

Planning Committee

- Date and Time - **Thursday 13 April 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 23 March 2023 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 WITHDRAWN APPLICATIONS

The Director – Place and Climate Change to advise Members of those planning applications on the agenda which have been withdrawn.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

Rother District Council putting residents at the heart of everything we do.

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/2023/57/T - 7 ANDERIDA COURT, MANSELL CLOSE, BEXHILL**
(Pages 5 - 10)
8. **RR/2023/328/P - UNIT 11 BEECHING ROAD STUDIOS, BEECHING ROAD, BEXHILL** (Pages 11 - 20)
9. **RR/2023/396/L - SHELTER NUMBER 1, EAST PARADE, BEXHILL** (Pages 21 - 26)
10. **RR/2022/2935/P - WESTFIELD DOWN – LAND AT, MAIN ROAD, WESTFIELD** (Pages 27 - 38)
Not subject to the Council's Public Speaking Scheme at Planning Committee.
11. **APPEALS** (Pages 39 - 48)
12. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**
Tuesday 30 May 2023 at 9:00am departing from the Town Hall, Bexhill.

Malcolm Johnston
Chief Executive

Agenda Despatch Date: 3 April 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	-	13 April 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.

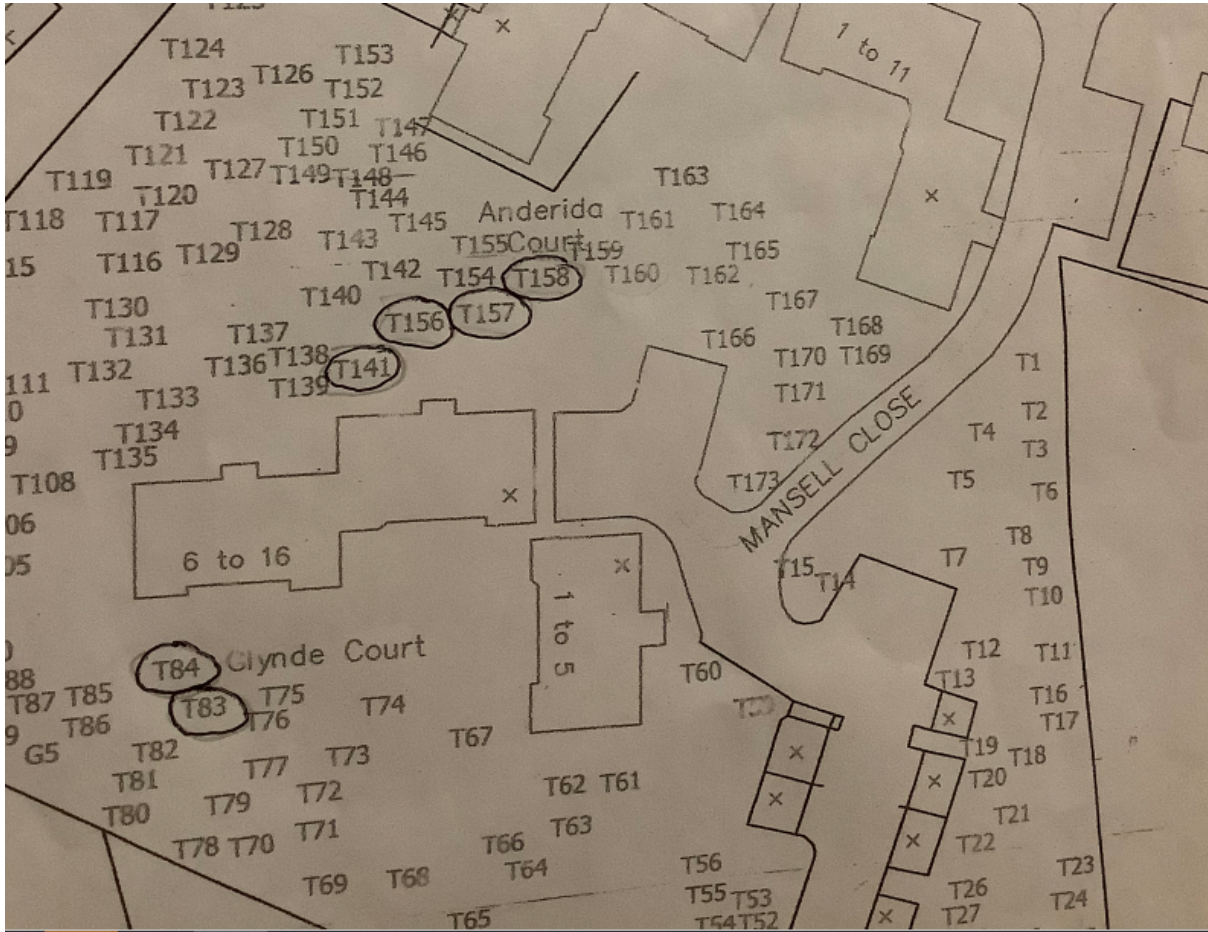
Applications requiring the applicant entering into an obligation under section 106 of the Town & Country Planning Act 1990 (as amended) are also delegated.

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/2023/57/T	BEXHILL	7 Anderida Court Mansell Close Bexhill TN39 4XD	5
8	RR/2023/328/P	BEXHILL	Unit 11 Beeching Road Studios Beeching Road Bexhill TN39 3LJ	11
9	RR/2023/396/L	BEXHILL	Shelter Number 1 De La Warr Parade Bexhill TN40 1LA	21
10	RR/2022/2935/P	WESTFIELD	Westfield Down – Land at Main Road Westfield	27

SITE PLAN RR/2023/57/T	BEXHILL 7 Anderida Court Mansell Close
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Rother District Council

Report to - Planning Committee
Date - 13 April 2023
Report of the - Director – Place and Climate Change
Subject - Application RR/2023/57/T
Address - Anderida Court, Glynde Court, Worsham Court, Mansell Close
BEXHILL
Proposal - Works to Tree Preservation Order trees.

[View application/correspondence](#)

RECOMMENDATION: It be recommended to **OBJECT IN PART**

Director: Ben Hook

Applicant: Mr J. Langlands
Agent: N/A
Case Officer: Mr Ruben Hayward
(Email: ruben.hayward@rother.gov.uk)

Ward: BEXHILL ST MARKS
Ward Members: Councillors S.J. Errington and K.M. Harmer

Reason for Committee consideration: Applicant related to Councillor.

Statutory 8-week date: 3 March 2023
Extension of time agreed to: No date agreed

This application was deferred from the previous committee in March for a site visit with the tree officer present, to assess the condition of the Scotts Pines and to see each tree in person.

1.0 SUMMARY

1.1 The application seeks to request consent for works to Tree Preservation Order (TPO) protected trees in the vicinity of Anderida Court, Mansell Close. The Rother Tree Officer has been consulted on the proposals and raised objections to some of the works.

2.0 SITE

2.1 Anderida Court is an apartment complex on the western side of Mansell Close. The application also relates to Worsham Court to the north, and

Glynde Court to the south, all of which are under the same management company. The grounds within the complex are characterised by the dense mixture of mature trees, which are visible from various vantage points throughout the local area.

- 2.2 The following trees are proposed to have works undertaken:
- T83 and T84, south of Glynde Court.
 - T141, T156, T157 and T160, between Glynde Court and Anderida Court.
 - T180, T181 and T183, south of Worsham Court.

3.0 PROPOSAL

- 3.1 Works are proposed to each tree named in this application as follows:
- 3.2 T180 and T181, Scotts Pines – to be removed. These trees are close to a habitable building and car port. Their complete removal is requested as they are very tall and starting to show signs of root upheaval in the car parking area and on the adjacent footpath.
- 3.3 T183, Ornamental Oak – reduce height by 25% and cut back overhanging branches. Also close to a habitable building.
- 3.4 T141, T156, T157 and T160, Oaks – reduce height by 25% and cut back overhanging branches. These trees are overhanging a footpath.
- 3.5 T83 and T84, Oaks – reduce height by 25% and cut back overhanging branches.
- 3.6 New trees to be planted to mitigate the loss of T180 and T181.

