas. Due to the higher ground here it would seem the neighbours are going to be considerably overlooked.

6.5.2 The design of the properties does not reflect the character of properties within the Parish. White rendered walls and natural vertical cladding is a distinctively urban design rather than reflective of the characteristics within the nearby rural village. There is no mention on how the development meets the design standards of the High Weald Management criteria.

6.5.3 There have been no ecological surveys carried out during the outline planning or this planning application. Any biodiversity net gain cannot be achieved on the site due to the over development of the site.

7.0 **LOCAL FINANCE CONSIDERATIONS**

7.1 The proposal is for a type of development that is Community Infrastructure Levy (CIL) liable. The total amount of CIL money to be received is subject to change, including a possible exemption, but the development could generate approximately £66,170.62.

8.0 **APPRAISAL**

8.1 The main issues are considered to be:

- Character Impacts of the development
- Residential Amenity
- Landscaping

- Highway Safety
- 8.2 The proposal site is located within the development boundary for Westfield and within the High Weald AONB, as defined in the DaSA, and as such there is a presumption in favour of development, subject to consideration of other local plan policies and any other material considerations.
- 8.3 **Character and appearance**
Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy seek, amongst other matters, to ensure that new development is of high design quality that respects, contributes positively towards, and does not detract from the character and appearance of the locality. These policies are broadly consistent with Paragraph 127 of the National Planning Policy Framework which states that development should be sympathetic to local character, including the surrounding built environment, and maintain a strong sense of place.
- 8.4 The site lies within a mixed residential area that includes houses and bungalows of varying sizes and designs. A number of sites have been redeveloped and older dwellings extended to provide more generous accommodation. The properties in the surrounding area are thus considered to be diverse in appearance and, as a result, there is no single unifying character.
- 8.5 The proposed dwellings are designed to a high standard and are largely sympathetic to the character of the area on this basis the proposal would not have a harmful impact upon the locality by virtue of their scale and siting. The palette of materials which are annotated on plan is also sympathetic and in-keeping.
- 8.6 Given the mix of dwellings in the surrounding area and the mixed palette of materials the design of the dwellings are considered to be in-keeping. Therefore, the proposal is considered acceptable in character terms and would accord with Policies EN3 and OSS4 of the Rother Local Plan Core Strategy.
- 8.7 **Residential Amenity**
Policy OSS4 (ii) of the Rother Local Plan Core Strategy seeks to ensure that development proposals do not unreasonably harm the amenities of adjoining properties.
- 8.8 The proposed dwellings are considered to be of a sufficient distance from all other neighbouring properties so as not to result in unacceptable levels of overbearing or overshadowing. One point of contention is the gabled dormers. The plans mark them up as being obscured and should they not then this would lead to unacceptable harm. However, the openings serve secondary living (landing) and a condition reinforcing them to be obscured is sufficient in this instance.
- 8.9 The objections have been fully appraised, and the case officer is mindful that the principle of the development of dwellings on this site has already been established and these reserved matters add the detail of development. In terms of overshadowing and loss of outlook, whilst new additional buildings would have a greater presence than the current undeveloped site, the

proposed dwellings would not, on balance, appear unduly overbearing or cause unacceptable overshadowing to either neighbouring property or other nearby properties. The site levels have been highlighted in objections, however these have been considered in the assessment of the scheme and it is considered that the proposal would not result in a significant erosion of residential amenity in terms of overshadowing/loss of outlook.

8.10 Turning to overlooking, the site is in an area where some mutual overlooking would be unavoidable between neighbours. It is considered that the most sensitive windows and views are protected with the imposition of obscured glass therefore on balance, the proposal would not result in harmful or unacceptable overlooking of neighbouring properties.

8.11 Policy DHG3 of the DaSA is concerned with residential internal space standards. It states that “All new dwellings (including changes of use and houses converted into flats) should provide adequate minimum internal space in line with the standard.” The internal space meets with all of these requirements.

8.12 The Applicant also provides outdoor amenity space. This space is proportionate and would meet with the requirements of DHG7 of the DaSA, which considers external residential areas. The plot sizes are comparable and sympathetic to neighbouring properties.

8.13 **Landscaping**

Policy DEN1 of the DaSA is concerned with maintaining landscape character. It states that:

The siting, layout and design of development should maintain and reinforce the natural and built landscape character of the area in which it is to be located, based on a clear understanding of the distinctive local landscape characteristics (see Figure 5 above), in accordance with Rother Local Plan Core Strategy Policy EN1.

8.14 Policy EN1 of the Rother Local Plan Core Strategy is concerned with Landscape Stewardship. It states that “...*Management of the high quality historic, built, and natural landscape character is to be achieved by ensuring the protection, and wherever possible enhancement, of the district’s nationally designated and locally distinctive landscapes and landscape features.*”

8.15 Policy DEN2 is concerned with the High Weald AONB. It states that:

All development within or affecting the setting of the High Weald AONB shall conserve and seek to enhance its landscape and scenic beauty, having particular regard to the impacts on its character components, as set out in the High Weald AONB Management Plan.

8.16 Furthermore, Objectives S2 and S3 of the High Weald AONB Management Plan 2019-2024 are relevant.

8.17 The siting of the dwellings is influenced by the tree report. The retention of these trees along with the works to restore their health result in the wider impacts upon the landscape to be mitigated sufficiently by the development.

Conditions will be attached to ensure that construction works follow the tree protection plans submitted.

8.18 The soft and hard landscaping within the site is typical of a residential proposal. Lawned areas to the rear and soft landscaping to the front along with the courtyard and turning area are all acceptable. The site is surrounded by mature hedgerows and boundary fencing which will largely remain and be enhanced with close board fencing to the new boundaries. This provides adequate screening between the neighbouring properties.

8.19 **Highway Safety**

Policy DHG9 of the DaSA is concerned with Accesses and Drives, it states that:

Proposals for new drives and accesses will be supported where:

- i. they are considered acceptable in terms of highway safety, including for pedestrians and cyclists;*
- ii. by virtue of their location and design and materials (including any soft landscaping) they would maintain the character of the locality, particularly in the rural areas;*
- iii. they involve the relocation of an existing access, if there are highway benefits of relocating the existing access, and the existing access will be stopped up; and*
- iv. either, they are constructed of permeable materials, or appropriate drainage is included to manage surface water run-off in accordance with Policy DEN5.*

8.20 Policies TR3 and TR4 of the Rother Local Plan Core Strategy are also considered relevant.

8.21 The Highways Authority has no objections to the proposal subject to the imposition of conditions. The proposed dwellings are accessed from Main Road through a private drive. The block plan shows that both properties would have sufficient space to enter and leave the site in a forward gear. Furthermore ample parking provision is also proposed on the site. Therefore, subject to the attachment of conditions the proposal would meet with DHG12 of the DaSA and Policies TR3 and TR4 of the Rother Local Plan Core Strategy.

9.0 PLANNING BALANCE AND CONCLUSION

9.1 On balance, the design and detail of the proposal with conditions is acceptable as it would reflect the mixed character of the area, would retain trees and would not be overly harmful to the amenity of neighbouring properties. For these reasons planning permission should be granted for this reserved matters application.

9.2 The outline application attached numerous planning conditions. The Applicant states that they intend to discharge Conditions 1, 2, 8, 9, 10, 11, 12 & 14 as part of this proposal. Conditions 1 and 2 are standard reserved matters conditions and are discharged through this process. Conditions 8 and 9 are compliance and cannot be discharged but rather adhered to which the design does. The information for Condition 10 is acceptable. Condition 11 requires retention of the turning space so cannot be discharged. The

Construction Management Plan is considered acceptable, despite the lack of commentary from Highways. Condition 14 details are acceptable and a compliance condition will be placed to ensure that the methodology for protecting trees is followed. However, other than reserved matters conditions, conditions cannot be discharged as part of the reserved matters application and a discharge of condition application would still be required.

RECOMMENDATION: GRANT PLANNING PERMISSION

CONDITIONS:

1. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Site Location and Block Plan 3996_10
Block Plan 3996_02
Proposed Floor plan 3996_03 Plot 01
Proposed Floor plan 3996_05 Plot 02
Proposed Carports Floor plan 3996_07
Plot 01 Elevation 3996_04
Plot 02 Elevation 3996_06
Proposed Landscaping and Biodiversity Plan 3996_09
Construction Access Plan TPP-CA-001
Reason: For the avoidance of doubt and in the interests of proper planning.
2. The proposed development shall be carried out in accordance with the tree protection plans and tree constraints plan, Drawing No. TCP001 and TPP001.
Reason: To ensure the protection and preservation of trees and thus maintain the landscape within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 and EN1 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan.
3. At the time of construction and prior to the first occupation or use of the dwellings hereby approved, the dormer windows at first floor level within the side elevations, as indicated on the approved Drawing Nos. 3996_04 and 3996_06 shall be glazed with obscure glass of obscurity level equivalent to scale 5 on the Pilkington Glass Scale and shall thereafter be retained in that condition.
Reason: To preserve surrounding residential amenity in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy and Policy DHG9(i) of the Rother Development and Site Allocations Local Plan.

NOTES:

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

Control Partnership. No work should be carried out until any necessary permission has been obtained.

3. The landowner and/or developer should take all relevant precautions to minimise the potential for disturbance to adjoining occupiers from noise and dust during the construction period. This should include not working outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays, and no such work should take place on Sundays or Bank Holidays.

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.

SITE PLAN RR/2022/2506/P	BATTLE Wylands Farm Powdermill Lane Catsfield
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Rother District Council

Report to - Planning Committee
Date - 12 January 2023
Report of the - Director - Place and Climate Change
Subject - Application RR/2022/2506/P
Address - Wylands Farm, Powdermill Lane, Catsfield
Proposal - Replacement of the existing store building with a new commercial building comprising Class E (offices and workshops) and B8 (storage use) uses.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Yesterdays World Limited
Agent: Kember Loudon Williams
Case Officer: Miss Harriet Nurse
(Email: harriet.nurse@rother.gov.uk)

Parish: CATSFIELD
Ward Member: Councillor G.C. Curtis

Reason for Committee consideration: Councillor referral: Parish concerns / over development / lack of enforcement of previous applications

Statutory 8-week date: 12 December 2022

Extension of time agreed to: EOT requested for 20 January – No response

This application is included in the Committee site inspection list.

1.0 SUMMARY

1.1 The proposal is for the replacement of an existing storage building and change of use to a similar scale and design single storey commercial building comprising Class E (offices and workshops) and B8 (storage use) uses. The main issues for consideration are the principle of the development, the impact of the proposal on the character and appearance of the locality and the Area of Outstanding Natural Beauty (AONB), the impact of the proposal on neighbouring amenities and highway safety. On assessment, it has been concluded that the proposal would comply with the development plan and that the proposal would not result in undue harm. It is considered that the landscape of the AONB would be conserved and enhanced.

