

PLANNING COMMITTEE

13 April 2023

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 13 April 2023 at 9:30am.

Committee Members present: Councillors Vine-Hall (Chair), S.M. Prochak, MBE (Vice-Chair), J. Barnes (Substitute), Mrs. M.L. Barnes, T.J.C. Byrne, Mrs V. Cook (Substitute), B.J. Drayson, A.E. Ganly, N. Gordon, P.J. Gray, C.A. Madeley, A.S. Mier and G.F. Stevens.

Other Members present: Councillor D.B. Oliver (in part).

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

Also Present: 17 members of the public via the live webcast.

Prior to the commencement of the meeting, the Chair thanked the Democratic Services Officer and Planning Team for managing the meetings. He also paid tribute to his fellow Members on the Planning Committee (including Substitutes) for their time, effort and input over the last four years.

Councillor Prochak also paid tribute to officers, Members of the Planning Committee and the Chair for his stewardship over the last four years.

PL22/141. MINUTES

(1)

The Chairman was authorised to sign the Minutes of the meeting held on 23 March 2023 as a correct record of the proceedings.

PL22/142. APOLOGIES FOR ABSENCE AND SUBSTITUTES

(2)

Apologies for absence were received from Councillors G.C. Curtis, S.J. Errington, K.M. Harmer (ex-officio) and Rev. H.J. Norton.

It was noted that Councillor J. Barnes was present as a substitute for Councillor Curtis and Councillor Mrs Cook was present as a substitute for Councillor Norton.

PL22/143. WITHDRAWN APPLICATIONS

(4)

It was noted that the following applications was withdrawn from the agenda:

- RR/2022/2935/P – Westfield Down – Land at, Main Road, Westfield

PL22/144. **DISCLOSURE OF INTEREST**

(5)

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

Byrne	Agenda Item 9 – Personal and Prejudicial Interest as a member of Bexhill Heritage.
Drayson	Agenda Item 9 – Personal and Prejudicial Interest as a member of Bexhill Heritage.
Gray	Agenda Item 8 – Personal Interest as she lived in Colebrooke Road which backed onto the site. Agenda Item 9 – Personal and Prejudicial Interest as a member of Bexhill Heritage.
Madeley	Agenda Item 9 – Personal and Prejudicial Interest as Membership Secretary of Bexhill Heritage.

PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

PL22/145. **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.

PL22/146. **RR/2023/57/T - 7 ANDERIDA COURT, MANSELL CLOSE, BEXHILL**

(7)

DECISION: OBJECT IN PART to works to Tree Preservation Order trees at Anderida Court, Glynde Court and Worsham Court, Mansell Close, Bexhill.

REFUSE CONSENT for:

- T84 (Oak) – reduction by 25% and cut back of overhanging branches.

GRANT CONSENT for:

- T180 and T181 (Scots Pines) – removal and replacement with 2 No. similar substantial native trees within the site.
- T141, T156, T157 and T160 (Oaks) – reduction of the canopies by up to 2m, and additional pruning of 3 No. overhanging branches, as highlighted in a document submitted by the Rother Tree Officer.
- T83 (Oak) – reduction of the canopy by up to 2m.
- T179 (Oak) – pruning of overhanging branch.

SUBJECT TO CONDITIONS:

1. This partial consent is valid for two years beginning with the date of its grant and the works for which such consent is granted may only be carried out once.
Reason: In accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works shall be carried out in accordance with BS3998:2010 Recommendations for Tree work.
Reason: To ensure the health and safety of trees are maintained and works are undertaken in accordance with best practice having regard to Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Development and Site Allocations Local Plan.
3. The removal of T180 and T181 is approved subject to 2 No. substantial native trees being planted elsewhere within the site. The species and siting to be submitted to and agreed in writing by the Local Planning Authority.
Reason: To ensure tree canopy and biodiversity on the site are maintained in accordance with Policy EN5 of the Rother Local

INFORMATIVES:

1. All trees recommended for tree surgery works will need to be checked for the presence of bats or nesting birds prior to works commencing. Disturbance to bats or nesting birds could contravene the Wildlife and Countryside Act 1981.
2. With regard to Condition 3 above, the Applicant is requested to explore and discuss with the Local Planning Authority, the use of Scots Pine as replacement planting.