4.0 HISTORY

- 4.1 RR/2021/2938/T T183 (Oak) remove or reduce branch, reduce crown by 25%, T175 (Blackthorn) remove, T176 remove low overhanging branch, T144, T145, T147, T148, T149, T150, T151, T152, reduce crowns by 25%, T146 (Oak) reduce by 25%, T154 (oak) reduce by 30%, T155 (Silver Birch) reduce by 30%. NO OBJECTION
- 4.2 RR/2020/1545/T Works to trees T163 Oak, T161 Oak, T164 Birch, T165 Birch, T158 Oak and T159 Oak. OBJECT IN PART
- 4.3 RR/2019/2783/T Removal of Pine (T177). Pollard group of Willow trees (G4) including the removal of leaning Willow tree. NO OBJECTION
- 4.4 RR/2019/1395/T T181 - Scots pine - Take back three main lower branches and 1 smaller branch. NO OBJECTION
- 4.5 RR/2017/843/T Proposed works to nine trees of various species. NO OBJECTION

- 4.6 RR/2014/2749/T Works to trees. OBJECT IN PART
- 4.7 RR/2009/371/T General pollarding coppice and crown reduction of trees. NO OBJECTION
- 4.8 RR/2006/2366/T Removal of limbs and crown raising of Pinus Silvestris. NO OBJECTION
- 4.9 RR/2005/2179/T Reduce lateral branches towards building of one oak tree and remove to ground level two silver birches. NO OBJECTION
-

5.0 POLICIES

- 5.1 When assessing applications for works to TPO trees, the Local Planning Authority is advised to:
- assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area;
 - consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;
 - consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;
 - consider whether any requirements apply in regard to protected species;
 - consider other material considerations, including development plan policies where relevant; and
 - ensure that appropriate expertise informs its decision.
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6.0 CONSULTATIONS

6.1 Planning Notice

6.1.1 No comments.

6.2 Bexhill-on-Sea Town Council

6.2.1 No comments.

6.3 Rother Tree Officer

6.3.1 "T180 & T181. These large pine trees are beginning to cause damage to the car park surface and this damage is likely to increase. Rother District Council could be liable for a claim for damage if permission to remove these trees is refused. Therefore, there is no objection to these trees being removed and replacements planted elsewhere on site. Two Carpinus Betulus or similar substantial native trees would be suitable.

T183. Oak close to building. Pruning to reduce the canopy size of this tree by up to 2m would maintain this tree at a suitable size for its location. No objection to crown reduction by up to 2m.

T141, T156, T157 and T160. No objection to reducing the canopy of these trees by up to 2m. There are several lower branches which could be reduced. The extent of proposed pruning of overhanging branches is unspecified. There would be no objection to the pruning of three branches as shown on the attachment.

T83. No objection to reducing the canopy of the tree by up to 2m.

T84. This tree has previously been heavily pruned and further pruning would not be desirable. Objection.”

7.0 APPRAISAL

- 7.1 The grounds surrounding the complex of flats consisting of Anderida, Glynde and Worsham Court features over 200 TPO protected trees. The grounds of the apartments are characterised by the extensive tree coverage that provide a significant level of privacy and contribute to the character of the locality. This group of trees are among some of the most elevated within the locality and can be seen from various locations within Little Common village. It is apparent that the trees hold significant amenity value and that any works carried out should be carefully assessed.
- 7.2 T180 and T181 are currently considered to pose a risk to public safety and the integrity of Worsham Court. The trees are in a poor condition, showing signs of root upheaval which could cause damage to the nearby car park, footpaths and buildings. Whilst the amenity value of these trees is not insignificant, this would not outweigh the public safety need to remove these trees. Replacement trees would be a condition of their removal, to ensure that the amenity and environmental value of the trees can be restored. *Carpinus Betulus* would be an appropriate replacement.
- 7.3 T183 is also situated close to Worsham Court. A crown reduction of up to 2m would be appropriate and would maintain the tree at a suitable size for the location. Little amenity value would be lost and therefore the pruning is not objected to.
- 7.4 T141, T156, T157 and T160 are currently overhanging the footpaths and car park area that serve Glynde Court. The reduction of the canopies of these trees by up to 2m would not be objected to because the amenity value of the trees would still be retained. Proposed pruning to overhanging branches was not specified, however the tree officer has highlighted three branches that would not be objected to if they were to be pruned.
- 7.5 T83 lies to the south of Glynde Court and is the most elevated tree within this application. There would be no objection to a reduction of the canopy by 2m. The tree is surrounded by other mature trees and the pruning of T83 would not significantly detract from the amenity of the landscape.
- 7.6 T84 lies to the south of Glynde Court and immediately north of T83. The tree has been heavily pruned recently and it is considered that further pruning would not be desirable. This tree is the most immediately visible tree from the south-facing windows of 12-16 Glynde Court and it would not be appropriate to further reduce the scope of this tree.

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 It is considered that works can be carried out to T83, T141, T156, T157, T160 and T183. A detailed schedule of works will be outlined below.
- 8.2 It is considered that T180 and T181 can be removed, provided that replacement trees are planted. This will be a condition of this part-approval.
- 8.3 It is considered that the pruning of T84 would not be appropriate due to the recent pruning of this tree. This element of the application cannot be supported.
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RECOMMENDATION: 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 (Scotts 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.
-

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, 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.
3. 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.
4. The removal of T180 and T181 is approved subject to 2 No. substantial native trees being planted elsewhere within the site.

<p>SITE PLAN</p> <p>RR/2023/328/P</p>	<p>BEXHILL</p> <p>Unit 11 Beeching Road Studios Beeching Road</p>
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Rother District Council

Report to	-	Planning Committee
Date	-	13 April 2023
Report of the	-	Director – Place and Climate Change
Subject	-	Application RR/2023/328/P
Address	-	Unit 11, Beeching Road, Bexhill, TN39 3LJ
Proposal	-	Change of use of unit to create brewery and associated tap room and Installation of chiller units to front and rear.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mr Ben Murray (Three Legs Brewery)
Agent: Mr Ashley Wynn (Greenhayes Planning)
Case Officer: Mr Michael Vladeanu
(Email: Michael.vladeanu@rother.gov.uk)

Parish: BEXHILL COLLINGTON
Ward Members: Councillors Mrs D.C. Earl-Williams and D.B. Oliver

Reason for Committee consideration: Council owned land.

Statutory 8-week date: 10 April 2023
Extension of time agreed to: 20 April 2023

This application is included in the Committee site inspection list.

1.0 SUMMARY

- 1.1 Full planning permission is being sought for the change of use of a vacant unit into a brewery and associated tap room and installation of chiller units to the front and rear of the property.
- 1.2 The key considerations in this application are: the principle of development, impact upon the character and appearance of the local area, noise and amenity impacts and highways/parking.
- 1.3 On balance, the proposal is considered acceptable in terms of planning policy, providing employment opportunities and allowing for an existing business to relocate and expand. The view is taken that the proposed development would have an acceptable impact on the character and appearance of the site and is

not expected to give rise to harm to neighbouring amenity or highway safety. It is, accordingly, recommended that planning permission be granted.