2.0 SITE

- 2.1 Wylands Farm with its international angling centre lies to the south side of Powdermill Lane within the countryside of the High Weald AONB. There is a long winding access road into the heart of the site. The former farmstead comprises a mix of buildings with small and large barns, a pair of bungalow cottages and a mixed part two-storey brick building providing offices and storage and some holiday lets. Under a previous planning permission RR/2021/498/P a number of the buildings have been refurbished and some replaced, to provide a farm shop, new tack shop, cafe, storage and small commercial units.
- 2.2 The site comprises a mixture of lakes, woodland and some open fields with a public footpath traversing through the site, (footpath Catsfield 15a). While not visible from Powdermill Lane, the complex of buildings and uses can be viewed to varying degrees from a public footpath (footpath Catsfield 16a) to the south across the valley to the west of Church Farm.
- 2.3 The building subject of this application is positioned to the centre of the site among the other buildings in the former farmyard. Trees and hedging exist to many of the boundaries.
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3.0 PROPOSAL

- 3.1 This application seeks planning permission for the replacement of the existing store building with a new commercial building comprising Class E (offices and workshops) and B8 (storage use) uses.
- 3.2 The existing storage building has a footprint of 13.7m x 18.7m, a single storey building with a maximum height of 2.85m. The existing storage building comprises of roof sheeting and black cladding to the walls. The proposed building would have a pitched roof with a ridge height of 4.5m and an eaves height of 2.17m. The proposed building would have the same footprint. It would offer four areas of office/workshop/storage to one half and then three areas for office/workshop to the other half of the building.
- 3.3 The proposed materials would consist of roof sheeting and black shiplap cladding, as present on the existing building. uPVC is proposed for the doors and windows throughout, as on the adjacent buildings.
- 3.4 The application is accompanied by a covering letter.
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4.0 HISTORY

- 4.1 Wylands has quite an extensive history with regard to the fishing lakes since 1985, when existing lakes were enlarged, and existing barn was converted to offices and stores. Additional lakes being formed with reference to applications in 1994 and 2012. Various other barns have had applications for associated storage/business uses. A variety of large-scale camping proposals have historically been refused with service of an Enforcement Notice in 1999.
- 4.2 More recently the following applications have been made:

- 4.3 RR/2022/1895/P Use of land for the siting of caravans/motorhomes (up to 12 serviced pitches) and for camping (up to 30 pitches), to include re location of existing caravans/motorhomes; creation of an overflow car park (approx. 37 spaces); retention of ancillary building providing toilet, shower, changing and washing facilities to serve those fishing and camping at Wylands (retrospective); and associated works and landscaping. APPROVED CONDITIONAL
- 4.4 RR/2021/2519/P Erection of a new facilities building to serve those fishing and using the wider site (Retrospective). REFUSED
- 4.5 RR/2021/498/P Conversion and refurbishment of redundant agricultural buildings and storage sheds to include the change of use of the buildings and operational works: Old Barn Courtyard - Part change of use from ancillary storage sheds to self-catering holiday accommodation (three units), together with operational works (existing offices retained); Workshop Building - Operational works (part retrospective and replacement) and proposed change of use from agricultural storage building to flexible office, workshop, and storage within use classes E (excluding retail uses) and B8, and part change of use to fishing tackle shop (Use Class E); Dutch Barn - Change of use from agricultural barn and cafe, together with operational works, to form a new visitor centre, creative arts hub and cafe (within Use Class E); Hay Barn - Operational works (part retrospective) and proposed change of use from agricultural barn to a farm shop (ground floor) (Use Class E) and offices within Use Class E (excluding retail) (first floor) and Machinery Shed and Easterly Storage Buildings - Operational works (part retrospective) to refurbish and support continued ancillary 'storage and workshop uses; together with associated landscaping and car parking layout. APPROVED CONDITIONAL
- 4.6 RR/2019/2518/P Outline: Proposed demolition of existing office, storage and ancillary buildings and clearance of static and touring caravans from site. Construction of new angling centre, vehicle/materials store and 4 No. family lodges. Proposed demolition of existing pair of semi-detached residential cottages and erection of 2 No. replacement detached dwellings. WITHDRAWN
- 4.7 RR/2016/162/P Outline: New angling centre and relocation of 4 No. static caravans. WITHDRAWN
- 4.8 RR/2015/3117/P Outline: Erection of two detached dwellings including demolition of existing cottages, offices, outbuildings and barns. WITHDRAWN
- 4.9 RR/2013/754/P To site three additional caravans for holiday/recreational use in the specified location where permission already exists for one caravan to be sited permanently. (up to four

		caravans have been sited in this location from time to time for in excess of 20 years). REFUSED – APPEAL ALLOWED
4.10	RR/2012/151/P	Renovation works to junior lake (retrospective). APPROVED CONDITIONAL
4.11	RR/2011/1311/P	External improvements to seating area to existing cafe building (erection of pergola and decking). APPROVED CONDITIONAL
4.12	RR/2011/1183/P	Change of use from store room to fishing tackle shop. APPROVED CONDITIONAL
4.13	RR/2011/1182/P	Relocation of touring field. REFUSED
4.14	RR/2011/1027/P	Excavation works to and surrounding house lake (retrospective). APPROVED CONDITIONAL
4.15	RR/2009/462/O	Lawful use for the land for the siting of two caravans for the purpose of providing holiday accommodation. REFUSED FOLLOWING COUNSEL ADVICE
4.16	RR/2009/460/O	Lawful use of the land for the siting of a caravan for the purposes of holiday accommodation. APPROVED – (there is also a planning permission related to this one caravan).

5.0 POLICIES

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

- OSS2: Use of development boundaries
- OSS3: Location of development
- OSS4: General development considerations
- RA2: General strategy for the countryside
- RA3: Development in the Countryside
- EC3: Existing employment sites
- EN1: Landscape Stewardship
- EN5: Biodiversity and green space
- TR4: Car parking

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

- DEC3: Existing employment sites and premises
- DEN1: Maintaining landscape character
- DEN2: High Weald AONB
- DEN4: Biodiversity and green space
- DEN5: Sustainable drainage
- DEN7: Environmental Pollution

- DIM2: Development boundaries
- 5.3 The following objectives of the adopted High Weald AONB Management Plan 2019-2024 are relevant to the proposal:

- S2: To protect the historic pattern and character of settlement.
- S3: To enhance the architectural quality of the High Weald and ensure development reflects the character of the High Weald in its scale, layout and design.

The National Planning Policy Framework (as updated 2021) and Planning Policy Guidance are also material considerations with particular reference to the AONB paragraph 176 and supporting a prosperous rural economy paragraphs 84 and 85.

6.0 CONSULTATIONS

6.1 East Sussex County Council (ESCC) Highways – NO OBJECTION

- 6.1.1 No major concerns regarding the existing access serving the site. Furthermore, the parking provision and turning facilities available within the site are also considered to be acceptable. It is evident that the proposed development will result in an increase in the level of traffic visiting the site on a day-to-day basis; however, this increase in traffic is likely to be relatively low and ESCC have no concerns that it would be to the detriment of highway safety. With this in mind ESCC have no major concerns regarding the developments impact on the site access or the surrounding highway network from either a highway safety or capacity perspective. ESCC therefore do not wish to object to this proposal subject the imposition of conditions

6.2 Pevensey & Cuckmere WLMB – NO RESPONSE

6.3 Footpaths Officer – ESCC – NO RESPONSE

6.4 The Ramblers Association – NO RESPONSE

6.5 Sussex Newt Officer – NO RESPONSE

6.6 Planning Notice – NO REPRESENTATIONS RECIEVED

6.7 Catsfield Parish Council – OBJECTION

- 6.7.1 The Parish Council object to this planning application due to the unresolved previous planning enforcement issues and overdevelopment.
-

7.0 APPRAISAL

7.1 The main issues for consideration:

- Principle of development
- Impacts on the Character and Appearance of the area and within the AONB
- Impacts on neighbours

- Highway impacts

7.2 *Principle of development*

- 7.2.1 The application site comprises a mix of buildings with small and large barns in various authorised uses, a pair of bungalow cottages and a mixed part two-storey brick building providing offices and storage and some holiday lets. A number of the buildings have been refurbished and some replaced, to provide a farm shop, new tack shop, cafe, storage and small commercial units.
- 7.2.2 The application proposes the replacement of the existing store building with a new commercial building comprising Class E (offices and workshops) and B8 (storage use) uses. The replacement building would be of the same footprint, remain a single storey building with matching materials including roof sheeting and black shiplap cladding to the walls. In both national (para. 84 and 85 of the National Planning Policy Framework) and (Policies EC4 and RA2&3 of the Rother Local Plan Core Strategy) terms, subject to other considerations, improvement and growth of the rural economy is encouraged by the conversion of existing buildings and well-designed new buildings, for employment purposes. In addition, Policies EC3 and DEC3; to promote the effective use of existing employment sites. The High Weald Management Plan also recognises that this is important to maintain its rural settlements, educate inhabitants and visitors, improve its landscape and promote the rich cultural, artistic and historical associations with the landscape that attracts many visitors both local and from further afield.
- 7.2.3 The proposal is to replace an existing building. It is acknowledged that this building is in a poor condition and that this building has not been replaced before within other recent applications. However, the proposal seeks to improve the condition and appearance of the building as well as providing improved commercial floor space including storage/workshop/offices. They seek to build on the existing facilities and provide improved local employment opportunities. In principle the proposal would support the rural economy within an existing employment site and as such would accord with those policies.
- 7.2.4 Collectively there is now national and local support for proposals that support the rural economy and employment opportunities at paragraphs 84 and 85 of the National Planning Policy Framework; RA2, RA3 and EC3 of the CS; DEC3 of the DaSA; and the High Weald Management Plan. Subject to considering compliance with the criteria of the relevant policies, there is no objection in principle to the proposal for a replacement building of a similar scale and design with a commercial use, which would become part of the wider site use as a tourism and local commercial business.

7.3 *Impacts on the Character and Appearance of the area and within the AONB*

- 7.3.1 Wylands is an established tourism and commercial site hosting international angling competitions with a few chalets (7) and static caravans (4) at the site, farm shop, café, tackle shop and other small commercial units. The building lies to the centre of the main commercial site area. The main cluster of buildings can be viewed from both public footpaths, footpath 15a running through the site and footpath 16a to the south on the higher valley side at Church Farm. The proposed building replaces an existing building and with exception of a slightly higher roof than the existing, would have no new

impacts on the existing character or appearance of the site within the AONB or when viewed from the footpaths.

- 7.3.2 While the site is not visible from Powdermill Lane to the north or from the east and west sides, by reason of the surrounding woodland, it is noted that the site is open to views from the south across the valley and from the public footpath to the east of Church Farm. There is also a public footpath that runs through the site. However, the buildings are existing, and assessment needs to be made as to whether the replacement of the building is harmful. The use of black shiplap to the structure and roof sheeting is not considered to present any more visual impact as it matches materials used on the adjacent existing buildings.
- 7.3.3 Turning to the landscape character, the question is whether the proposed uses would have an impact on the AONB. It is noted that the uses and parking are confined to the central former farmyard area and other units are already occupied and well used. Access to the fishing lakes and café and walking along the public footpaths already exists. The proposal would give rise to increased numbers of visitors during the day but not in the evenings. The commercial unit including storage/workshop/offices would all be subject to normal working hours, i.e. 8am to 6pm Monday to Saturday. No working on a Sunday/bank holiday for the business units (offices/workshops/storage). This could be secured by condition.
- 7.3.4 Dark Skies are a feature of the High Weald in areas remote from other development. As previously mentioned, the uses of the site for the large part are daytime related and given that those staying at the site come to enjoy the tranquil and rural area for its own intrinsic value, there is no requirement for bright intrusive lighting around the site. There is no lighting currently required or proposed and a condition should be imposed to preclude this unless a scheme is first submitted for approval.
- 7.3.5 While the proposal may represent an increase in daytime activity at the site, it is confined to the area of an existing complex of buildings and would not represent harm to the AONB.

7.4 *Impacts on neighbours*

- 7.4.1 There are no immediate neighbours to be impacted by the proposals.

7.5 *Highway Impacts*

- 7.5.1 The report of the ESCC Highways is reproduced above and has carefully considered the potential traffic generation of the proposals as well as considering the provision of on-site parking facilities.
- 7.5.2 It has been acknowledged by the officer that *it is likely that the development will result in some increase in traffic visiting the site; however, there are no major concerns regarding the development proposal from a highway safety or capacity perspective. Furthermore, the parking provision and turning facilities available within the site are also considered to be acceptable. It is evident that the proposed development will result in an increase in the level of traffic visiting the site on a day-to-day basis; however, this increase in traffic is likely to be relatively low and I have no concerns that it would be to the detriment of highway safety. With this in mind I have no major concerns regarding the*

developments impact on the site access or the surrounding highway network from either a highway safety or capacity perspective.

