

**PLANNING COMMITTEE**

16 February 2023

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 16 February 2023 at 9:30am.

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

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

Also Present: 2 members of the public in the Council Chamber and 11 via the live webcast.

---

PL22/109. **MINUTES**

(1)

Subject to the following addition in respect of Minute Ref PL22/105, Application No. RR/2022/2376P/P – Strand Meadow – Land to the South West of, Burwash, the Chair was authorised to sign the Minutes of the meeting held on 12 January 2023 as a correct record of the proceedings:

“The Planning Committee listened to the views of the Ward Councillor, Councillor Mrs Eleanor Kirby-Green and discussed the application. The Planning Committee was unanimously disappointed by the non-viability of any affordable housing on the site particularly as the approved number of houses had increased from 17 to 30 (for viability reasons) since the original application was submitted in 2015.”

PL22/110. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

(2)

Apologies for absence were received from Councillors B.J. Drayson and N. Gordon.

It was noted that Councillors Langlands and J. Barnes were present as substitutes for Councillors Drayson and Gordon respectively.

PL22/111. **WITHDRAWN APPLICATIONS**

(4)

It was noted that the following applications were withdrawn from the agenda:

- RR/2021/1234/P – 29 Seabourne Road, Land at, Bexhill
- RR/2022/1233/P – Cemetery Lodge, 250 Turkey Road, Bexhill

PL22/112. **DISCLOSURE OF INTEREST**

(5)

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

Curtis            Agenda Item 9 – Personal Interest as a Member of Catsfield Parish Council.

Madeley        Agenda Item 11 – Personal Interest as she rented a beach hut on Bexhill seafront.

**PART II – DECISIONS TAKEN UNDER DELEGATED POWERS**

PL22/113. **PLANNING APPLICATIONS - INDEX**

(6)

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

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

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

PL22/114. **RR/2022/1538/P - OAKLEIGH, 6 WOODLAND WAY, CROWHURST**

(7)

**DECISION: GRANT (FULL PLANNING)**

**CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Location Block Plan, Drawing No. 6971/100/LBP/A, dated October 2022  
Proposed Sections, Drawing No. 6971 / 100 / 2 / A, dated September 2022  
Proposed Elevations and Floor Plans, Drawing No. 6971/100/1, dated May 2022  
Reason: For the avoidance of doubt and in the interests of proper planning
3. No development above ground level shall take place until details/samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: To ensure that the development reflects the character and appearance of the locality within the High Weald Area of Outstanding Natural Beauty and to preserve the visual amenities of the area in accordance with Policies EN3 and OSS4 (iii) of the Rother Local Plan Core Strategy and Policy DEN2 of the Development and Site Allocations Local Plan.
4. No development shall commence until a scheme for the provision of foul and surface water drainage works has been submitted to and approved in writing by the Local Planning Authority and none of the dwellings shall be occupied until the drainage works to serve the development have been provided in accordance with the approved details.  
Reason: The details required are integral to the whole development to ensure the satisfactory drainage of the site and to prevent water pollution in accordance with Policies OSS4 (iii) and EN7 of the Rother Local Plan Core Strategy.
5. No works above ground shall take place until the hard and soft landscaping details for the site have been submitted to and approved by the Local Planning Authority, which shall include:

- a) planting plans;
- b) written specifications (including cultivation and other operations; associated with plant and grass establishment);
- c) details of lighting that shall comprise downlighting only;
- d) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- e) details of any hard surfacing materials that shall be permeable or porous;
- f) details of bird and bat boxes; and
- g) implementation programme.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason: To enhance and maintain the character and appearance of the locality within the High Weald AONB, in accordance with Policy OSS4 (iii) and EN1 of the Rother Local Plan Core Strategy and Policy DEN1 and DEN2 of the Development and Site Allocations Local Plan.

6. Before commencement of any works on site, a Waste Management Plan/Statement to include details of the measures to minimise and manage waste generated by the scheme shall be submitted for the consideration and approval of the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of seeking a sustainable development which minimises waste, in accordance with the Supplementary Planning Guidance on "Construction and Demolition Waste" (2006), by East Sussex County Council and having regard to amenity issues in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

7. No development shall take place until details of a full site investigation, including stability report, with a scheme for remedial/preventative works, has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details.

Reason: In order to safeguard the construction of the property in accordance with Policy OSS3 (viii) of the Rother Local Plan Core Strategy.

8. No development shall commence until indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development have been submitted to and approved by the Local Planning Authority and such approved protection measures shall be retained in situ for the duration of construction works.

Reason: These details are required prior to commencement of works to ensure the protection of trees and hedgerows during construction and the creation of a high quality public realm and

landscape setting in accordance with Policy EN3 of the Rother Local Plan Core Strategy.