2.0 SITE

- 2.1 The subject premises consist of a single building orientated at right angles to the highway, containing six small industrial units, all of which front an access road that runs-off Beeching Road. On the opposite side of the access road is a building of similar design that also provides accommodation for six small units. Each unit has a roof of gabled design, screened from view at the front by an upstanding parapet. Windows and doors along the units are a mix of black and white uPVC and steel, with white render along the front elevations.
- 2.2 The site is accessed from its eastern boundary, off Beeching Road. Parking bays line the front of the units, separated by a footpath for pedestrian movement. The wider area is very much industrial in nature, with residencies to the rear-west of the units, separated by a bank of trees that screen views onto and from the site.
- 2.3 The site is located within the development boundary for Bexhill as outlined in the adopted Development and Site Allocations Local Plan (DaSA).
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3.0 PROPOSAL

- 3.1 This application seeks full planning permission for the change of use of unit 11 to form a brewery and associated tap room and Installation of chiller units to front and rear.
- 3.2 The brewery and tap room would be managed by Three Legs Brewery and would allow the business to expand into this unit to allow for a more suitable location. The unit would also be of sufficient scale to accommodate sustainable new growth and a location which is more accessible to suppliers and customers. Alongside the brewery processes a tap room would also be installed which will sell on site beverages in afternoon/evenings and will also sell products to customers. The business will also hold events associated with this tap room use.
- 3.3 The proposed use would require four FTE employees with the expectance of four new jobs to be created over the first 12 months and 10 new jobs over the next three years overall. The plans indicate that there would be six parking spaces provided located to the west of the unit.
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4.0 HISTORY

- 4.1 RR/2021/1483/P Creation of one opening for installation of external door on right hand side elevation of Unit 7. Creation of one opening for installation of external door on left hand side elevation of Unit 12. APPROVED CONDITIONAL
-

5.0 POLICIES

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- PC1: Presumption in favour of sustainable development
 - OSS1: Overall Spatial Development Strategy
 - OSS2: Use of Development Boundaries
 - OSS3: Location of development
 - OSS4: General development considerations
 - BX1: Overall Strategy for Bexhill
 - BX3: Development Strategy
 - EC1: Fostering economic activity and growth
 - EC2: Business land and premises
 - EC3: Existing employment sites
 - EN1: Landscape stewardship
 - EN3: Design quality
 - TR3: Access and new development
 - TR4: Car parking
- 5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:
- DCO1: Retention of Sites of Social or Economic Value
 - DEC3: Existing Employment Sites and premises
 - DEN1: Maintaining landscape character
 - DEN7: Environmental pollution
 - DIM2: Development Boundaries
- 5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.
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6.0 CONSULTATIONS

6.1 [RDC Environmental Health](#) – **NO OBJECTION**

6.1.1 Issues to be addressed by Condition.

6.2 [Sussex Police](#) – **NO OBJECTION**

6.3 [Planning Notice](#)

6.3.1 One letter of objection has been received (from five representatives). The concerns raised are summarised as follows:

- Not the correct location for this type of business.
- Waste / extra noise from deliveries + collections.
- The car park is often used for children's exercise when businesses are closed i.e. Sundays and therefore this will not be possible any longer.
- Unsociable behaviour will occur.

6.3.2 Three letters of support have been received (from five representatives). The reasons are summarised as follows:

- Support for the regeneration of the site which is in good proximity to transport links, provided that conditions are attached to limit noise, drainage and waste storage facilities.

6.3.3 One letter with general comments has been received (from five representatives). The comments are summarised as follows:

- The Council will recall the problems that Sharwood had with air pollution in the area which was caused by the food processing. Despite bigger chimneys built after Council intervention the air pollution still continued. Hopefully the microbrewery has a plan should there be a repeat of any air pollution issues and potential complaints.

6.4 Bexhill-on-Sea Town Council – **NO OBJECTION**

7.0 LOCAL FINANCE CONSIDERATIONS

7.1 This application is not liable for Community Infrastructure Levy.

8.0 APPRAISAL

8.1 The key issues for consideration are as follows:

- a) Principle of Development
- b) Impact on surrounding amenity
- c) Design: layout, appearance and landscaping
- d) Access, transportation and highways safety

8.2 Principle of Development

8.2.1 The site is within the development boundary for Bexhill where the redevelopment/reuse of vacant properties is acceptable in principle subject to compliance with other policy considerations to ensure there would be no adverse impact.

8.2.2 Policy BX1 provides support for economic growth within the Town and states that the overall strategy for Bexhill is to “promote the economic growth of the town, and wider area, including through encouraging growth in new and established local firms, especially in high value-added sectors, prioritising development for employment purposes, increasing the supply of land and premises and promoting efficient infrastructure.”

8.2.3 The National Planning Policy Framework also gives support for local businesses to expand and states at paragraph 81 that “planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.”

8.2.4 Policy EC3 of the Rother Local Plan Core Strategy states that land and premises currently in employment, including tourism, use will be retained in such use unless it is demonstrated that there is no reasonable prospect of its

continued use for employment purposes, or it would cause serious harm to local amenities. The policy also permits intensification, conversion, redevelopment and/or extension having regard to other policies of the plan.

8.2.5 The use is considered appropriate for the location and would be considered to make a positive contribution to the economy of Bexhill and as such the principle of development is considered to be acceptable, subject to other considerations below.

8.3 Impact on Surrounding Amenity

8.3.1 Policy OSS4 (ii) states that all development should not unreasonably harm the amenities of adjoining properties.

8.3.2 The site lies within an established industrial area and is not adjoined by any residential properties. The nearest residences are located along Colebrook Road which is some 40m to the west, with trees and car parking areas separating them. Given this relationship, it is not considered that the proposed use would have any greater impact than the existing authorised use of the building.

8.3.3 Environmental Health have been consulted on the application and are satisfied with the proposal but have sought conditions to monitor noise, foul and surface water drainage, waste storage facilities and restriction on hours of opening.

8.4 Design: Layout, Appearance and Landscaping

8.4.1 National Planning Policy Framework (2021) Chp12 'Achieving well-designed places' sets out the expectation regarding Good Design: Paragraph 126 'The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'.

8.4.2 Policy EN3 (Design Quality) of the Rother Local Plan Core Strategy requires that 'new development...contributes positively to the character of the site and surroundings, including taking opportunities to improve areas of poor visual character or with poor townscape qualities'. It sets out eight Key Design Principles which will be consolidated with those of the National Planning Policy Framework to review the design resolution of the application.

8.4.3 Policy OSS4 of the Rother Local Plan Core Strategy requires that all development to (iii) respect and does not detract from the character and appearance of the locality.

8.4.4 Policy BX1 of the Rother Local Plan Core Strategy states that the strategy for Bexhill is to (i) conserve and enhance the town's distinct and independent character.

8.4.5 The only external changes to the building are the addition of two small chiller units, one to the front and one to the rear of the property. These units would appear as associated infrastructure associated with the commercial building

and hence would have an acceptable impact upon the character and appearance of the locality.

8.5 Access, Transportation and Highways Safety

- 8.5.1 Policy TR4 (i) states that proposed developments shall: (i) meet the residual needs of the development for off-street parking having taking into consideration localised circumstances and having full regard to the potential for access by means other than the car, and to any safety, congestion or amenity impacts of a reliance on parking off-site whether on-street or off-street.
- 8.5.2 Policy CO6 of the Rother Local Plan Core Strategy states that a safe physical environment will be facilitated by (ii) ensuring that all development avoids prejudice to road and/or pedestrian safety.
- 8.5.3 Given the existing use of the site as commercial unit, it is not considered that the proposed use as a brewery and tap room would have any greater impact on highway safety. The site is close to the town centre, accessible by public transport and is considered sustainably located.
- 8.5.4 The proposals would involve a total of 6 No. onsite car parking spaces being provided, which is considered sufficient for the proposed use. Nearby offsite parking is also available in the public car park to the rear of the site.

9.0 CONCLUSION

- 9.1 In determining this application, the issues appraised were a) Planning policy: Principle of Development; b) Impact on surrounding amenity c) Design: layout, appearance and landscaping; d) Access, transportation and highways safety.
- 9.2 Principle of Development: It is considered that the application accords with planning policy. It would contribute to the Council's objectives of regeneration, enabling inward investment, and securing long-term employment within the designated area of Bexhill as identified in the Local Plan.
- 9.3 Impact on surrounding amenity: Given the existing authorised use of the site as a commercial unit, it is not considered that the proposed use as a brewery and tap room would have any greater impact on neighbouring amenity in terms of any increased noise or activity.
- 9.4 Design: layout, appearance and landscaping: the application accords with Policies EN3 (Design Quality) and OSS4 (General Development Considerations). The external alterations proposed are relatively minor and would not have an unacceptable impact on the character or appearance of the locality.
- 9.5 Access, transportation and highways safety: the application accords with Policies TR3 (Access and New Development), SRM1 (Towards a low carbon future), and Paragraph 8 of the National Planning Policy Framework (sustainable development).