7.5.3 The existing site layout provides parking and turning facilities for the various uses. As such the proposals are policy compliant in terms of highway and parking matters.

7.6 *Other Matters*

7.6.1 While noting the concerns of the Parish in regard to overdevelopment the building is existing, and the existing site has had recent improvements and developments of a commercial nature. While noting the references to other enforcement matters, these are not within the scope of this application.

8.0 PLANNING BALANCE AND CONCLUSION

8.1 Having considered the current relevant planning policies that pertain to the site, it has been concluded that the proposal would be acceptable in principle and would comply with the development plan and that they would not result in undue harm. It is considered that the landscape of the AONB would be conserved and enhanced.

8.2 Neighbours and highways would similarly be unharmed, and the proposals would provide additional commercial facilities supporting the rural economy and local employment opportunities.

8.3 It should be noted that other new matters of planning control outside this application, remain the subject of ongoing investigation.

RECOMMENDATION: GRANT (FULL PLANNING)

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Drawing No. 6754 / 22 / LBP / 2 / A, Site Location and Block Plan dated 28.09.22;
Drawing No. 6754 / 22 / 5 / B, Proposed Machinery Building dated 21.12.2022;
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the replacement of the building hereby permitted shall match in materials, colour and texture those used in the existing building and as specified within the application unless an alternative finish is first submitted to and approved in writing by the local planning authority. The

details include the use of roof sheeting and black shiplap cladding to the walls.

Reason: To maintain the rural characteristics and detail of the existing buildings and the rural location within the High Weald AONB, in accordance with Policy OSS4 (iii) and EN1 of the Rother Local Plan Core Strategy and Policy DEN2 of the Rother Development and Site Allocations Local Plan.

4. No part of the development shall be first occupied until visibility splays of 2.4m x 160m westbound and 2.4m x 215m eastbound have been provided at the proposed site vehicular access onto Powdermill Lane. Once provided the splays shall thereafter be maintained and 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 having regard to Policies TR3 and CO6 of the Rother Local Plan Core Strategy.

5. No external lighting shall be erected at the site unless in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. Any scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011(or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

Illuminated area m2	Zone E1	Zone E2	Zone E3	Zone E4
Up to 10.00	100	600	800	1000
Over 10.00	n/a	300	600	600

Environmental Zones

Zone	Surrounding	Lighting Environment	Examples
E0	Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1	Natural	Intrinsically dark	National Parks, Areas of Outstanding Natural Beauty etc.
E2	Rural	Low district brightness	Village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Small town centres or suburban locations
E4	Urban	High district brightness	Town/city centres with high levels of night-time activity

The guidance advises that, where an area to be lit lies on the boundary of two zones or can be observed from another zone, the limits used should be those applicable to the most rigorous zone, in this case E0 or E1.

Reason: To prevent light pollution within the dark skies of the High Weald AONB, in the interests of the amenities of the area and to protect the dark sky environment, in accordance with Policies OSS4 (iii), RA3 (v) and EN1 of the Rother Local Plan Core Strategy, Policies DEN2 and DEN7 of the Development and Site Allocations Local Plan and Objective OQ4 of the High Weald Management Plan.

6. The office/workshop/store building, shall be used for the purposes specified in the application only and for no other purpose (including any other purpose in Class E (as applicable) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure control of the uses at the site and allow assessment of the impacts of any potential changes via an application, thereby maintaining the landscape character and scenic beauty of the High Weald AONB, ensuring continued highway safety and protecting as required the local ecology and drainage matters pertinent to the site within the High Weald AONB and adjacent ancient woodland and watercourses, in accordance with Policies OSS4, EN1, RA3, SRM2, TR3, TR4 and EN7 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 DEN4 and DEN7 of the Rother Development and Site Allocations Local Plan.

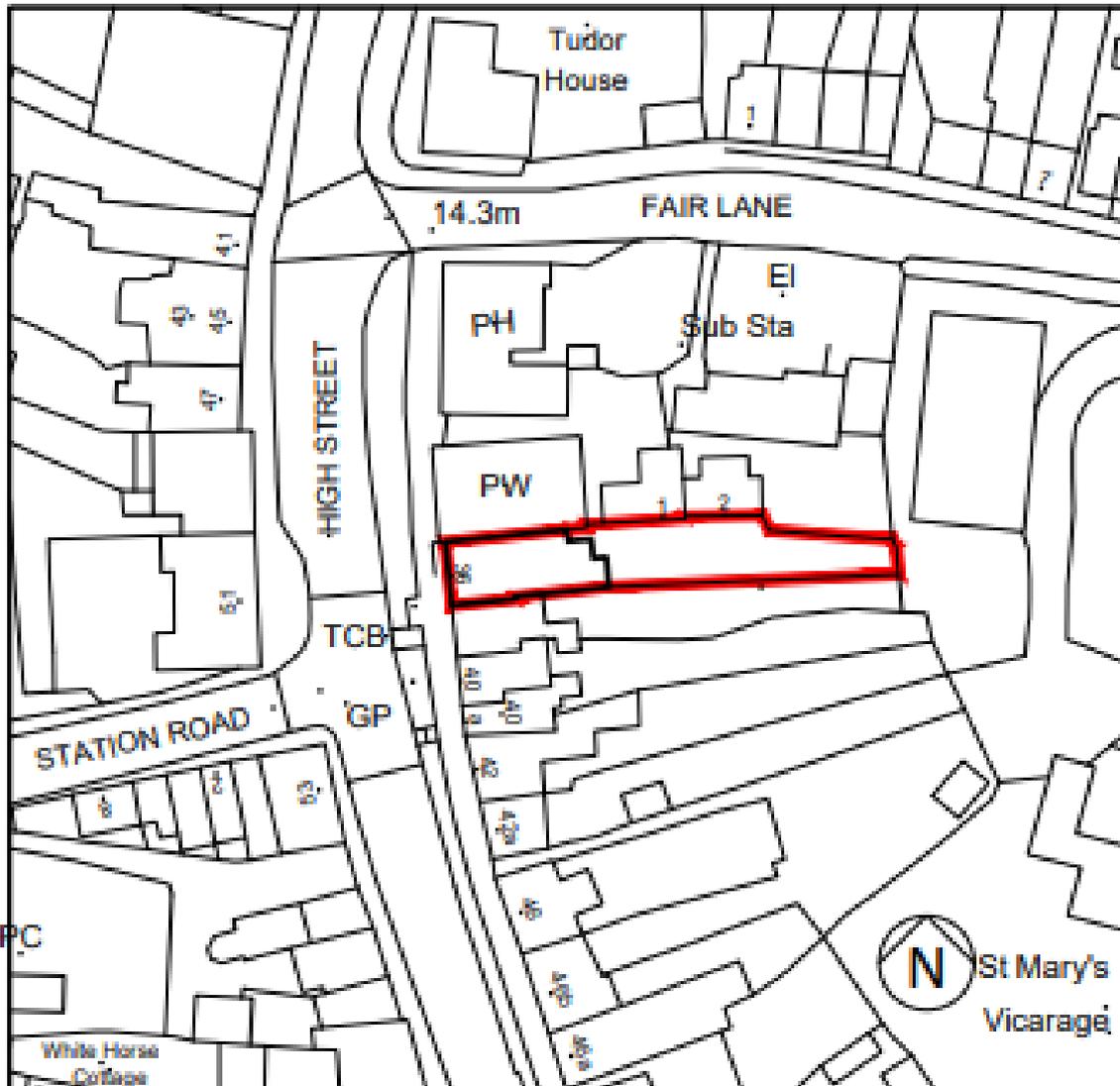
7. The hours of operation of the business units (offices/workshop/storage) shall be restricted to 8am to 6pm Monday to Saturday and no working/operation shall take place on a Sunday or Bank Holiday unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality in accordance with Policy OSS4 of the Rother Local Plan Core Strategy.

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

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<p>SITE PLAN</p> <p>RR/2022/2345/L</p>	<p>SALEHURST/ROBERTSBRIDGE</p> <p>36 High Street Robertsbridge</p>
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Rother District Council

Report to - Planning Committee
Date - 12 January 2023
Report of the - Director - Place and Climate Change
Subject - Application RR/2022/2345/L
Address - 36 High Street, Robertsbridge
Proposal - Refurbishment and restoration of the integrity and fabric of the Grade II Listed Building including internal alterations.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mrs E. Knowles
Agent: Robert Shreeve Associates Ltd
Case Officer: Matthew Jenner
(Email: matthew.jenner@rother.gov.uk)

Parish: SALEHURST & ROBERTSBRIDGE
Ward Member: Councillor S.M. Prochak, MBE

Reason for Committee consideration: Director – Place and Climate Change
referral: The Applicant is related to Members of the Council.

Extension of time agreed to: 20 January 2023

1.0 SUMMARY

1.1 The application proposes to refurbish and restore the integrity and fabric of the Grade II Listed Building. The main issue for consideration is the impact of these works on the special architectural and historic interest of the building. However, it is not considered that the proposed works would have an impact and the application for Listed Building Consent is recommend for approval.

2.0 SITE

2.1 The application site is on the east side of the High Street in Robertsbridge. It is Grade II Listed along with other adjoining properties. Its Listing describes it as *a; Range of houses with C18 fronts to probably older buildings. Two storeys. Five windows. Faced with weather-boarding. Tiled roof. Sash windows with glazing bars intact. Doorway with flat hoods over.*

3.0 PROPOSAL

3.1 The submitted Design and Access Statement and plans propose the following works to the building.

3.2 Basement:

- Following pre-application advice, the basement will remain as a storage area. However, repairs are proposed to the existing structural elements.
- West Wall – Build new 102mm brickwork off ledge in front wall. Provide 97 x 47mm deep treated C24 timber plate bedded onto top of wall to provide improved support for floor joists over and New 100 x 65 deep PS concrete plank across recess with min 100mm end bearings.
- Floor Joists – 2 No. rotten floor joists spanning from front wall onto central beams over to be strengthened by screwing new 47 x 97 deep treated C24 timbers alongside for full span.
- Central Steel Beams – End of steel beams to be temporarily supported. Fully expose around end of beams, thoroughly clean of all rust, treat with two coats of bitumen paint and build back into wall.
- Insulation – Install insulation between existing joists over rigid woodfibre boards or similar.
- Oak Beam adjacent to staircase – Existing 140 x 160mm deep oak beam - provide support to beam where end is rotten. Construct 215 x 215mm brick pier off 450 x 450mm x 225 thick concrete pad foundation.

3.3 Ground Floor:

- Bathroom – Install a 75mm insulation layer under a breathable membrane attached beneath the existing joists. Vents would then be inserted into the ends of the 'cold roof' sections to prevent condensation. The ceiling would be plastered over gypsum board and the room vented using a Vent Axia heat recovery system. The bathroom would comprise WC, basin and shower. The air vent brick at roof height of the north wall would be restored.
- Kitchen – The existing Marley floor tiles would be removed. The existing brick floor below would be restored, replacing any that are unusable with reclaimed bricks. The foundations would be replaced with modern slab over insulation and membrane in the centre of the room with limecrete screed below the bricks. The brick floor would be finished with linseed oil or a similar breathable finish.
- Kitchen Fireplace – Two parallel courses of linked brick would be built under the existing archway on both sides with hydraulic lime mortar. The salt cupboards and right inner wall of the fireplace would be left but a further brick and lime mortar wall would be built in front to create a log recess without removing any existing structure. The concrete slab and remaining blocks would be removed and replaced with a hearth and the existing wood burner reinstalled. The flue pipe would be single skin from top to bottom, passing through a steel register plate and the chimney pot would back over

in slate. A new lathe and plaster ceiling is also proposed to replace the existing fibreboard and plaster ceiling.