9. No further spoil or waste material shall be imported onto the site until details are submitted to and approved in writing by the Local Planning Authority. Details shall include but are not limited to the type of materials to be imported and the quantity of materials to be imported. Only clean, uncontaminated inert materials should be used, and this should be suitable for immediate use without further treatment or processing.  
Reason: In the interests of seeking a sustainable development which minimises waste, in accordance with the Supplementary Planning Guidance on "Construction and Demolition Waste" (2006), by East Sussex County Council and having regard to amenity issues in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.
10. The development shall not be occupied until a parking and turning area has been provided to accommodate a minimum of two cars, and the area shall thereafter be retained for that use and shall not be used other than for the parking and turning of motor vehicles.  
Reason: To provide on-site parking and turning areas to ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the highway in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.
11. The development hereby approved shall be implemented strictly in accordance with the recommendations/measures stated in section 4 of the supporting document, Ecology Report in relation to Great Crested Newts for the land at Oakleigh (The Mayhew Consultancy, Oct 2022).  
Reason: To minimise the impacts of development on biodiversity, in accordance with paragraphs 174 and 180 of the National Planning Policy Framework and Policy EN5 (ix) of the Rother Local Plan Core Strategy and Policy DEN4 of the Development and Site Allocations Local Plan.
12. The development hereby approved shall be implemented strictly in accordance with the recommendations/measures stated in section 5 of the supporting document, Badger Survey (Martin Newcombe dated 1 November 2021).  
Reason: To minimise the impacts of development on biodiversity, in accordance with paragraphs 174 and 180 of the National Planning Policy Framework and Policy EN5 (ix) of the Rother Local Plan Core Strategy and Policy DEN4 of the Development and Site Allocations Local Plan.
13. The dwelling hereby permitted shall not be occupied until the refuse and recycling areas have been laid out within the site in accordance with Drawing No. 6971/100/LBP/A. Thereafter, these areas shall be used for the storage and collection of waste only.  
Reason: To ensure sufficient bin storage and collection points are provided for the dwelling and in the interests of visual amenity,

having regard to Policy OSS4 of the Rother Local Plan Core Strategy and Policy DHG7 (iii) of the Development and Site Allocations Local Plan.

14. The development shall not be occupied until at least 2.5m<sup>2</sup> of built-in storage has been provided within the dwelling hereby permitted.  
Reason: To provide the dwelling with adequate built in storage in line with the Nationally Described Space Standards and Policy DHG3 of the Development and Site Allocations Local Plan.
15. The dwelling hereby permitted shall not be occupied until it has been constructed in accordance with Part M4(2) (accessible and adaptable dwellings) of Schedule 1 of the Building Regulations 2010 (as amended) for access to and use of buildings.  
Reason: To ensure that an acceptable standard of access is provided to the dwelling in accordance with Policy OSS4 (i) of the Rother Local Plan Core Strategy and Policy DHG4 of the Development and Site Allocations Local Plan.
16. The dwelling hereby approved shall meet the requirement of no more than 110 litres/person/day water efficiency set out in Part G of Schedule 1 of the Building Regulations 2010 (as amended) for water usage. The dwelling hereby permitted shall not be occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the dwellings have been constructed to achieve water consumption of no more than 110 litres per person per day.  
Reason: To ensure that the dwelling is built to acceptable water efficiency standards in line with sustainability objectives and in accordance with Policy SRM2 (v) of the Rother Local Plan Core Strategy and Policy DRM1 of the Development and Site Allocations Local Plan.

**NOTES:**

1. The Applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.
2. The Applicant is advised that it is their responsibility to notify their Building Control Body (Local Authority or Approved Inspector) that conditions triggering the optional technical standards for Water Efficiency and Accessibility are attached to this planning permission and that development should be built accordingly. Enforcement action may be taken without further notice if the relevant standards are not achieved.

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

PL22/115. **RR/2022/2712/P - GLEBELANDS, POTMANS LANE, CATSFIELD**

(9)

**DECISION: REFUSE (FULL PLANNING)**

**REASONS FOR REFUSAL:**

1. It has not been demonstrated that the existing agricultural enterprise has a functional requirement for a full-time agricultural worker to live on site. In addition, it has not been demonstrated that the agricultural business is financially sound nor that it is forecast to become financially sound and as such it would not have regard to the need for it to fund a full-time agricultural worker's wage and creation/maintenance of the proposed dwelling. As such, the proposal would result in an unjustified new dwelling in the countryside, in conflict with Policy RA3 (iii) of the Rother Local Plan Core Strategy and paragraph 80 of the National Planning Policy Framework.
2. The site lies within an unsustainable countryside location where occupiers of the development would be highly reliant on private motor vehicles and would not be able to make the fullest possible use of public transport, walking and cycling to access local services and facilities. The development is contrary to Policies PC1, OSS3 (v), SRM1 (vii) and TR3 of the Rother Local Plan Core Strategy and paragraphs 8 and 110 (a) of the National Planning Policy Framework which seek to minimise the need to travel and to support the transition to a low carbon future.
3. In the absence of justification for the erection of an agricultural dwelling, the proposed residential use of the site with associated domestic activity and paraphernalia, would have a harmful urbanising effect in the countryside. The proposal as such would be an alien and obtrusive development within the otherwise rural character and appearance of the countryside that would cause harm to the intrinsic landscape and visual appearance of the rural locality, in conflict with Policies OSS3 (vi), OSS4 (iii), RA2 (viii), RA3 (v) & EN1 of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan and paragraph 174 of the National Planning Policy Framework.