- 9.6 It is considered that the application accords with the Rother Local Plan Core Strategy (2014), the Development and Site Allocations Local Plan (2019), Section 38(6) of the Planning and Compulsory Purchase Act (2004), and the National Planning Policy Framework (2021). As such, the application is recommended for approval subject to conditions.

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:
 - 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.

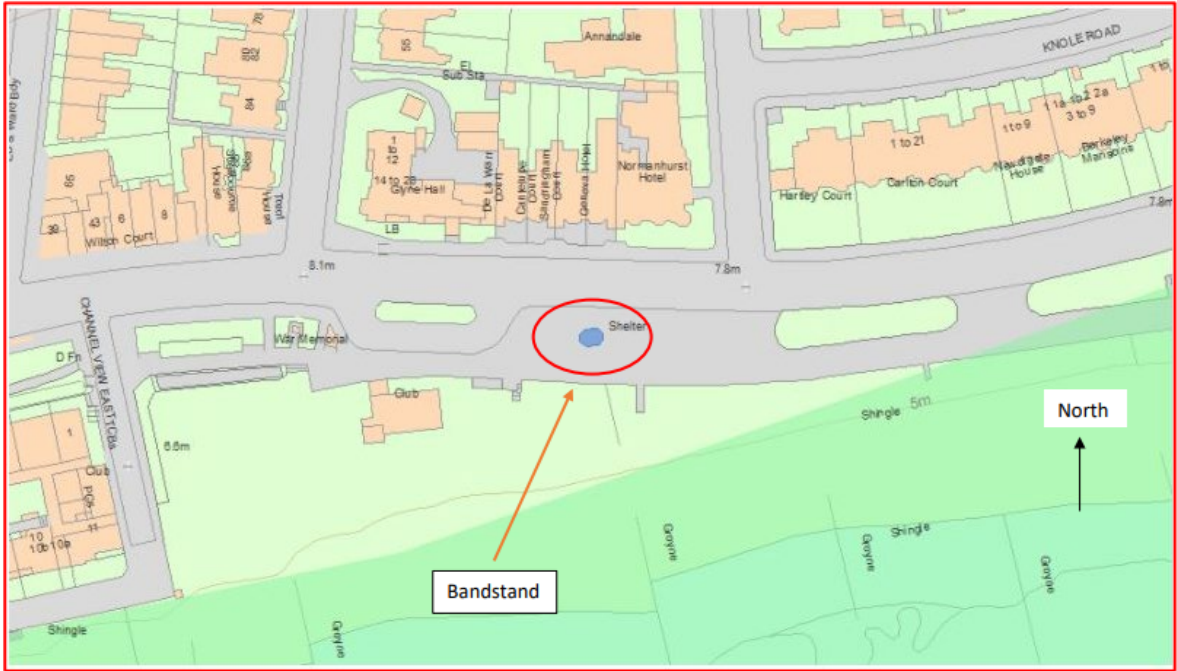
NOTES:

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.

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<p>SITE PLAN</p> <p>RR/2023/396/L</p>	<p>BEXHILL</p> <p>Shelter Number 1 De La Warr Parade</p>
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Rother District Council

Report to - Planning Committee
Date - 13 April 2023
Report of the - Director - Place and Climate Change
Subject - RR/2023/396/L
Address - Shelter Number 1
De La Warr Parade
Bexhill
Proposal - Addition of replica ridge crest to the bandstand roof.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Bexhill Heritage
Case Officer: Mr J. Laibach
(Email: james.laibach@rother.gov.uk)

Parish: BEXHILL SACKVILLE
Ward Member(s): Councillors T.J.C. Byrne and H.L. Timpe

Reason for Committee consideration: Site owned by Rother District Council

Statutory 8-week date: 15 April 2023
Extension of time agreed to: 20 April 2023

1.0 SUMMARY

1.1 The application seeks Listed Building consent for Installation of 10 rectangular stainless steel plaques to the interior of the bandstand and one oval stainless steel plaque to the outside of the building above the eastern entrance as part of the restoration of the existing Grade II Listed seafront shelter; Shelter Number 1, De La Warr Parade, Bexhill.

1.2 The plaques would be constructed of stainless-steel plate that would be affixed above the access door and along the transoms inside the bandstand. The rectangular internal plaques would measure a maximum of 160mm x 60mm, with the oval external plaque measuring 130mm x 85mm. The proposed plaques would be fixed by two slot-headed, counter-sunk stainless-steel screws allowing for their future removal should that be necessary.

- 1.3 The view is taken that the proposals would have a negligible impact upon the Listed Building and having regard to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed works, by virtue of minimal and reversible intervention would not cause detriment to the setting and special architectural and historic character and interest of the Listed Building as a designated heritage asset, and as such would comply with Policy EN2 of the Rother Local Plan Core Strategy and paragraph 202 of the National Planning Policy Framework. It is, accordingly, recommended that Listed Building consent be granted.
-

2.0 SITE

- 2.1 The application relates to a Grade II Listed seafront shelter on De La Warr Parade, between the junctions of Sea Road and Brassey Road. The shelter is located on the south side of the road, within the development boundary for Bexhill.
- 2.2 Shelter Number 1 Listed in 2013 at Grade II was constructed in 1896 and has been in recent years the subject of a restoration program carried out by local community group Bexhill Heritage with support from Rother District Council. The shelter is listed for the following principal reasons:
- Architectural: a well-crafted and decorative wooden shelter with an unusual ten sided plan.
 - Degree of completeness: substantially complete except for subsequent roof re-tiling and glazing in of the side panels.
 - Historical: one of the surviving features of the 8th Earl de La Warr's development of Bexhill.
 - Group Value: one of a group of four seaside shelters along De La Warr Parade.
-

3.0 PROPOSAL

- 3.1 The application seeks Listed Building consent for Installation of 10 rectangular stainless steel plaques to the interior of the bandstand and one oval stainless steel plaque to the outside of the building above the eastern entrance as part of the restoration of the existing Grade II Listed seafront shelter; Shelter Number 1, De La Warr Parade, Bexhill.
- 3.2 The plaques would be constructed of stainless-steel plate that would be affixed above the access door and along the transoms inside the bandstand. The rectangular internal plaques are intended to recognise and commemorate the local people who have contributed to the renovation costs. The rectangular internal plaques would be positioned along the transoms inside the bandstand and would measure a maximum of 160mm x 60mm.
- 3.3 The proposed external oval plaque would measure 130mm x 85mm and would read as follows: *"The CORONATION BANDSTAND was opened by the Chair of Rother District Council, Cllr. Kathy Harmer, and Town Mayor, Cllr. Paul Plim, in April 2023. Rother District Council, Bexhill Heritage's volunteers and local trades people worked in partnership on the restoration. The Bandstand is dedicated to King Charles III and to English composer Gustav Holst who once played his trombone here as a young man."*

- 3.4 The proposed plaques would be fixed by two slot-headed, counter-sunk stainless-steel screws allowing for their future removal should that be necessary. A bead of transparent silicon would be applied within each screw slot to deter unauthorised removal. Text would be 18pt, Times New Roman in black.
-

4.0 HISTORY (relevant)

- 4.1 RR/2021/2397/L Restoration of existing seafront shelter. LISTED BUILDING CONSENT GRANTED
- 4.2 RR/2022/289/L Addition of replica ridge crest to the bandstand roof. LISTED BUILDING CONSENT GRANTED
-

5.0 POLICIES

- 5.1 The following policy of the adopted [Rother Local Plan Core Strategy 2014](#) is relevant to the proposal:
- EN2: Stewardship of the Historic Built Environment
- 5.2 Section 16 (2) 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.
- 5.3 The National Planning Policy Framework represents up-to-date Government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application or appeal. Planning Practice Guidance is available as guidance on how to interpret the National Planning Policy Framework. Especially relevant to applications relating to the historic environment is Section 16 of the National Planning Policy Framework: Conserving and Enhancing the Historic Environment.
-

6.0 CONSULTATIONS

6.1 Planning Notice

6.1.1 No representations received.

6.2 Bexhill-on-Sea Town Council – **SUPPORT**

6.2.1 Bexhill-on-Sea Town Council RESOLVED to support this application.

7.0 APPRAISAL

- 7.1 The main issue for consideration is the impact of the proposal on the special architectural and historic interest of the Listed Building.