- Utility Room – The floor would be limecreted and finished with brick pavers or quarry tiles. The existing boarded up door would be replaced with stud partition with a plaster finish to both sides and the existing sole plate would be replaced.
- North Wall opposite staircase – There is a significant Tudor support beam and studwork that would be re-supported by a brick or block wall against the existing wall externally.
- Living room – The existing fibreboard and plaster skim finish would be removed, and a new lathe and plaster ceiling would be installed to expose the original timber joists. An existing wood partition, hardboard and wallpaper would be removed. On the north wall a brick pier would be constructed off the basement wall to support an existing oak beam. A further brick support is also proposed to support existing studwork, as well as repairs to the original lathe and plaster. A new oak beam is also proposed along with the repainting of the door and the replacement of brick infill with a traditional metal ribbed panel.

3.4 First Floor:

- Bedroom 2 – The floorboards over the south end of the floor would be removed and put back level with the main floor beam.
- Master Bedroom – Modern studwork and hot water cylinder would be removed including all associated pipework. A new studwork wall would be formed to accommodate a cloakroom, WC and WHB. A new waste pipe would be boxed in and connected at ground floor level to the existing manhole. A free-standing bath is proposed under the window of the south wall with waste pipes boxed in above floorboards. Insulation and a breathable membrane is also proposed around the chimney behind existing tiles and battens.

3.5 General and External Works:

- The heating, plumbing and electrical installation would be upgraded.
- Upgrading of external plumbing and heating pipes.
- The existing windows and doors would be repaired.
- The existing rainwater goods would be retained and repaired where necessary.

4.0 HISTORY

4.1 None.

5.0 POLICIES

- 5.1 The following policies of the adopted Rother Local Plan Core Strategy are relevant to the proposal:
- EN2: Stewardship of the Historic Built Environment
 - RA1: Villages
- 5.2 The following policy of the adopted Development and Site Allocations Local Plan are relevant to the proposal:
- DHG9: Extensions, Alterations and Outbuildings
- 5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations particularly section 16 Conserving and enhancing the historic environment.
- 5.4 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to local planning authorities when considering whether to grant Listed Building consent, to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.
- 5.5 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to local planning authorities when exercising planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
-

6.0 CONSULTATIONS

- 6.1 Planning Notice – **NO COMMENTS RECEIVED**
- 6.2 Saleshurst and Robertsbridge Parish Council – ‘In the absence of any objections from neighbours we would support this application. Gill Colquhoun (Mrs), Assistant Clerk to the Parish Council.’
-

7.0 APPRAISAL

- 7.1 The main issue for consideration is the impact of the works on the special architectural and historic interest of the Listed Building.
- 7.2 Policy EN2 of the Rother Local Plan Core Strategy states development affecting the historic built environment, will be required to: (iii) preserve, and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric and materials, including forms specific to historic building typologies.
- 7.3 The submitted plans and Design and Access Statement detail a well-developed proposal that considers previous advice given at pre-application stage. The restoration of floors, fireplaces and the reinstatement of lathe and plaster finishes is welcomed.

- 7.4 The proposal seeks the removal of some 19th century elements in order to carry out repairs. These elements do not have any historical value; therefore, their loss is considered acceptable.
- 7.5 However, further details are required for the proposed works to the chimney. It is not clear as to what is proposed due to the complex nature and numerous additions to the structure. This can be resolved by a condition that would require annotated elevational drawings of the chimney.
-

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 Having regard to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed works, by virtue appearance, materials and methodology would not cause detriment to the special architectural and historic character and interest of the Listed Building as a designated heritage asset, and as such would comply with Policies EN2 and RA1 of the Rother Local Plan Core Strategy, Policy DHG9 of the Development and Site Allocations Plan, and paragraphs 130 and 200 of the National Planning Policy Framework.
- 8.2 The application is therefore recommended for approval.
-

RECOMMENDATION: GRANT (LISTED BUILDING CONSENT)

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:
Block Plan – Proposed- 22.06.BP01, dated May 2022
Proposed Floor Plans- 22.06.PL20A, dated 13.09.22
Basement Plan- 22016-01, dated August 2022
Ground Floor Plan- 22016-02, dated August 2022
First Floor Plan- 22016-03, dated August 2022
Heritage and Design and Access Statement- RS22/06.HS.DAS, submitted 23.09.22
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the development hereby permitted shall be in accordance with that described in the application, unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.
Reason: To maintain the historical characteristics of the existing building in accordance with Policy EN2 of the Rother Local Plan Core Strategy.
4. Prior to removal of concrete blocks within the chimney aperture located in the kitchen, 1:10 scale drawings of the chimney as existing and as proposed shall

be submitted to the Local Planning Authority for approval. The proposed drawings should include annotations of what works are to be carried out. Annotated photographs can also be submitted to provide additional context. Once approved the works shall be carried out in accordance with the approved plans and retained as such thereafter.

Reason: To ensure the works are in accordance with HE best practice and reflect the requirements of Policy EN2 of the Rother Local Plan Core Strategy.

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<p>SITE PLAN</p> <p>RR/2022/2376/P</p>	<p>BURWASH</p> <p>Strand Meadow – Land to south west of</p>
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Rother District Council

Report to	-	Planning Committee
Date	-	12 January 2023
Report of the	-	Director – Place and Climate Change
Subject	-	Application RR/2022/2376/P
Address	-	Strand Meadow – Land to the south west of, Burwash
Proposal	-	Application to modify or discharge a Planning Obligation (Sec. 106A) relating to RR/2017/582/P to include Park Lane Homes as a party to the planning obligation. Replacement of affordable housing with an early and late stage review mechanism in relation to viability. Remove offer of Parish Land to Burwash Parish Council. Amend route of footpath link. Amend timing of submission of Landscape area specification and include the updated Ecological report September 2020.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **APPROVE MODIFICATION OF THE SECTION 106 PLANNING OBLIGATION**

Director: Ben Hook

Applicant:	Park Lane Homes (South East) Ltd
Agent:	Park Lane Homes (South East) Ltd
Case Officer:	Mrs S. Shepherd (Email: sarah.shepherd@rother.gov.uk)

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

Reason for Committee consideration: Director – Place and Climate Change referral: **Modification of Planning Obligation with financial implications.**

Statutory 13 week date: 28/12/22
Extension of time agreed to: 20/1/23

1.0 SUMMARY

1.1 This application is reported to the Planning Committee as it proposes changes to the previously agreed Section 106 planning obligation with potential financial implications. The majority of the listed changes are of a more minor nature and update the parties in the Section 106 and evolving site situation with regards to landscaping, amenity space and ecology. The proposed loss of on-site affordable housing and its replacement with a two-stage review mechanism to

reconsider affordable housing provisions or monetary contributions based on actual costs is also sought. A change to full market housing would result in a loss of affordable housing provisions on site with a consequent increase in Community Infrastructure Levy (CIL) payments due. A review mechanism within any Section 106 would allow the affordable housing provisions/contributions to be revisited as the development started on site and progressed.

1.2 The proposed changes are accompanied by a Viability Report which concludes that the proposals cannot support the provision of affordable housing on site. The Council has sought an independent Viability Assessment and this, even with some adjustment of a couple of figures, also concludes that the scheme could not viably provide any affordable housing or off-site affordable housing contribution. It recommends that the Council applies the viability review mechanisms at early and late stages of development in line with the National Planning Policy Guidance for Viability document.

1.3 **PROPOSAL DETAILS**

PROVISION	
No of houses	30
No of affordable houses	0
Other developer contributions 1	Landscape ecological area
Other developer contributions 2	Recreational open space
Other developer contributions 3	Footpath link
CIL (approx.)	£624,390
New Homes Bonus (approx.)	£0 (approved at appeal)

2.0 SITE

2.1 The site, as is the whole village of Burwash and much of the District, is situated within the High Weald Area of Outstanding Natural Beauty (AONB). The majority of the site, excepting the amenity space, lies within the development boundary for Burwash village with an existing field access from the southern end of Strand Meadow. Tree Preservation Order 267 preserves the larger trees on site.

2.2 The site adjoins Strand Meadow to the north, and the gardens of properties at a higher level in Beechwood Close to the north-east and Rother View to the south-east. The recreation ground is set at a higher level and adjoins the southern boundary of the site, with rising fields to the west. Public paths run along the northern boundary between Beechwood Close and Strand Meadow with public rights of way via Ham Lane to the south-west and through the fields to the west.

3.0 PROPOSAL

3.1 The proposed modifications of the Section 106 as set out by the Applicant comprise:

- Inclusion of Park Lane Homes (South East) Limited (the Developer) as a party to the Planning Obligation.

- Removal of Affordable Housing contribution, both on and off site, as the approved development is not viable, or deliverable, to provide the Affordable Housing provision included in the existing Section 106. The application is accompanied by a detailed Viability Assessment produced by Turner Morum dated 14 September 2022 which includes appraisals for policy compliant 40% Affordable Housing, 20% Affordable Housing and wholly Open Market scenarios.
- Inclusion of new clauses to provide for both early and late stage review mechanisms in relation to viability to ensure the development is brought forward within an agreed timescale (early stage review). A review of actual costs and revenues prior to the occupation of the 15th dwelling (late stage review) and in the event of a “surplus” arising a method for calculating an off-site Affordable Housing contribution. It is proposed the review mechanisms will follow the principals set out in the previous Section 106 agreed with the Council in relation to Application RR/2018/1787/P, which was the subject of Appeal Ref: APP/U1430/W/19/3223824.
- Removal of the definition of “Parish Land” and the obligation to offer the “Parish Land” to Burwash Parish Council (Schedule 3 Part 4 and Schedule 10) as the Parish Council has previously advised they have no need for the “Parish Land”.
- Amendment to the Section 106 Plan to remove the identification of the “Parish Land” and amend the route of the Footpath Link to accord with the approved drawings.
- Timing for the submission of the Specification relating to the Landscape Area and Recreation Land (Schedule 3 Part 2) to be amended to require submission prior to any above ground works being carried out.
- Inclusion of the updated Ecological Report dated September 2020 and submitted with the Reserved Matters Application RR/2020/1822/P (Schedule 9).

4.0 HISTORY

- | | | |
|-----|----------------|--|
| 4.1 | RR/2022/2426/P | Variation of Conditions 1-4 imposed on RR/2020/1822/P to amend approved drawings of Plots 1 and 2. TO BE DETERMINED |
| 4.2 | RR/2022/1942/P | Variation of Conditions 1-4 imposed on RR/2020/1822/P – to revise some of the highway details in the layout. APPROVED CONDITIONAL |
| 4.3 | RR/2020/1822/P | Reserved matters relating to residential development of 30 dwellings (outline permission RR/2017/582/P), Conditions 1, 2 and 3 together with the discharge of Conditions 7 (foul and surface water drainage), 8 (parking and turning of vehicles), 9 and 10 (archaeology), 13 (levels) and 19 (landscaping). Refused. APPEAL ALLOWED |
| 4.4 | RR/2018/1787/P | Full application. Erection of 30 market dwellings together with access, parking, open space and recreational land. Refused on design only and lack of Section 106 agreement which was subsequently completed. APPEAL DISMISSED |

- 4.5 RR/2017/586/P Outline: Proposed residential development with access from Strand Meadow. APPROVED SUBJECT TO CONDITIONS AND SECTION 106
- 4.6 RR/2011/2206/P Use of land for informal recreation and creation of footpath link. APPROVED SUBJECT TO SECTION 106 AGREEMENT AND CONDITIONS
- 4.7 RR/2011/2205/P Outline: proposed residential development with access from Strand Meadow. APPROVED SUBJECT TO SECTION 106 AGREEMENT AND CONDITIONS
-

5.0 POLICIES

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- EN1: Landscape stewardship
 - EN5: Biodiversity and green space
- 5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:
- DHG1: Affordable Housing
 - DEN1: Maintaining Landscape Character
 - DEN2: The High Weald AONB
 - DEN4: Biodiversity and Green Space
- 5.3 The following policies of the Burwash [Neighbourhood Plan](#) are relevant to the proposal:
- GP01: Protection of the Area of Outstanding Natural Beauty landscape
 - EN02: Natural Environment Protection
 - EN06: Integration of landscaping
- 5.4 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.
-

6.0 CONSULTATIONS

6.1 Housing Enabling & Development Officer – **NO OBJECTION**

6.1.1 Comments that: *While it is unfortunate that on-site affordable housing is not able to be provided as part of this scheme the Financial Viability Appraisal supplied by the Applicant and subsequently independently reviewed is accepted. The proposed review mechanism constitutes a reasonable outcome that allows the development to viably proceed and secure the possibility of a financial contribution towards affordable housing provision in Rother. As such I have no objection to the proposed modifications.*

6.2 Planning Notice

6.2.1 Three letters of objection have been received. The comments are summarised as follows:

- Highway safety issues.
- Don't need a viability study to identify various issues other than affordable housing that combine to make the scheme unprofitable, including steep site, lack of garages, earthmoving required, landscaping and piling.
- S106 requirements should be honoured.
- Residents objections have been ignored.
- Insufficient parking.
- Site is unsuitable for development.