**NOTE:**

1. This refusal of planning permission relates to the following drawings:  
Site Plan as Proposed, Drawing No. 113-21-201, dated March 2021  
Plans and Elevations as Existing, Drawing No. 113-21-100, dated Jan 2021  
Plans and Elevations Proposed, Drawing No. 113-21-200, dated Jan 2021  
Planning Statement by Finnis Planning  
Appendix 2 – Business Plan  
Supporting information – photographs

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

(Councillor Curtis declared a Personal Interest in this matter in so far as he was a Member of Catsfield Parish Council and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PL22/116. **RR/2022/2988/P - EAST PARADE, LAND AT, BEXHILL**

(11)

**DECISION: GRANT (FULL PLANNING)**

**CONDITIONS:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Site Location Plan with huts labelled East Parade received 20-12-22  
Block Plan received 20-12-22  
Floor and Elevation Plan of beach hut received 20-12-22  
Reason: For the avoidance of doubt and in the interests of proper planning.
2. The beach huts shall be used for daytime private recreational purposes only and, in particular, not for overnight sleeping accommodation.  
Reason: To preserve the visual amenities of the locality in accordance with Policy OSS4 (iii) of the adopted Rother Local Plan Core Strategy and Policy DEN1 of the adopted Development and Site Allocations Local Plan.



3. The external walls of the beach huts shall be coloured white within one month of their erection and maintained in that condition and in a good state of repair thereafter.

Reason: To preserve the visual amenities of the locality in accordance with Policy OSS4 (iii) of the adopted Rother Local Plan Core Strategy and Policy DEN1 of the adopted Development and Site Allocations Local Plan.

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

(When it first became apparent, Councillor Madeley declared a Personal Interest in this matter in so far as she rented a beach hut on Bexhill Seafront and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PL22/117. **RR/2022/2989/P - GALLEY HILL, LAND AT, BEXHILL**

(12)

**DECISION: GRANT (FULL PLANNING)**

**CONDITIONS:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Site Location Plan dated 19 December 2022  
Block Plan received 20-12-22  
Floor and Elevation Plan of beach hut received 20-12-22  
Reason: For the avoidance of doubt and in the interests of proper planning.
2. The beach huts shall be used for daytime private recreational purposes only and, in particular, not for overnight sleeping accommodation.  
Reason: To preserve the visual amenities of the locality in accordance with Policy OSS4 (iii) of the adopted Rother Local Plan Core Strategy and Policy DEN1 of the adopted Development and Site Allocations Local Plan.
3. The external walls of the beach huts shall be coloured white within one month of their erection and maintained in that condition and in a good state of repair thereafter.  
Reason: To preserve the visual amenities of the locality in accordance with Policy OSS4 (iii) of the adopted Rother Local Plan Core Strategy and Policy DEN1 of the adopted Development and Site Allocations Local Plan.

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

PL22/118. **PLANNING STATISTICS FOR THE QUARTER OCTOBER – DECEMBER 2022 (3RD QTR) INCLUDING SUMMARY OF PLANNING STATISTICS FOR 2020-2023)**

(13)

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

The number of appeals and outstanding applications had reduced. Procedures for processing applications were on target and focus would continue to manage all cases. Monitoring would be ongoing.

Members paid tribute to the Development Manager and his Team for their hard work in processing applications and delivering a stable service.

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

PL22/119. **APPEALS**

(14)

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

Members would continue to be advised of the outcome of all appeal cases. It was acknowledged that the re-introduction of the Council's Pre-Application Advice attributed towards the continued reduction of appeals. To aid understanding and for learning purposes, an annual end of year summary would be produced of all Planning Inspectorate appeal decisions (allowed and dismissed); a copy would be forwarded to Members for information.

It was confirmed that a timetable would be assigned and received for those Appeals that had been started.

Members requested and it was agreed that a training session on planning appeals be held. To fully appreciated and understand the

entire appeals process, Members were encouraged to attend an Appeal Hearing/Inquiry.

**RESOLVED:** That:

- 1) the report be noted; and
- 2) a training session on planning appeals be organised.

PL22/120. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**

(15)

The next site inspection was scheduled to be held on Tuesday 14 March 2023 at 9:00am departing from the Town Hall, Bexhill.

The Chair advised that this would be Councillor Norton's last meeting as a Member of the Planning Committee and on behalf of the Planning Committee he thanked him for his contribution.

**CHAIR**

The meeting closed at 11:25am