7.2 Impacts upon the special architectural and historic interest of the Listed Building.

7.2.1 Policy EN2 of the Rother Local Plan Core Strategy, Stewardship of the Historic Built Environment, 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.”

7.2.2 The plaques would be constructed of stainless-steel plate that would be affixed above the access door and along the transoms inside the bandstand. The rectangular internal plaques would measure a maximum of 160mm x 60mm, with the oval external plaque measuring 130mm x 85mm. The proposed plaques would be fixed by two slot-headed, counter-sunk stainless-steel screws allowing for their future removal should that be necessary.

7.2.3 The proposals given their size and location would have a negligible impact upon the Listed Building and any perceived harm is considered to be outweighed by the public benefit of the bandstand restoration. Accordingly, it is considered that the proposed works, by virtue of minimal and reversible intervention would not cause detriment to the setting and special architectural and historic character and interest of the Listed Building as a designated heritage asset.

8.0 **PLANNING BALANCE AND CONCLUSION**

8.1 In summary, the proposals would have a negligible impact upon the Listed Building and having regard to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed works, by virtue of minimal and reversible intervention would not cause detriment to the setting and special architectural and historic character and interest of the Listed Building as a designated heritage asset, and as such would comply with Policy EN2 of the Rother Local Plan Core Strategy and paragraph 202 of the National Planning Policy Framework. It is, accordingly, recommended that Listed Building consent be granted.

RECOMMENDATION: GRANT (LISTED BUILDING CONSENT)

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.

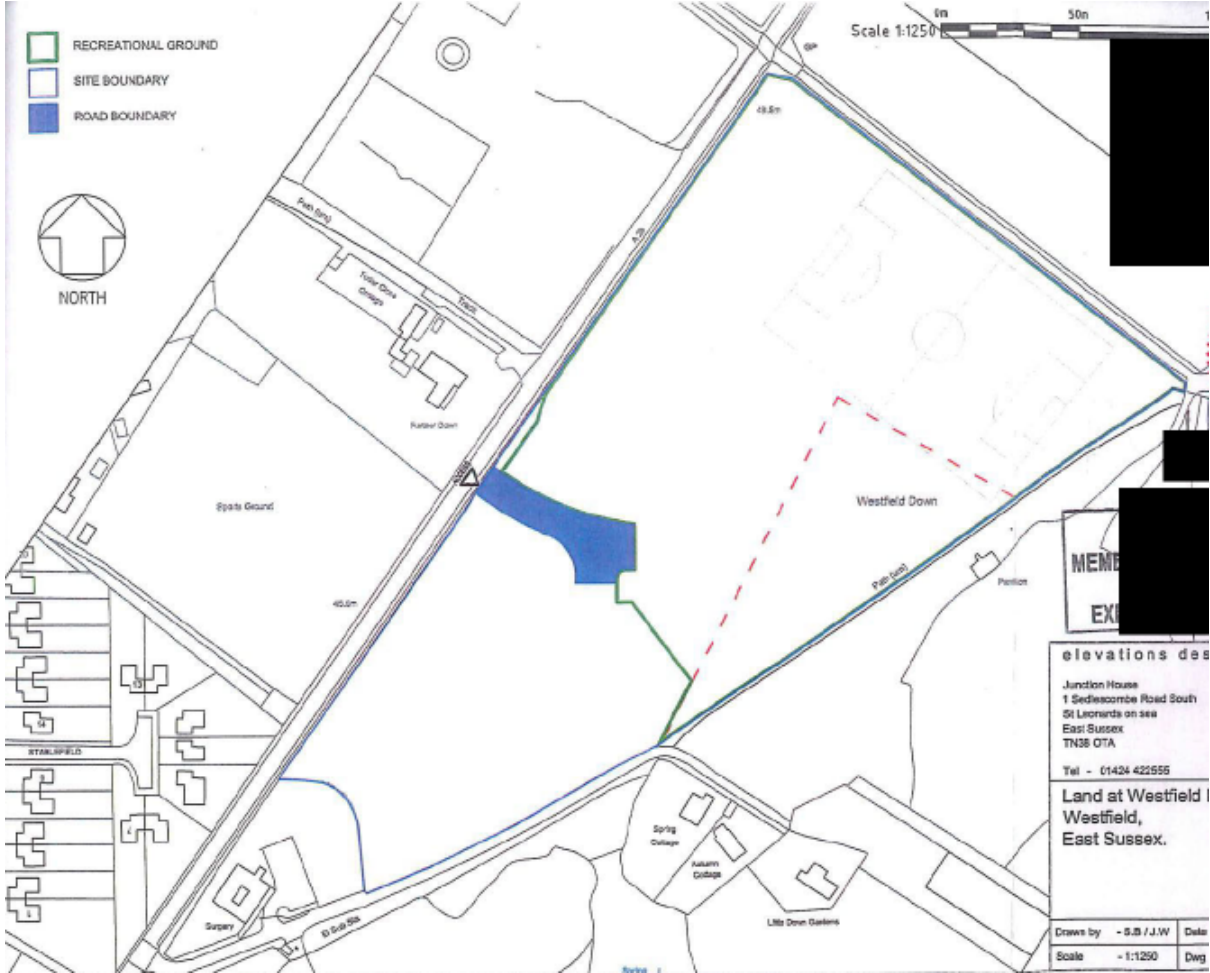
Reason: To safeguard the historic fabric and the special architectural and historic character of the Listed Building in accordance with Policy EN2 of the Rother Local Plan Core Strategy (2014).

SITE PLAN

WESTFIELD

RR/2022/2935/P

Westfield Down – Land at, Main Road



Rother District Council

Report to - Planning Committee
Date - 13 April 2023
Report of the - Director – Place and Climate Change
Subject - Application RR/2022/2935/P
Address - Westfield Down – Land At, Main Road, Westfield
Proposal - Application to modify a Section 106 Planning Obligation to allow amendments for the affordable housing and purchasing requirements related to applications RR/2009/322/P, RR/2007/545/P and RR/2011/2114/P

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Optivo (now Southern Housing)
Agent: Capsticks Solicitors LLP
Case Officer: Mr E. Corke
(Email: edwin.corke@rother.gov.uk)

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

Reason for Committee consideration: Director – Place and Climate Change referral: Modification of Planning Obligation with implications for housing mix and tenure mix

Statutory 8 week date: 6 February 2023
Extension of time agreed to: 19 April 2023

1.0 SUMMMARY

- 1.1 The application is to modify a Section 106 Planning Obligation which relates to a development of 39 dwellings and associated recreational works (provision of senior football pitch, changing room building, recreational land and access road etc.), which are currently under construction and nearing completion.
- 1.2 The proposed modifications primarily relate to the delivery of a 100% affordable housing scheme with 23 of the dwellings delivered as affordable housing for rent and 16 delivered as shared ownership units. The Council's Technical Advice Note 2 100% Affordable Housing 2023 identifies a clear need for the provision of more affordable housing in the District and advises

that applications for up to 100% affordable housing should be supported in principle.

- 1.3 In this case an acceptable affordable housing tenure mix is proposed and there would be no loss of money raised through the Community Infrastructure Levy (CIL), as the Council was not a CIL charging authority when the outline planning permission for the housing development was granted. The proposed modifications are of an acceptable nature and the Planning Obligation would continue to serve a useful purpose with them in place. As such, they should be approved.

2.0 SITE

- 2.1 The application relates to a development of 39 dwellings and associated recreational works (provision of senior football pitch, changing room building, recreational land and access road etc.), which currently under construction and nearing completion. The development lies to the north-east of the village, on the south-eastern side of the A28 (Main Road). The housing scheme was granted under outline planning permission RR/2009/322/P and the subsequent approval of reserved matters RR/2017/1293/P. The associated recreational works have been granted under successive planning permissions (see 'History' section of report below for details).