6.3 Burwash Parish Council – **OBJECTION**

6.3.1 The Parish Council objection is summarised as follows:

- Affordable housing is needed, and permission was granted with great weight placed on the affordable housing element.
- Rother District Council (RDC) should not accept a developer's viability study without a counter study by an independent company.
- Object to the timing of this in the absence of RDC's own viability study.
- RDC is urged to work with the developer to secure the affordable housing
- If the development isn't viable, don't build it.
- Loss of affordable is contrary to policy for mixed and balanced communities in rural sites, provision of affordable housing and mixed tenures.
- The Parish Council confirms that the land denoted as 'Parish Land' is not required by them.

7.0 **LOCAL FINANCE CONSIDERATIONS**

7.1 The proposal is for a type of development that is CIL liable. The total amount of CIL money to be received is subject to change. As a full market housing scheme, the development could generate around £624,390. With exemption for affordable housing this would be reduced to around £377,876.

7.2 If the development had been granted approval by the local council, the proposal would have provided New Homes Bonus (subject to review by the Government). If New Homes Bonus were paid it could, assuming a Band D property, be approximately £200,520 over four years. However, the scheme was granted permission at appeal and as such no New Homes Bonus will be provided.

8.0 **APPRAISAL**

8.1 This application relates to modifications of the Section 106 and as such does not change the principle of residential development which is not for reconsideration. The detailed plans and other matters approved at outline and via the reserved matters Application RR/2020/1822/P still stand, except where an amendment is proposed to the designation of the footpath link route and removal of the annotation of Parish Land.

8.2 In considering the proposed modifications to the Section 106 regard must be had to whether the proposed changes are necessary and/or serve a planning purpose and meet any policy requirements. Each item listed in the proposals at paragraph 3.1 above will be considered in turn.

Inclusion of Park Lane Homes (South East) Limited (the Developer) as a party to the Planning Obligation.

- 8.3 Although not a land owner, the request to add the developer to be a party to the Section 106 has been made and there is no reason to object to this. The same land owners already included in the Section 106 remain.

Removal of Affordable Housing contribution and Inclusion of new clauses to provide for both early and late stage review mechanisms in relation to viability

- 8.4 As referenced by the Applicant, this matter was previously explored as part of Application RR/2018/1787/P, which was a full application proposing 30 market dwellings. While that application was refused and subsequently dismissed at appeal on design grounds, a new Section 106 obligation was completed at that time having fully explored the viability issues. Following an independent review by the District Valuation Office, this resulted in removal of affordable housing on-site and the insertion in the Section 106 of a two-stage review mechanism at that time.
- 8.5 Now four years later, the Applicant has again submitted a new Viability Report based on current predicted costings and sales values. The Council has also undertaken, at the Applicant's cost, an independent Viability Assessment which has also reviewed the Applicant's submitted report. The independent assessment concludes in the summary:

"8.1 Rother District Council, via the rother Local Plan, requires this development to provide 40% of all units as affordable housing, subject to the financial viability of the project.

8.2 The Applicant has supplied a viability assessment for the scheme which concludes that it is not viable for them to provide any affordable housing contributions. We reviewed the submitted viability assessment which has drawn conclusions upon the accuracy of the Applicant's assumptions.

8.3 In performing this assessment, we have considered what assumptions have been used within the Applicant's residual land value calculation and how they compare to the industry benchmarks along with current economic factors and evidence. We have made appropriate adjustments and conclude the scheme cannot viably provide any affordable housing.

8.4 Section 7 demonstrates that the scheme could not viably provide any affordable housing in the form of an off-site affordable housing contribution as the Residual; land Value of the scheme is less than the Benchmark Land Value by £400,332.

8.5 We recommend that the Council applies the viability review mechanisms at early and late stages of development in line with the National Planning Policy Guidance for Viability document (Paragraph: 009 Reference ID: 10-009-20190509) where local policy allows."

- 8.6 While the local policy does not currently include reference to a review mechanism, (as per the updated national guidance), the Applicant has offered inclusion of the review mechanism in modification of the Section 106. The provision of affordable housing on site or a contribution for offsite is not currently

viable and hence the inclusion of a review mechanism to allow this situation to be monitored and to allow the possibility for a contribution to be sought in the future, should finances allow, should thus be included as a modification of the Section 106.

Removal of the definition of “Parish Land” and the obligation to offer the “Parish Land” to Burwash Parish Council (Schedule 3 Part 4 and Schedule 10)

- 8.7 As confirmed by Burwash Parish Council in its comments noted at 6.3.1 above, they do not require the “Parish Land” and reference to their taking ownership should thus be removed from the Section 106, i.e. removal of Part 4 (Parish Land) of Schedule 3 and Schedule 10 (transfer of registered titles). The land would however remain an area of public recreation land, to be maintained by the freeholder/management company of the site, in accordance with Part 2 of Schedule 3.

Amendment to the Section 106 Plan

- 8.8 To reflect the proposed amendments within the body of the Section 106, the plan also requires amendment to remove the identification of the “Parish Land” and amend the route of the Footpath Link. It will be noted that the footpath now comprises a circular route through the recreation land with the spur to the boundary retained, should a link into the recreation field adjacent be forthcoming. The revised route complies with the approved drawings, as varied in Application RR/2022/1942/P.

Timing for the submission of the Specification relating to the Landscape Area and Recreation Land (Schedule 3 Part 2)

- 8.9 Paragraph 1 of Part 2, Schedule 3 currently requires the ‘Specification’ of works to be submitted as pre-commencement, which ties in with various conditions. The Applicant is seeking to amend the submission to “prior to any above ground works being carried out” in relation to the contractor’s details. Such a variation does not impact the nature or submission of the ‘specification’ itself and as such there is no objection to this minor alteration.

Inclusion of the updated Ecological Report dated September 2020

- 8.10 The Ecological Assessment Report was updated and submitted with the Reserved Matters application reference RR/2020/1822/P in 2020. The County Ecologist had no objection to the updated report. While the application was refused, that report is more recent and should correctly replace the earlier report from 2017 at Schedule 9 of the Section 106.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The development has been found by an independent assessor to be unviable in terms of the provisions for affordable housing on or off site. However, to enable this situation to be monitored the inclusion of a review mechanism should be incorporated into the Section 106 instead. If costs or income from sales subsequently changes during development, then this would allow the possibility for affordable contributions to be sought.

- 9.2 Omission of 'Parish Land' is regrettable but the Parish have made it clear that they do not want the land. The land would however remain as public recreation land.
- 9.3 The proposed modifications are of an acceptable nature, reflect the current site and associated situations and remain pertinent to planning.
-

RECOMMENDATION: APPROVE MODIFICATION OF THE SECTION 106 PLANNING OBLIGATION (as set out in the report).

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

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Rother District Council

Report to:	Planning Committee
Date:	12 January 2023
Title:	Planning Scheme of Delegation – Clarifications
Report of:	Myles Joyce, Interim Development Manager
Ward(s):	All
Purpose of Report:	The purpose of this report is to consolidate, clarify, review and approve the revised officer Scheme of Delegation including widened officer sign off powers, clarification of call in for amendments to legal obligations, powers in relation to tree works and the Planning Committee Chairs' emergency call in powers from October 2020, consolidated in March 2021 and November 2022.
Officer Recommendation(s):	It be RESOLVED: That Appendix 1 be approved as the Planning Scheme of Delegation and that the Constitution be amended accordingly.

Introduction

1. Members will recall that a "Revision to the Planning Scheme of Delegation and other related changes" was presented to Committee on 13 August 2020 (Minute PL20/29 refers). Members approved the amendment of the officer Scheme of Delegation in respect of the Planning Service by the removal of the 'Notified D' report process and the insertion of an enhanced weekly list process as set out in the report and the consequent amendment of the Council's Constitution.
2. The new system was introduced on 6 October 2020 and was reviewed and accepted by Planning Committee in May 2021 (Minute PL21/09 refers).
3. At the same meeting, the Planning Committee Chair's resolution to clarify the limits of their emergency call in powers to Committee was also approved by the Planning Committee (Minute PL21/09 refers).
4. The above followed the approval of the Planning Committee for the procedure for the approval of minutes where the Planning Committee decision was contrary to officer recommendation in March 2021 (Minute PL20/98 refers).
5. It was considered to assist with the reduction in the backlog of planning applications, more rapid response with regard to taking formal enforcement action and to generally improve overall the decision making of officers, that the scope for sign off of application under delegated authority was increased to Level 4 officers and above regardless of their RTP1 status. These proposals were adopted by the Planning Committee November 2022.

6. It has been noted that notwithstanding the above certain aspects of the above approved amendments had not been updated in the wording of the Scheme of Delegation or Constitution. Accordingly, some officer titles have since been superseded by staff/organisation changes. Accordingly, the report before you seeks to clarify these delegated officer powers to reflect the current officer structure (Appendix 1).
7. It has also been noted that certain inconsistencies with regard to miscellaneous powers and tree works were inconsistent with the officer delegated powers of more recent amendments and this report seeks to amend these for the sake of clarity and consistency.
8. Finally, it is proposed to amend the Scheme of Delegation so it is clear that lawful development certificates and time limited applications that appear on the weekly list for information only or are not planning applications are not subject to call in powers and that accordingly, these amendments are sought in this report for the sake of clarity and consistency.
9. Therefore, in summation it is recommended to:
 - Update the Scheme of Delegation as approved on an interim basis by Planning Committee August 2020 and confirmed by Planning Committee March 2021 inserted in paragraphs 3.1.6 to 3.1.9 and including clarification of exemptions for time limited applications for information only as consistent with the delegated list.
 - To clarify sign off powers to Level 4 and above regardless of RTP1 status, approved by Planning Committee November 2021 as inserted in 3.1.4 to 3.1.5 and 3.1.10 and 3.1.11.
 - To clarify sign off powers with regard to investigations and formal actions with regard to Planning Enforcement approved by Planning Committee November 2021 and set out in paragraphs 3.12 to 3.1.18.
 - To clarify approval of minutes where Committee decisions differ from officer recommendations confirmed by Planning Committee March 2021 inserted as paragraph 3.1.3.
 - To clarify that any amendments to planning obligation which relate to financial matters including changes to affordable housing provisions be reported to the Planning Committee as in paragraph 3.1.13.
 - To clarify powers under tree matters including making of Tree Preservation Orders and High Hedge Notices in paragraph 3.1.25 to 3.1.27.
 - To clarify powers with regard to miscellaneous matters including making of Article 4 directions and Rights of entry under paragraphs 3.1.19-3.1.24.
10. In accordance with Article 15 – Review and Revision of the Constitution, 15.3 Changes to the Constitution, as this matter is in connection with officer delegations that flow from the Planning Committee, this matter does not require full Council approval.