PL22/147. **RR/2023/328/P - UNIT 11 BEECHING ROAD STUDIOS, BEECHING ROAD, BEXHILL**

(8)

DECISION: GRANT (FULL PLANNING)

SUBJECT TO 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:
 - a) Block Plan, received by the Council 13/02/2023
 - b) Site Location Plan, received by the Council 13/02/2023
 - c) Proposed Floor Plan, received by the Council 13/02/2023
 - d) Existing and Proposed Elevations, received by the Council 13/02/2023Reason: For the avoidance of doubt and in the interests of proper planning
3. The rating level, LAr,Tr, of sound emitted from all fixed plant at the development hereby permitted shall not exceed LA90,15min background sound levels by more than 5 dB between the hours of 0700-2300 at the nearest sound sensitive premises and shall not exceed the LA90,15min background sound level between 2300-0700 at the nearest sound sensitive premises. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.
Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.
Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of nearby residents and comply with Policy OSS4 (ii) of the Rother Local Plan Core Strategy and paragraphs 174 and 185 of the National Planning Policy Framework 2021.

4. Before the use hereby permitted commences, a written scheme for the disposal of foul and surface water drainage that meets the requirements of the local sewerage undertaker shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the drainage system has been constructed in accordance with the approved scheme. The approved scheme shall be maintained for the life of the approved development.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy SRM2 of the Rother Local Plan Core Strategy.

5. Prior to the occupation of approved buildings suitable and sufficient waste storage facilities shall be provided for the safe and secure on-site storage of waste derived from the business to ensure that no detriment to amenity from odour, flies or vermin arises. A scheme detailing the provisions to be made for the safe storage and regular removal of waste must be submitted to and approved in writing and not altered without the prior written approval of the Local Planning Authority and shall be maintained for the life of the approved development.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy and paragraphs 174 and 185 of the National Planning Policy Framework 2021.

6. The use hereby permitted shall not be open to customers before the hours of 12:30 or after 22:30 on Friday and Saturday and before 15:00 or after 22:00 on Wednesday and Thursday and before 12:30 or after 20:00 on Sundays and Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy and paragraphs 174 and 185 of the National Planning Policy Framework 2021.

NOTES:

1. Food preparation areas on the premises must comply with requirements of current food hygiene legislation (EC Regulation 852/2004). Any mechanical ventilation plant must meet the requirements of the noise condition above.
2. The Applicant is advised to consult directly with Police Licensing at Sussex Police before making plans for licensed premises serving alcohol or conducting other licensable activities at this site. Sussex Police Licensing Team may have some of their own requirements to be implemented into the premises before they are satisfied it meets the above licensing objectives on the day-to-day operation of the premises.

3. The Applicant's attention is drawn to the SBD website where the Secured by Design (SBD) Commercial Development 2015 document can be found. This is a comprehensive document that encapsulates both commercial developments where the public have no formal access, e.g. factory or office buildings, and those where public access is integral to the commercial use such as retail premises, leisure centres and public buildings.

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.

(Councillor Gray declared a Personal Interest in this matter in so far as she lived in Colebrooke Road which backed onto the site and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PL22/148. **RR/2023/396/L - SHELTER NUMBER 1, EAST PARADE, BEXHILL**

(9)

DECISION: GRANT (LISTED BUILDING CONSENT)

SUBJECT TO CONDITIONS:

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.
Reason: In accordance with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Location Plan; Submitted with the application.
Plaques – dimensions on internal walls; Submitted with the application.
Plaque – dimensions on external eastern wall; Submitted with the application.
Plaque dedications – location on internal walls (diagram); Submitted with the application.
Plaque dedication – location on external east-facing wall (drawing) Design & Access Statement; Submitted with the application.
Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described within the application, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the historic fabric and the special architectural and historic character of the Listed Building in accordance with Policy EN2 of the Rother Local Plan Core Strategy (2014).

(Councillors Byrne, Drayson and Gray each declared a Personal and Prejudicial Interest in this matter in so far as they were members of Bexhill Heritage and in accordance with the Members' Code of Conduct left the room during the consideration thereof).

(Councillor Madeley declared a Personal and Prejudicial Interest in this matter in so far as she was the Membership Secretary of Bexhill Heritage and in accordance with the Members' Code of Conduct left the room during the consideration thereof).

PL22/149. **APPEALS**

(11)

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

Clarification was sought on the date of the appeal hearing for Application No. RR/2021/2615/P – Church Hill – Land lying to East of, Church Lane, Etchingam. At present, the date was unknown; Members would be advised once confirmed.

RESOLVED: That the report be noted.

PL22/150. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**

(12)

The next site inspection was scheduled to be held on Tuesday 30 May 2023 at 9:00am departing from the Town Hall, Bexhill.

CHAIR

The meeting closed at 10:38am.