- 2.2 The site was allocated for housing and recreation purposes in the Rother District Local Plan 2006. In relation to the housing element of the allocation, Policy VL11 of that Plan said proposals will be permitted where:

“(ii) at least 22 dwellings are provided at the southern end of the site, of which 40% are affordable.”

- 2.3 At the preparation stage of the current Development and Site Allocations (DaSA) Local Plan 2019, the planning permission for 39 houses at Westfield Down had not been implemented. The land was therefore re-allocated for housing and recreation purposes under Policy WES1. In relation to the housing element of the allocation, the policy says proposals will be permitted where:

“(ii) some 39 dwellings are provided within the identified residential area as shown on the Detail Map, of which 40% are affordable.”

3.0 PROPOSAL

Background

- 3.1 Outline planning permission (with some matters reserved) was granted for the housing development in 2014 and this was subject to a Section 106 Planning Obligation which, amongst other things, secures the provision of 15 affordable housing units (equating to some 38% of the total number of dwellings), and a payment in lieu for 0.6 of a unit to ensure a policy compliant scheme. The affordable units are secured in a 50/50 split between affordable housing for rent and shared ownership units (unless varied by agreement with Rother District Council). The remaining 24 dwellings (equating to some 62% of the

total number of dwellings) are defined as “market dwellings(s)” (i.e. any dwelling which is not an affordable housing unit) in the Planning Obligation.

- 3.2 An approval of reserved matters was subsequently issued in 2018 and the tenure plan submitted with that application showed eight of the affordable units as affordable housing for rent and seven as shared ownership units.
- 3.3 In addition to securing the affordable housing provision, the Planning Obligation secures the delivery of the associated recreational works so that both the housing development and recreational element proceed in tandem. This includes a provision to not allow occupation of more than 14 of the market dwellings included in the planning permission unless the recreational works have been fully completed to the reasonable satisfaction of Rother District Council.

Current proposal

- 3.4 The current proposal is to modify the Section 106 Planning Obligation, primarily to deliver a 100% affordable housing scheme. 23 of the units would be delivered as affordable housing for rent with 16 delivered as shared ownership units. There would be no changes to the approved layout and design and nor would there be any changes to the approved mix of 1, 2, 3 and 4-bedroom dwellings.
- 3.5 At the Council’s request, a supporting statement and plan showing the tenure split for the affordable housing units has been provided. The proposed amendments are detailed as follows in the supporting statement:

“The current proposal is for amendments to the Section 106 agreement only. The proposed amendments do not result in any amendments to the design of the scheme. The layout and number of units will remain as approved under the current planning permission.

The amendments involve changing certain definitions and clauses so that the scheme can be delivered as 100% affordable housing. The agreement currently secures 15 units of affordable housing and a payment in lieu for 0.6 of a unit to ensure a policy compliant scheme. As the current proposal seeks to deliver the scheme as 100% affordable housing, it is proposed to remove the payment in lieu requirement. The nominations agreement included at the Fourth Schedule is also due to be replaced with Rother District Council’s current standard nominations agreement. All other requirements and contributions will remain as per the current agreement (with triggers updated as necessary). A full list of the proposed amendments is included at Appendix A.

In accordance with National Planning Policy Framework, there are a number of different types of affordable housing. For this scheme it is intended to deliver the scheme part as affordable rent (AR) and part shared ownership (SO). The split between these two tenures will be 23 x AR and 16 x SO.

AR homes are offered to those in need at rental levels that are capped at 80% of local private rent levels. SO homes provide a route to home ownership for those unable to purchase a property on the open market. The purchaser is able to buy a share of the property with the remainder being retained by the

housing association. The owner then pays a reduced rent on the share owned by the housing association.”

- 3.6 The list of the proposed amendments included at Appendix A of the supporting statement is as follows:
- Definition of “Affordable Housing Units” – amended to cover all 39 units.
 - Definition of “Market Dwellings” – to be deleted.
 - Definition of “Payment in Lieu” – to be deleted.
 - All references to “Market Dwellings” to be deleted and replaced with “Shared Ownership Dwellings” or such other trigger for the satisfaction of the other obligations as agreed with the Council.
 - Third Schedule, paragraph 2 – deleted and replaced with ‘The Affordable Housing Units shall be provided as per the accommodation schedule included at Annex 1 and the tenure of the Affordable Housing Units may be varied by agreement with the Council’.
 - Third Schedule, paragraph 7 – deleted and replaced with ‘All the Affordable Housing units to be constructed on the site shall be allocated in accordance with the Nominations Agreement and any agreed Local Lettings Plan’.
 - Third Schedule, paragraph 8 – to be deleted.
 - Third Schedule, paragraph 10 – to be deleted.
 - Fourth Schedule – to be deleted and replaced with the standard nominations agreement attached at Annex 2.
 - Sixth Schedule – to be deleted.
 - The Mortgagee in Possession Clause at paragraph 10 of the Third Schedule to be amended in order to meet current lender requirements for lending and compliant with the National Housing Federation model wording.
 - To permit persons who have exercised a right to buy, preserved right to buy and persons who have staircased to 100% of a shared ownership unit to be released from the Affordable Housing obligations.
- 3.7 A note is included with the above list, which says that it is not an exhaustive list and is intended as a starting point for discussions with the Rother District Council legal service.

4.0 HISTORY

- | | | |
|-----|----------------|--|
| 4.1 | RR/2007/545/P | Change of use of land to sports and community use. GRANTED |
| 4.2 | RR/2009/322/P | Outline: residential development incorporating up to 39 dwellings and formation of new vehicular access. GRANTED |
| 4.3 | RR/2010/1111/P | Renewal of extant planning permission RR/2007/545/P for change of use from former agricultural land to sports and community use. GRANTED |
| 4.4 | RR/2011/2114/P | Proposed changing rooms and associated parking on land at Westfield Down. GRANTED |

- 4.5 RR/2011/2114/MA Non material amendment to RR/2011/2114/P – to reduce width of access road; addition of parking bay; parking re-arranged. GRANTED
- 4.6 RR/2013/1286/P Replace extant planning permission RR/2010/1111/P to change of use from former agriculture land to sports and community use. GRANTED
- 4.7 RR/2014/2764/P Renewal of Planning Permission for proposed changing rooms and associated parking on land at Westfield Down (previously approved under RR/2011/2114/P). GRANTED
- 4.8 RR/2017/1293/P Approval of reserved matters following outline approval RR/2009/322/P – layout, scale, appearance and hard and soft landscaping. GRANTED
- 4.9 RR/2018/761/P Change of use of the land from agricultural to sports and community use. GRANTED
- 4.10 RR/2018/766/P Construction of off-site drainage works required in association with the residential development approved under planning ref: RR/2009/322/P. GRANTED
- 4.11 RR/2019/1067/P Proposed changing rooms and associated parking (previously approved under RR/2011/2114/P and RR/2014/2764/P). GRANTED
- 4.12 RR/2021/110/MA Non-material amendment to RR/2017/1293/P to allow removal of garages and replacement with cycle stores and change five 4-bed 7-person units to five 3-bed 6-person units. GRANTED
- 4.13 RR/2021/1757/P Variation of Condition 2 (approved plans) of planning approval RR/2019/1067/P to allow for revised design of changing rooms building. GRANTED

5.0 LEGISLATION AND POLICIES

- 5.1 The Town and Country Planning Act 1990:
- Section 106A.
- 5.2 The following policy of the [Rother Local Plan Core Strategy 2014](#) is relevant to the proposal:
- LHN1 (Achieving Mixed and Balanced Communities).
- 5.3 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:
- DHG1 (Affordable Housing).
 - WES1 (Land at Westfield Down, Westfield).
- 5.4 The following documents are also material considerations:
- Council’s Technical Advice Note 2 (TAN2) 100% Affordable Housing 2023.

- Hastings Borough Council and Rother District Council Housing and Economic Development Need Assessment (HEDNA) 2020.
- The National Planning Policy Framework.
- The Planning Practice Guidance.

5.5 The Rother District Local Plan 2006 is relevant insofar as the outline planning application was determined having regard to the policies of that Plan; in particular Policy VL11 (Land at Westfield Down, Westfield).