Financial Implications

11. No additional financial implications identified.

Legal Implications

12. Amend the delegation scheme in the Constitution.

Risk Implications

13. Failure to revise the Constitution to simplify the planning delegation system will mean a continuation of the current lack of clarity and consistency which may hamper effective decision making.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Chief Executive	Malcolm Johnston
Contact Officer:	Myles Joyce – Interim Development Manager
Email address:	myles.joyce@rother.gov.uk
Appendices:	Appendix 1 – Proposed Scheme of Delegation
Relevant previous Minutes:	PL20/29 / PL21/09 / PL20/98
Background Papers:	-
Reference Documents:	-

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3.1 Director – Place and Climate Change / Development Manager

Planning Service

The Council's Cabinet and Planning Committee may delegate some of its functions and powers to specific officers of the Council. The following is a list of those delegations

C denotes from Cabinet. P denotes from Planning Committee.

In the absence of the nominated officers delegated power may be exercised by the Chief Executive or such officer as the Chief Executive may nominate.

DEVELOPMENT MANAGER

All functions exercised by Development Manager and in their absence the Development Management Team Leaders.

Development Management

- 3.1.1 To deal with applications for listed building consent under S10 of the Planning (Listed Buildings and Conservation Areas) Act 1990. (P)
- 3.1.2 To prescribe conditions or reasons for refusal or approval to be applied to any planning application determined by the Council for delegated decisions or resolved to be delegated by the Planning Committee. (P)
- 3.1.3 That where decisions of the Planning Committee vary from an officer recommendation the decision notice will not be issued until it agrees with the draft minutes approved by the Chair. Alignment of the two documents will take place within two clear working days of the receipt of the draft minutes. Should any issue be unresolved at the end of those two days it will be referred to the Head of Paid Service for final resolution.
- 3.1.4 To approve minor amendments to planning consents and to approve or disapprove any matter submitted as a condition of planning approval. Function also to be exercised by Team Leaders, Principal Officers (Level 5) and Senior Officers (Level 4). (P)
- 3.1.5 To deal with applications for Lawful Development Certificates under S191 and S192 of the Town and Country Planning Act 1990. Function also to be exercised by the Development Manager, Team Leaders Principal Officers (Level 5) and Senior Officers (Level 4). (P)
- 3.1.6 To determine applications for planning permission in accordance with the arrangements detailed under Delegated Procedures and to determine individual planning applications specifically delegated by Committee resolution and to prescribe conditions or reasons for refusal or approval as appropriate. Under the delegated system all applications identified with the (DEL) notification on the weekly list will be dealt with by officers where there are no conflicting views and the matter has not been subject to a call in 'call-in' by the ward member.

- 3.1.7 The weekly list sets out new applications on a ward basis, so that Councillors are fully aware of new submissions in their local area at the outset. They may call applications to Committee (clearly citing planning reasons and whether the call in is conditional or a recommendation of approval or refusal) up to seven days (no later than 5pm on the last day) after the closure of any weekly list publicity period or expiry of the site notice whichever is the later(P). The officer for a planning application is required to inform the ward member or chair of the committee of the expected outcome of an application prior to call in (or any time after) if requested by the ward member or chair of the committee. Under exceptional circumstances, the Chair of the Planning Committee be granted authority to call-in an application, at any time before the decision notice is issued after consultation with the local Ward Member(s).
- 3.1.8 Planning applications on the weekly list sets out the applications which are time limited and/or for information only, for example those set against the relevant regulations and those not subject to appraisal against planning policy. Such applications are not subject to any call-in measures.
- 3.1.9 Planning applications which are labelled (COM) automatically go to be determined at Planning Committee where the applicant is or is related to an elected member of the Council or member of Council staff, is for Council owned land, or applications submitted by the Council itself.
- 3.1.10 To refuse planning permission for applications in circumstances where no extension of time is agreed, and it is not possible to resolve any outstanding matters. Function also to be exercised by the Function also to be exercised by Team Leaders, Principal Officers (Level 5) and Senior Officers (Level 4) (P)
- 3.1.11 To rescind or revoke all obsolete, irrelevant or inoperative entries in the registers under his control relating to the Town and Country Planning Act 1990; Article 4 Directions made under the General Permitted Development Orders; the Town and Country Planning (Control of Advertisements) Regulations 1992, and Notices under Section 65 of the Public Health Act 1936. Function also to be exercised by the Function also to be exercised by Team Leaders, Principal Officers (Level 5) and Senior Officers (Level 4) (P) (C)
- 3.1.12 To exercise the Council's functions under Section 224 of the Town and Country Planning Act 1990 - power to remove or obliterate placards and posters. Function also to be exercised by the Function also to be exercised by the Development Manager and Development Management Team Leaders (C).
- 3.1.13 Acting in conjunction with the Solicitor to the Council to authorise Section 106 Planning Obligations or authorise the modification of existing Section 106 Planning Obligations which relate to planning control matters. (Any Obligations that relate to financial matters, including changes to affordable housing provision are to be referred to Planning Committee for decision). All such Obligations to be concluded within a six month period of the authorisation unless extended at the discretion of the Development Manager or Solicitor to the Council. Function also to be exercised by the Development Management Team Leaders. (P)

- 3.1.14 To decide not to investigate alleged breaches of planning control where it is considered that the matter is not having a serious impact on amenity or the environment, having regard to the provisions of the development plan and any other material considerations and in this regard no investigations shall take place in respect of anonymous complaints or in respect of slight variations which would otherwise be permitted by the Town & Country (General Permitted Development) Order 2015 (as amended) or other minor development that amounts only to a technical breach. Function also to be exercised where appropriate by the Development Manager and Development Management Team Leaders. (P)
- 3.1.15 To take enforcement action, having first consulted with the Solicitor to the Council in respect of breaches of planning control, under Part V11 and Part VIII of the Town and Country Planning Act 1990 which are having a serious impact on amenity or the environment, having regard to the provisions of the development plan and any other material considerations. The Solicitor to the Council be authorised to take any other steps necessary to remedy the breach of planning control including legal action under Part VII and Part VIII of the Town and Country Planning Act 1990. Function also to be exercised where appropriate by the Development Manager and the Development Management Team Leaders. (P)
- 3.1.16 To issue Notices under Powers to require information in relation to Notices of the land under Section 330 of the Town and Country Planning Act 1990 and to issue Planning Contravention Notices under Section 171C of the Town and Country Planning Act 1990. Function also to be exercised where appropriate by the Development Manager and the Development Management Team Leaders. (P)
- 3.1.17 Acting through the Solicitor to the Council, to withdraw an enforcement notice which has been complied with, where it is considered that the breach of planning control cannot be repeated or waive or relax any requirements of any notice under Section 173A of the Town and Country Planning Act 1990. Function also to be exercised where appropriate by the Development Manager and the Development Management Team Leaders. (P)
- 3.1.18 Acting in consultation with the Solicitor to the Council, to extend the period for compliance with any enforcement notice under Section 173A where that would be expedient; such extension not to exceed 12 months. Function also to be exercised where appropriate by the Development Manager and the Development Management Team Leaders. (P)
- 3.1.19 The making of land use planning representations to the Traffic Commissioner on applications for Operators Licences made under the Goods Vehicles (Licensing of Operators) Act 1995. Function also to be exercised by the Development Manager and Development Management Team Leaders. (P)
- 3.1.20 The making of directions under Article 4 of the Town and Country (General Permitted Development) Order 1995. Function also to be exercised by the Development Manager and Development Management Team Leaders. (P)
- 3.1.21 To exercise the Council's functions in respect of the Town and Country Planning (Environmental Impact Assessment) (England and Wales)

Regulations 1999 or any subsequent replacement regulations. Function also to be exercised by Development Manager and Development Management Team Leaders. (P)

- 3.1.22 To make representations where necessary in respect of proposals made by Government Departments in consultation with the Chair of Planning Committee, where appropriate. (P)

Rights of Entry

- 3.1.23 To authorise at his discretion officers (either generally or specifically) to exercise all or any statutory rights of entry in the Planning Acts and the Regulations made thereunder. (P)

Planning Policy

- 3.1.24 To make representations on draft planning and related policy statements and documents upon which the Council is consulted in terms of their alignment with Council policies and strategies in consultation with the Chair of Planning Committee. (C)

Tree Matters

- 3.1.25 That the following actions shall be delegated to the Development Manager and Development Management Team Leaders:

- To determine applications to fell, lop or prune trees the subject of a tree preservation order or in a conservation area. (C)
- To respond to Forestry Commission consultations on the basis of the Council's adopted policy. (C)
- To deal with the hedgerow removal notices under The Hedgerow Regulations 1997 and to issue hedgerow retention notices. (C)

- 3.1.26 Acting through the Solicitor to the Council, to make such tree preservation orders as considered necessary. This justified through a report to be confirmed by the Development Manager and/or Development Management Team Leaders before the Order is confirmed detailing any objection received. (P)

- 3.1.27 To exercise the Council's functions in respect of High Hedges under Section 8 of the Anti-Social Behaviour Act 2003. Function to be exercised following consultation with and acting through the Solicitor to the Council. This justified through a report to be confirmed by the Development Manager and Development Management Team (P)

Highway Matters

- 3.1.28 To deal with consultations by the East Sussex County Council on highway matters, including the creation, diversion and closure of footpaths and bridleways, and traffic management measures and highway Stopping Up Orders. (C)

Nature Conservation Matters

- 3.1.29 To determine Appropriate Assessments submitted to the Council under the Conservation (Natural Habitats etc) Regulations 1994.

DIRECTOR – PLACE AND CLIMATE CHANGE – STRATEGY AND PLANNING AND BUILDING CONTROL MANAGER (Concurrent Power)

- 3.1.30 To prepare and implement, after consultation with the Chief Finance Officer, a scheme for the charging of fees in accordance with the Building (Local Authority Charges) Regulations 1998.
- 3.1.31 To approve Site Waste Management Policies for the construction and demolition of sites after consultation with the Director – Place and Climate Change.
- 3.1.32 To issue decisions on all applications under the Building Regulations, and to determine applications for relaxation thereof. (C)
- 3.1.33 To employ qualified consultant structural engineers to check where necessary structural details of applications submitted under the Building Regulations. (C)
- 3.1.34 To exercise the Council's functions under the following Sections of the Building Act 1984. (C)

S.8	Relaxation of Building Regulations
S.16	Passing and rejection of plans
S.19	Use of short-lived materials
S.20	Use of materials unsuitable for permanent building
S.21	Provision of drainage
S.22	Drainage of buildings in combination
S.24	Provision of exits etc.
S.25	Provision of water supply
S.31	Proposed departure from plans
S.32	Lapse of deposit of plans
S.36	Removal of alteration of offending work
S.59	Drainage of buildings
S.72	Means of escape in case of fire
S.73	Raising of chimney
S.74	Cellars and rooms below subsoil water level
S.75	Consents under Section 74
S.76	Defective Premises
S.77	Dangerous Building
S.78	Dangerous building - emergency measures
S.79	Ruinous and dilapidated buildings and neglected sites
S.80. 81, 82	Demolitions
S.84	Paving and drainage of yards and passages
S.95	Power to authorise officers to enter premises

Revised January 2023

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Rother District Council

Report to: Planning Committee

Date: 12 January 2023

Title: Appeals

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

Ward(s): All

Purpose of Report: To update the Planning Committee

Officer Recommendation(s): It be **RESOLVED:** That the report be noted.