6.0 CONSULTATIONS

6.1 Legal Services (Wealden and Rother District Council) – **NO COMMENTS RECEIVED**

6.2 Housing, Enabling and Development Officer (Rother District Council) – **NO OBJECTION**

6.3 Planning Notice

6.3.1 Nine letters of **OBJECTION** have been received (from nine representatives). The concerns raised are summarised as follows:

- There is already a high level of affordable housing in the village.
- Private owned houses in the village will lose value.
- Significant change which is not in the interests of the village.
- Could potentially have a big impact on the village.
- No justification for 100% affordable housing has been provided, nor any details on nor how it would impact on, or be of any benefit to, the village/community.
- On the basis of the incomplete application and for the sake of public transparency and accountability, this application should be refused.
- A Section 106 agreement is in place and to alter it would need the consent of all signatories.
- Why should the taxpayer be liable for grants to a housing association who after two years now confess that the site is not viable unless there is 100% affordable housing which will bring no benefit to the village.
- The only reason to alter this agreement is entirely financial (i.e. can only be for profit).
- This matter has been dealt with in a most underhand manner. The application to modify the Section 106 agreement should have been made at the time it was decided that the development would become 100% affordable housing (i.e. before construction began).
- The changes requested would deny local people to invest in local housing and would not provide the proper social mix suitable for a village setting.
- Three named people on the original Section 106 agreement are no longer current freeholders of Westfield Down site. According to Land Registry Court Developments Ltd are the current owners. Therefore, Court Developments Ltd should have been named on the planning application amendment when submitted.
- The Section 106 agreement amendments have been submitted by Optivo when Optivo have recently merged with Southern Housing Group and are now known as Southern Housing.

- The proposed shared ownership houses were advertised for sale in the public domain before this application was filed or agreed.
- There have been a lot of confusing statements and information regarding this development.
- The amendment has been applied for without any prior consultation to the local community.
- If the Section 106 agreement is not a legal document then Optivo has no need to apply for this amendment.
- When Court Developments Ltd bought the land surely, there should have been either a legal transference document, signed by the new owners, of the Section 106 or a legal document to discharge the obligation of the Section 106 at the time of ownership.

6.2.2 One letter of **SUPPORT** has been received. The comments are summarised as follows:

- Proposed amendment to the Section 106 should be seen as a positive for those homeowners who want to remain in the Westfield village community.

6.3 Westfield Parish Council – **OBJECTION**

6.3.1 The comments are summarised as follows:

- No reason has been submitted with the application for the basis of this change from 40 to 100% affordable housing.
- If the mix was to remain at a 40/60 mix and the 15 affordable properties are affordable rented this would be enough housing to house all of the Band A and Band B housing need for Westfield Parish.
- No evidence has been provided to demonstrate that 100% affordable housing of this size in a rural context has been successful.
- Policies DHG1 (Affordable Housing) and WES1 (Land at Westfield Down, Westfield) of the Council's adopted DaSA set out an expectation of 40% on-site affordable housing. These should not be viewed as expired or invalid policies and are part of the Local Plan.
- The current proposed layout of the shared ownership vs the affordable rent does not follow the 'pepper pot' policy for blind tenure as part of Policy DHG1: Affordable Housing in the Rural Areas.

7.0 **LOCAL FINANCE CONSIDERATIONS**

7.1 The delivery of a 100% affordable housing scheme on this site would not result in the loss of money raised through the Community Infrastructure Levy (CIL), as the Council was not a CIL charging authority when the outline planning permission was granted.

8.0 **APPRAISAL**

8.1 Section 106A of the Town and Country Planning Act 1990 (as amended) relates to the modification and discharge of planning applications. Subsection (6) says:

“Where an application is made to an authority under subsection (3), the authority may determine—

- (a) that the planning obligation shall continue to have effect without modification;*
- (b) if the obligation no longer serves a useful purpose, that it shall be discharged; or*
- (c) if the obligation continues to serve a useful purpose, but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.”*

8.1.1 Having regard to the above, subsection (6)(c) is applicable in this case. The proposed modifications primarily seek to deliver a 100% affordable housing scheme and would retain units as affordable housing. The Nominations Agreement included at the Fourth Schedule is also due to be replaced with Rother District Council’s current standard Nominations Agreement. All other non-housing requirements and contributions will remain as per the current agreement (with triggers updated as necessary).

8.1.2 The main issues relating to the delivery of a 100% affordable housing scheme are determined to be:

- Whether the provision of 100% affordable housing is acceptable in principle.
- Whether the proposed tenure mix is acceptable.

8.2 Principle of 100% affordable housing

8.2.1 Policy DHG1 (iv)(b) of the DaSA says that in rural areas the Council will expect 40% on-site affordable housing on schemes of 10 or more dwellings (or 0.3 hectares or more).

8.2.2 Policy WES1 of the DaSA specifically relates to the Westfield Down site and says proposals will be permitted where:

“(ii) some 39 dwellings are provided within the identified residential area as shown on the Detail Map, of which 40% are affordable.”

8.2.3 The Council has produced a Technical Advice Note (TAN2) which explains how adopted Development Plan policy will be applied in situations where applications for 100% affordable housing are submitted. Paragraph 36 of this document says:

“More recent evidence within the HEDNA (2020) highlights that the need for affordable housing, and socially rented housing in particular has significantly increased, due to the widening gap between local income levels and the costs of renting or buying housing. The affordable housing need exceeds total housing delivery in Rother. Furthermore, the Council’s Corporate Plan supports the provision of affordable housing which meets demonstrated local needs.”

8.2.4 Paragraph 37 of TAN2 says:

“Where proposals come forward for greater levels of affordable housing than the minimum percentages set out in Policy DHG1 (up to 100%), the applications should be supported in principle. Such proposals would not conflict with Policy DHG1 of the DaSA Local Plan, which sets out minimum (not maximum) percentage requirements for affordable housing...”

- 8.2.5 The Applicant's supporting statement comments on the need for affordable housing and concludes that:

"The latest evidence identifies a significant need for new affordable housing across the district. Recent figures indicate that current supply is falling below annual delivery requirements. The issue is of particular concern in rural areas, such as Westfield. There are currently 69 households on the housing register with a local connection to Westfield."

- 8.2.6 The Council's Housing Enabling and Development Officer has commented as follows with regard to the need for affordable housing:

"As of January 2023 there were 69 households with a local connection to Westfield parish on the Council's housing register. These households are mix of 1, 2, 3 and 4 bedroom needs. Many have been on the housing register for five years or more and some for more than 10 years. Given that there are 23 proposed properties for rent on this scheme there should be more than sufficient need from local households for the properties."

This can also be set in the context of increasing need for Affordable Housing across the district with there now being 2,150 households on the Rother Housing Register and over 150 households in temporary accommodation. This is further evidenced by the HEDNA (2020) that showed a net affordable housing need per annum of 295. Average affordable housing delivery from 2013 – 2022 was 82."

- 8.2.7 For the above reasons, there is no objection to the proposed modification of the Planning Obligation to deliver a 100% affordable housing scheme, subject to an acceptable tenure mix.

8.3 Tenure Mix

- 8.3.1 TAN2 says that where 100% affordable housing schemes are proposed, a mix of tenures should be provided, in accordance with criteria regarding mixed and balanced communities. Policy LHN1 (v) of the Rother Local Plan Core Strategy says that in relation to affordable housing, there should be an overall balance of 65% social/affordable rented and 35% intermediate affordable housing.

- 8.3.2 In this case, 23 of the units would be delivered as affordable housing for rent with 16 delivered as shared ownership units. This includes a mix of 1 & 2-bedroom apartments, a 2-bedroom bungalow and a mix of 2, 3 & 4-bedroom houses for affordable housing for rent, and a mix of 2, 3 & 4-bedroom houses as shared ownership units; all as illustrated in the submitted tenure plan. This equates to an overall balance of 59% affordable housing for rent and 41% shared ownership units. The Council's Housing Enabling and Development Officer has advised that this split of affordable housing tenures represents a good attempt to keep to the principles of the above policy and is therefore supported.