APPEALS LODGED

RR/2022/1296/P (Delegation)	ASHBURNHAM: Honeyland, Honey Lane, Ashburnham Erection of replacement barn for agricultural use. Mr Allan Chamberlain
RR/2022/240/P (Committee - Decision)	BATTLE: Battle Great Barn - land adj, Marley Lane, Battle Erection of new dwelling. Mr Neil Mortimer
RR/2022/1661/P (Delegation)	BATTLE: 19 Oakhurst Road, Fairlight, Battle Erection of wraparound extension and alterations, including new lower ground floor and improved off road parking area. Mr & Mrs D. Hendon
RR/2022/1295/P (Delegation)	BEXHILL: Pebsham Rural Business Park, Pebsham Lane, Bexhill Erection of single storey Class E business unit, with parking and associated works. Mr M. Worssam
RR/2022/64/P (Committee - Decision)	BEXHILL: 49 & 49a Devonshire Road, Bexhill Replacement of existing timber sliding sash windows and frames with uPVC sliding sash windows and frames. Mrs V. Seng
RR/2021/3049/P (Delegation)	BEXHILL: 14 Cranfield Road, The Garage, Bexhill Proposed demolition of existing detached garage and construction of self-contained flat, vehicular parking and courtyard garden area. Mr Gary Lakin
RR/2022/1353/P	BEXHILL: The Little House, Worsham Lane, Bexhill

(Delegation)	Proposed extension to dwelling involving the removal of several outbuildings. Mr N. Rowe
RR/2022/2020/P (Delegation)	BEXHILL: 13 Marina Arcade, Bexhill Variation of Conditions(s) 4, 5 & 6 imposed on RR/2015/1136/P for conversion of self-contained holiday let to permanent residence. Mr Simon Callagan
RR/2022/2089/P (Delegation)	BODIAM: Ellen Archers, Castle Hill, Bodiam First floor extension to modern garage building to form home office and lift access. Mr & Mrs Michael Rafferty
RR/2021/1430/P (Delegation)	BREDE: Broad Oak Lodge, Chitcombe Road, Broad Oak, Brede Demolition of existing outbuildings for the provision of four new 4-bed dwellings and one new 2-bed dwelling. All with associated proposed parking and landscaping. Express Housing Group Ltd
RR/2022/1008/P (Delegation)	BREDE: Broad Oak Lodge, Chitcombe Road, Broad Oak, Brede Demolition of existing outbuildings for the provision of two new 5-bed dwellings and one new 4-bed dwelling. All with associated proposed parking and landscaping. Express Housing Group Ltd
RR/2022/814/P (Delegation)	BREDE: St Elmo, Cackle Street, Brede Erection of single storey rear extension and front porch. Mr & Mrs T. Quinn
RR/2022/1315/P (Delegation)	BREDE: Sant Roc, Cackle Street, Brede Demolition of existing dwelling and outbuilding. Erection of three terraced dwellings. Hawkins & Hawkins
RR/2022/578/P (Delegation)	BURWASH: Overshaw, Batemans Lane, Burwash Removal of existing stables and derelict barn and construction of new stables (amended proposal following refusal of RR/2021/1983/P). Mr Barclay
RR/2022/1337/P (Delegation)	BURWASH: British Red Cross Society Centre, Highfields, Burwash Demolition of an existing building and erection of dwelling with associated parking and landscaping. Matrix Claims Services Ltd
RR/2020/558/P (Non-Determination)	CAMBER: Car Park Central, Old Lydd Road, Camber Demolition of the beach locks up and replace with boutique hotel including 'Dunes Bar' restaurant at first floor level (relocated from Old Lydd Road). New visitors

	centre and landscaping. Existing car parking spaces relocated to the over flow. Mr Jimmy Hyatt
RR/2022/461/P (Delegation)	DALLINGTON: Prospect House - Land Opposite, Woods Corner, Dallington Proposed new dwelling & associated parking. Woods Corner No.2 Ltd
RR/2022/949/P (Delegation)	EWHURST: New Morgay Farm, Cripps Corner Road, Staplecross, Ewhurst Demolition of existing stables and erection of residential annexe. Mrs F. Radermaker
RR/2022/746/P (Delegation)	EWHURST: 1 Forge Close, Bridle End, Staplecross, Ewhurst Proposed extensions and alterations, loft improvements with new dormers, and addition of entrance porch. Mr and Mrs C. Stevens
RR/2022/155/P (Delegation)	GUESTLING: The Olde Piggery, Eight Acre Lane, Three Oaks, Guestling Siting of 3 No. storage containers including use of existing site building as a Builders store. (Retrospective) Mr Bill Coney
RR/2022/37/P (Delegation)	GUESTLING: Milward Gardens - Land adjacent to, Winchelsea Road, Guestling Outline: Erection of 4 No. bedroom detached house. BBG Commercial Properties Ltd
RR/2022/2250/O (Delegation)	GUESTLING: The Cottage, Stream Farm, Chapel Lane, Guestling Existing use of the garage building as a residential dwelling. Mr Colin McNulty
RR/2022/1071/P (Delegation)	GUESTLING: Old Coghurst Farmhouse, Rock Lane, Guestling Replacement of two existing barns with access and landscaping. Messrs D & J Harris & Manuell
RR/2022/1062/P (Delegation)	HURST GREEN: 2 Silverhill Cottages, Silverhill, Hurst Green First floor rear extension. Miss Karina Hymers
RR/2022/904/P (Delegation)	ICKLESHAM: Solpax, Morlais Ridge, Winchelsea Beach Icklesham Proposed conversion of garage including roof extension and addition of dormers to provide ancillary annexe accommodation for Solpax.

Mr L. Schembri

RR/2021/1084/P
(Delegation)

NORTHIAM: The Cedars, Station Road, Northiam
Demolition of existing single storey bungalow and
erection of two dwellings with retained access.
Brasseur

RR/2022/1097/P
(Delegation)

NORTHIAM: Ghyllside - Land adjacent to, Station Road,
Northiam
Demolition of existing residential garage to provide a
detached residential dwelling.
Express Housing Group Ltd

RR/2022/364/P
(Delegation)

NORTHIAM: Spar Stores, Clematis Cottage, Station
Road, Northiam
Proposed new roof over existing shop premises to create
two self-contained flats with associated parking.
Mr B. Khaira

RR/2020/995/P
(Delegation)

RYE: 145 South Undercliff, Holland of Rye, Rye
Outline: Proposed demolition of existing building,
construction of four semi-detached four bed houses with
allocated parking spaces. Construction of separate
commercial building to include two retail outlets (A1) and
3 offices (B1(a)), together with allocated parking.
Holland of Rye

RR/2022/1610/P
(Delegation)

SALEHRST/RBRIDGE: The Cottage, Station Road,
Salehurst / Robertsbridge
Proposed alterations to a two-storey outbuilding/ garage
to create a one-bedroom house.
Ms J. Papafio

RR/2021/2335/P
(Delegation)

TICEHURST: New Pond Farm, High Street, Wallcrouch
Variation of Condition 8 of RR/2016/704/P to enable the
building to be used for storage and retail in lieu of B1, B8
and retail trade counter.
Mr Gurbinder Nayyar

RR/2022/2351/P
(Delegation)

TICEHURST: Bryants Farm, Wards Lane, Ticehurst
Conversion of barn to 4-bed dwelling.
Ms Elizabeth Latchford

RR/2022/1103/P
(Delegation)

TICEHURST: The Oast, Birchetts Green Lane, Ticehurst
Demolition of the existing single-storey garage,
conservatory and annexe. Two-storey extension to the
main house and internal alterations. Bay window to
replace the existing conservatory. Reconstruction of the
annexe in a new location further back in the site.
Relocation of the existing entrance gates and driveway
alterations.
Mrs Phillipa Wynn-Green

RR/2021/2337/P

WESTFIELD: Little Holme, Westbrook Lane, Westfield

- (Delegation) Conversion of existing detached annexe building to create a new two-bedroom dwelling, with new balcony to the rear. Associated division of plot to provide amenity space and detached outbuilding to be converted into summerhouse.
Mr George Allen
- RR/2021/1490/P
(Delegation) WESTFIELD: Little Down Farm, Main Road, Westfield
Laying of recycled crush surface associated with the change of use from agriculture to a use for the storage and processing of timber.
Mr J. Baker
- RR/2022/1323/P
(Delegation) WESTFIELD: Land adjacent to Holly Cottage, Moat Lane, Westfield
Erection of single residential dwelling with associated landscaping and parking.
Ms Cindy Cane
- RR/2021/1647/P
(Delegation) WESTFIELD: Little Hides Farm Cottage, Stonestile Lane, Westfield
Change of use from land that is non-compliant with agricultural occupancy to curtilage of an existing residential property.
Mr Vidmantas Jokubauskas
- RR/2022/4/P
(Delegation) WESTFIELD: Mables Farm, Sprays Bridge, Harts Green, Westfield
Proposed mobile home for owner to remain on site to care for sick animals.
Mrs J. Sands

APPEALS STARTED

- RR/2021/1609/P
(Delegation) BODIAM: Bodiam Business Centre - Land at, Junction Road, Bodiam
Erection of 4 No. 3-bedroom terraced dwellings together with associated car parking and landscaping.
Park Lane Homes (South East) Ltd
- RR/2022/468/P
(Delegation) GUESTLING: 3 Oast Cottages, Lark Cottage, Great Maxfield, Three Oaks, Guestling
Proposed single storey rear extension and addition of safety guard rail in rear garden.
Dr E. Newton & Dr M. Larkin
- RR/2022/469/L
(Delegation) GUESTLING: 3 Oast Cottages, Lark Cottage, Great Maxfield, Three Oaks, Guestling
Proposed single storey rear extension and addition of safety guard rail in rear garden.
Dr E. Newton & Dr M. Larkin

APPEALS PENDING

RR/2020/1875/P (Delegation)	BATTLE: Frederick Thatcher Place - Land west of, North Trade Road, Battle Construction of 4 No. dwellings with associated parking and landscaping. Mr Harry Wills
RR/2020/357/P (Delegation)	BATTLE: Marley House - Outbuilding (Former Squash Court), Marley Lane, Battle Conversion of outbuilding (Former Squash Court) into a dwellinghouse with gardens and use of existing parking area and access. Mr & Mrs Tine Desoutter
RR/2021/2447/P (Committee - Decision)	BATTLE: Marley Lane - Land at, Battle Construction of single detached two storey chalet dwelling with associated access. Mr & Mrs Joe Thompsett
RR/2022/69/P (Delegation)	BEXHILL: 18 & 20 Collington Park Crescent - Land between, Bexhill Erection of 3 No. detached dwellings. B.E.M Builders and Decorators
RR/2021/102/P (Delegation)	BEXHILL: Chestnut Meadow Camping & Caravan Park, Ninfield Road, Bexhill Change of use of land for the siting of 50 residential caravans (park homes) to form a retirement park. Osborn Leisure LLP
RR/2021/2529/T (Delegation)	BEXHILL: 44 Collington Rise, Bexhill T1 Sycamore - Reduce western spread of lower and mid crown to 9m; height by up to 1.5m; branch lengths to draw in over- extended laterals and balance with remainder of crown; reduce southern and eastern spread of crown from 4-10m height by up to 2m branch lengths; reduce crown height by maximum 2m branch lengths to balance with reduced lateral spread; remove major deadwood. Mr Peter Bennett
RR/2022/184/P (Delegation)	BEXHILL: Rockhouse Bank Farm, Sluice Lane, Normans Bay, Bexhill Proposed internal alterations. Proposed oak frame porch to front elevation and single storey utility extension to rear elevation. Proposed dormers to front and rear elevations. Mr John Sargeant
RR/2021/1656/P (Non-Determination)	BEXHILL: Fryatts Way - land at, Bexhill Outline: Erection of up to 210 residential dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood

mitigation, vehicular access point and associated ancillary works. All matters to be reserved with the exception of the main site access.
Gladman Developments Ltd

RR/2022/62/P (Delegation)	BEXHILL: 8 Church Vale Road, Bexhill Erection of single storey dwelling with associated parking and landscaping. (Resubmission following refusal of application RR/2021/1696/P) The Goldeneye Group
RR/2021/1893/PN3 Delegation)	BEXHILL: 32-34 Collington Avenue, Conquest House, Bexhill Application to determine if prior approval is required for a proposed change of use from offices (Class B1(a)) to 78 No. dwellinghouses (Class C3). Paramount Land and Development Ltd
RR/2021/2644/P (Delegation)	BODIAM: Oast View - Land Opposite, Bodiam Business Park, Bodiam Construction of 2 No. two bedroom homes and 3 No. three bedroom homes with associated landscaping. Westridge Bodiam Park Limited
RR/2022/1244/O (Non-Determination)	BREDE: The Platts - Land Opposite, Chitcombe Road, Brede Certificate of lawfulness for the existing use of rebuilding a pre-existing horse stables. Mr Jake Angol
RR/2020/70/P (Delegation)	BREDE: Barns Site, Steeplands - Land Adjacent to, Pottery Lane, Brede Erection of 4-bedroom detached dwelling and detached garage. Mrs A. Patel
RR/2021/2509/P (Delegation)	BRIGHTLING: Little Worge Farm, Brightling Demolition of part of agricultural barn and erection of a holiday cottage. Brightling Properties
RR/2021/2562/P (Delegation)	BURWASH: Linkway, Vicarage Road, Burwash Common, Burwash Erection of potting shed, Polytunnels and shed for storing Bee keeping equipment. Mrs Debbie Beckley
RR/2020/2306/P (Delegation)	CAMBER: Poundfield Farm, Farm Lane, Camber Siting of holiday lodge for seasonal tourist/holidaymakers accommodation. Mrs Michelle Bristow
RR/2021/2012/P (Delegation)	CATSFIELD: St Kitts - Site Adjacent, Church Road, Catsfield

	Erection of 1 No. Chalet Bungalow, together with parking and landscaping. Mr Jack Waller
RR/2021/3030/P (Delegation)	CATSFIELD: The Warren - Land At, Stevens Crouch, Catsfield/Battle Proposed residential development of land with 3 No. detached dwellings served by existing vehicular access. Mr & Mrs A. Williams
RR/2021/2077/P (Delegation)	CROWHURST: Willow Pond House, Swainham Lane, Crowhurst Change of use of land for the siting of a timber cabin (caravan) for retreat holidays, re-positioned vehicular access off Swainham Lane and parking for two vehicles. Mr Richard Warden
RR/2021/2992/P (Delegation)	DALLINGTON: Haselden Farm, Battle Road, Dallington Change of use of stables to residential annexe, and installation of sewage treatment plant (Retrospective). Mr and Mrs Richard and Dianne Mower
RR/2021/2348/P (Delegation)	GUESTLING: Wild Meadows, Chapel Lane, Guestling Green, Guestling Demolition of existing stables and sand arena and erection for four new dwellinghouses (Use Class C3) Ms Carol Adams
RR/2020/1857/P (Delegation)	GUESTLING: Star Stud, Ivyhouse Lane, Guestling Change of use of barn to holiday accommodation. Mr J. O'Hara
RR/2021/1907/P (Delegation)	MOUNTFIELD: Johns Cross Cafe - Land at, Johns Cross Road, Mountfield Outline: Replacement of existing self-storage containers and construction of buildings for self-storage (Class B8) along with parking, landscaping and use of existing access to the A21, with access considered. Mr M. Horley
RR/2021/1935/P (Delegation)	NORTHIAM: Cooks Farmhouse - Land Adj, New Road, Northiam Proposed siting of a static holiday let unit and associated change of use of the land. Mrs Sarah Secker
RR/2021/2888/P (Delegation)	PEASMARSH: 1 Brickfield, Main Street, Peasmarsh Erection of a 2-storey side extension over part of existing footprint to form 1-bedroom maisonette. Mr Peter Bedborough
RR/2021/2759/P (Delegation)	PEASMARSH: Partridge Farm, Starvecrow Lane, Peasmarsh

	Change of use of the building and land from holiday let accommodation to permanent dwelling. Mr and Mrs A and W Thomas
RR/2021/1657/P (Delegation)	PEASMARSH: Teviot, Malthouse Lane, Peasmarsch Proposed 4 x bedroom dwelling with associated landscaping and driveway for two vehicles. Bright Develop Ltd
RR/2021/879/P (Delegation)	PEASMARSH: Lyndhurst Cottage, Main Street, Peasmarsch Change of use from granny annexe/holiday let to separate residential dwelling. Mr Terry Denman
RR/2021/3084/L (Delegation)	RYE: 18 Landgate, Larkin House, Rye Alterations to roof space including formation of access through low collar in roof structure, insertion of 3no new rooflights in inner roof slopes, enlargements and guarding of loft hatch opening. Ms Tara Larkin
RR/2021/2804/P (Committee - Decision)	TICEHURST: Villa Flair, Union Street, Flimwell, Ticehurst Erection of a detached bungalow with three bedrooms and a detached store and double garage together with associated hardstanding, turning area and use of existing access on to the B2087. Ms L. Sutton
RR/2020/646/P (Delegation)	TICEHURST: Bantham Farm, London Road, Ticehurst Change of use of art studio to live/work unit. Mr N. Watts
RR/2021/2600/P (Delegation)	TICEHURST: Bantham Farm, London Road, Ticehurst Change of Use of existing redundant and disused barn to residential use. Mr N. Watts
RR/2021/1787/P (Delegation)	TICEHURST: Slaves Dream, Lower Hazelhurst, Ticehurst Demolition of existing dwelling and replacement with new dwelling including new detached car port. Pedro and Jay Milborne
RR/2021/2597/P (Delegation)	TICEHURST: Fine Acres, Astricus, Tolhurst Lane, Wallcrouch, Ticehurst Occupation of Astricus as an independent dwelling and erection of single storey conservatory. (Retrospective) Mr James Lee
RR/2022/1013/FN (Delegation)	WESTFIELD: The Old Chicken Barn, Hoads Farm, Moat Lane, Battle Application to determine if prior approval is required for modifications to a commercial/agriculture barn. Mr Warren Behling

RR/2021/1473/P
(Delegation)

WESTFIELD: The Old Chicken Barn, Hoads Farm, Moat Lane, Westfield
Replace existing chicken barn with 1 No. detached house on same footprint and raising to accommodate a second floor, however lowering the pitch of the roof to keep the new height to a minimum.
Mr Warren Behling

RR/2021/1094/O
(Delegation)

WESTFIELD: Holland House, Hoads Farm, Moat Lane, Westfield
Certificate of Lawfulness for an existing residential mobile home.
Mrs S.A. Hawkins

RR/2021/2337/P
(Delegation)

WESTFIELD: Little Holme, Westbrook Lane, Westfield
Conversion of existing detached annexe building to create a new 2-bedroom dwelling, with new balcony to the rear. Associated division of plot to provide amenity space and detached outbuilding to be converted into summerhouse.
Mr George Allen

RR/2022/132/O
(Delegation)

WHATLINGTON: Forest Lodge, Hooks Beach, Vinehall Street, Whatlington
Certificate of Lawfulness for a proposed part 2-storey, timber framed "granny" annex to the existing garage, with dormer to front.
Jamie Pearson

APPEALS ALLOWED

RR/2022/503/P
(Delegation)

BEXHILL: 63-65 Cooden Sea Road, Bexhill on Sea
Construction of an upward extension using the airspace above an existing residential and commercial premises in order to provide a single dwelling (Class C3).
Vulcan 63-65 Ltd

RR/2021/1519/P
(Delegation)

BEXHILL: 81 Cooden Drive, Bexhill
Demolition of existing bungalow and garage, replacement with four flats and a family dwelling, parking for nine cars, stopping up of an existing driveway access on Cooden Drive and construction of a new access and highway crossover on Pages Avenue.
Anomaly Consultants

APPEALS DISMISSED

RR/2021/1102/P
(Delegation)

BATTLE: Caldbec Hill - Land at North Side of, Battle
Proposed detached dwelling
Mr N. Whistler

RR/2021/1830/P

BEXHILL: 42 Ingrams Avenue, Bexhill

(Delegation)	Erect 1-bedroom semi-detached dwelling. ox1 Group
RR/2021/1151/P (Delegation)	BEXHILL: 3 & 5 Gunters Lane, Bexhill Two storey rear extension to number 3 and single storey rear extension to number 5, existing pair of cottages. Side extension to provide an additional 3-bedroom dwelling (resubmission). Dale Saunders Holdings Ltd
RR/2021/3086/P (Delegation)	BEXHILL: 142 Pebsham Lane, Bexhill Proposed replacement detached dwelling. Mr Balwinder Singh - Khaira
RR/2021/2658/P (Delegation)	BEXHILL: Turkey Farm, St Marys Lane, Bexhill Erection of rear dormer, erection of rear infill extension and associated internal and external alterations. Ms Emma Farrow
RR/2020/1304/P (Delegation)	CAMBER: Dorena, Wall Farm Lane, Camber Demolition of existing single storey chalet bungalow and erection of a two storey 3-bedroom detached dwelling with associated car parking. Mr Eric Moon
RR/2021/1765/P (Delegation)	GUESTLING: Sunnyside - Garage and land opposite, Eight Acre Lane, Three Oaks, Guestling Change of use of land to allow proposed parking space associated with dwellinghouse. Ms Christine Harmar-Brown
RR/2020/923/P (Delegation)	GUESTLING: The Olde Piggery, Eight Acre Lane, Three Oaks, Guestling Change of use from Agricultural to residential. Proposed erection of 1 No. Eco Dwelling, conversion of Piggery building into garage and workshop, along with associated parking, landscaping and general site features that promote a high level of ecological interest. Mr Bill Coney
RR/2020/2261/P (Delegation)	NORTHIAM: Mill Corner Stables, New Road, Northiam Construction of an 'Earth House' comprising an Eco-Dwelling in conjunction with associated rural business, incorporating conversion of Stables into therapy and treatment rooms and a permaculture and smallholding business. Mr & Mrs Matthew & Anneli Hukins
RR/2021/240/P (Delegation)	WESTFIELD: Summer Cottage - Land to the south west of, Whitelands, Westfield Demolition of existing storage buildings and hardstanding. Construction of new dwelling with landscaping, parking and use of existing access to the

A28. Creation of a new planting buffer and biodiversity enhancements.

Mr and Mrs W. Cornish

RR/2020/1416/P
(Delegation)

WESTFIELD: Whitelands Kennels, Westfield Lane,
Westfield

Demolition of existing kennels. Proposed new dwelling comprising of five bedrooms. New driveway, parking area and associated landscaping.

Mr Damon Robinson

APPEALS WITHDRAWN

NONE

FORTHCOMING HEARINGS/INQUIRIES

RR/2020/646/P
(Delegation)

TICEHURST: Bantham Farm, London Road, Ticehurst.
Change of use of art studio to live/work unit.

Mr N. Watts

Informal Hearing on 24 January 2023

Council Chamber, Town Hall, Bexhill

RR/2021/2600/P
(Delegation)

TICEHURST: Bantham Farm, London Road, Ticehurst.
Change of use of existing redundant and disused barn to residential use.

Mr N. Watts

Informal Hearing on 24 January 2023

Council Chamber, Town Hall, Bexhill

RR/2021/2804/P
(Committee -
Decision)

TICEHURST: Villa Flair, Union Street, Union Street,
Ticehurst

Erection of a detached bungalow with three bedrooms and a detached store and double garage together with associated hardstanding, turning area and use of existing access on to the B2087.

Ms L. Sutton

Informal Hearing on 7 February 2023

Ground Floor Meeting Room, Town Hall, Bexhill

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