- 8.3.3 Westfield Parish Council is concerned that the current proposed layout of the shared ownership vs the affordable rent does not follow the 'pepper pot' policy for blind tenure as part of Policy DHG1: Affordable Housing in the Rural Areas. In this regard, the tenure plan shows the dwellings in the north-eastern and south-eastern areas of the development provided as shared ownership

units, with the dwellings in the central and western areas provided as affordable housing for rent. This would result in two distinct clusters of affordable housing tenures, which does not provide for effective 'pepperpotting' of these tenures. However, there is no specific policy requirement relating to the 'pepperpotting' of different affordable housing tenures on a 100% affordable housing scheme. The pepper potting referenced in Policy DHG1 relates to the pepper potting of affordable housing among market housing. It must also be acknowledged that the proposal would deliver much needed affordable housing in the District in a near policy compliant tenure split.

8.3.4 For the above reasons there is no objection to the proposed tenure mix.

8.4 Other Matters

8.4.1 With regard to the new Nominations Agreement, the Council's Housing Enabling and Development Officer has advised that the affordable units will be allocated in accordance with this agreement and any agreed Local Lettings Plan (LLP). At this stage a draft LLP has been written and shared with Westfield Parish Council for comment. It is very much the intention that the properties allocated on this scheme go to households with a suitable local connection to Westfield.

8.4.2 The Parish Council and local residents have raised a number of concerns about the proposed modification of the Planning Obligation to deliver a 100% affordable housing scheme. These concerns are acknowledged. However, for the reasons set out above, there is no objection to the proposed modification.

8.4.3 Optivo has been named as the Applicant on the application form. For clarity, they have now become Southern Housing following the merger of Optivo and Southern Housing Group on 16/12/2022.

8.4.4 The original Certificate B submitted with the application incorrectly listed previous owners of the site as persons against whom the planning obligation is enforceable. This has been updated with Court Developments Limited (the developer) now listed. Optivo has subsequently become the landowner and they would be a signatory on the modified Planning Obligation.

8.4.5 If the Planning Committee is minded to approve the modifications to the Section 106 Planning Obligation, a subsequent review of the extant planning permission to establish whether an associated amendment is required would be necessary.

9.0 **PLANNING BALANCE AND CONCLUSION**

9.1 The proposed modifications primarily relate to the delivery of a 100% affordable housing scheme with 23 of the dwellings delivered as affordable housing for rent and 16 delivered as shared ownership units. The Council's TAN 2 100% Affordable Housing 2023 identifies a clear need for the provision of more affordable housing in the District and advises that applications for up to 100% affordable housing should be supported in principle. In addition, it is noted that Westfield itself has a high need for affordable housing with 69

households with a local connection to Westfield Parish on the Council's Housing Register.

- 9.2 In this case an acceptable affordable housing tenure mix is proposed and there would be no loss of money raised through the Community Infrastructure Levy (CIL), as the Council was not a CIL charging authority when the outline planning permission for the housing development was granted. The proposed modifications are of an acceptable nature and the Planning Obligation would continue to serve a useful purpose with them in place. As such, they should be approved.

RECOMMENDATION: APPROVE MODIFICATION OF THE SECTION 106 PLANNING OBLIGATION

REASON FOR RECOMMENDATION: In accordance with Section 106A(6) of the Town and Country Planning Act 1990, the Local Planning Authority has determined that the Planning Obligation continues to serve a useful purpose, and that it will serve that purpose equally well subject to the modifications specified in the application.

Rother District Council

Report to: Planning Committee

Date: 13 April 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/2021/3035/P
(Delegation) BATTLE: Battle Golf Clubhouse, Netherfield Hill, Netherfield, Battle
Change of use of redundant golf clubhouse, together with minor extensions, to form a single residential dwelling, including parking and associated landscape works.
Mr David Bull

RR/2022/2492/P
(Delegation) BATTLE: Paygate, Whatlington Road, Battle
Erection of extension and internal alterations.
Mr & Mrs A.J. Gerken

RR/2022/240/P
(Committee - Decision) BATTLE: Battle Great Barn - land adj, Marley Lane, Battle
Erection of new dwelling.
Mr Neil Mortimer

RR/2022/2472/P
(Delegation) BATTLE: 72a High Street, Battle
Change of use from office to residential, proposing a new three-bed maisonette.
Mr M. Law

RR/2022/1639/P
(Committee - Decision) BEXHILL: 23a Western Road, Bexhill
Proposed replacement windows
Miss N. Tidd and Mrs S. Ingamells

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/2023/37/T (Delegation)	BEXHILL: 48 Wealden Way, Bexhill T1, T2, T3 and T4 - Oak Trees - Reduce the canopies/height by 6M to improve health of the tree and to prevent potential risk to neighbouring dwelling. Mr Stephen Ashley
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/2022/2992/TN (Delegation)	BEXHILL: King Offa Way - Land at, Bexhill Application to determine whether prior approval is required for a proposed new 5G telecommunications mast on site and additional ancillary equipment cabinets and associated ancillary works. Dot Surveying Ltd
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/2022/1315/P (Delegation)	BREDE: Sant Roc, Cackle Street, Brede Demolition of existing dwelling and outbuilding. Erection of three terraced dwellings. Hawkins & Hawkins
RR/2022/963/P (Delegation)	BREDE: Old Manor House - land to the South of, Udimore Road, Broad Oak, Brede Outline: Erection of 20 dwellings and associated parking. Redwood Land Investment Ltd
RR/2022/539/P (Delegation)	BREDE: Broad Oak Meadow - Land at, Chitcombe Road, Brede Erection of five dwellings (2 x 4 bedroom and 3 x 3 bedroom), with new access, parking and landscaping. BW Homes
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/2022/2059/P (Delegation)	CROWHURST: St Benedicts Byre, Catsfield Road, Crowhurst Proposed detached building to be used as ancillary overspill/annexe accommodation for members of the owners of St Benedicts Byre's family (alternative to

	garage building approved under extant planning permission RR/2022/1236/P) Mr and Mrs A. Brodrick-Ward
RR/2022/461/P (Delegation)	DALLINGTON: Prospect House - Land Opposite, Woods Corner, Dallington Proposed new dwelling & associated parking. Woods Corner No.2 Ltd
RR/2022/1071/P (Delegation)	GUESTLING: Old Coghurst Farmhouse, Rock Lane, Guestling Replacement of two existing barns with access and landscaping. Messrs D. & J. Harris & Manuell
RR/2022/364/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/2022/2187/PN3 (Delegation)	TICEHURST: The Hay Barn, Downash Farm, Rosemary Lane, Ticehurst Application to determine if prior approval is required to change the use of an agricultural building for the purpose of hotel use and holiday accommodation (commercial - Class C1 under the Class R). Nicola Roberts
RR/2022/2351/P (Delegation)	TICEHURST: Bryants Farm, Wards Lane, Ticehurst Conversion of barn to 4-bed dwelling. Ms Elizabeth Latchford
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/2021/1490/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/2021/3023/P
(Delegation)

WESTFIELD: Hooters, Moat Lane, Westfield
Construction of storage barn (Retrospective).
Mr & Mrs M. Hawkins

APPEALS STARTED

RR/2022/1661/P
(Committee -
Decision)

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/2022/64/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/2021/2615/P
(Delegation)

ETCHINGHAM: Church Hill - Land Lying to East of,
Church Lane, Etchingam
Change of use from agricultural to dog walking field.
Miss Katie Cruttenden

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

APPEALS PENDING

RR/2022/1296/P
(Delegation)

ASHBURNHAM: Honeyland, Honey Lane, Ashburnham
Erection of replacement barn for agricultural use.
Mr Allan Chamberlain

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/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/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/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/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/2021/2529/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/2022/1353/P (Delegation)	BEXHILL: The Little House, Worsham Lane, Bexhill Proposed extension to dwelling involving the removal of several outbuildings. Mr N. Rowe
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/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/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/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/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/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/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/2022/814/P (Delegation)	BREDE: St Elmo, Cackle Street, Brede Erection of single storey rear extension & front porch. Mr & Mrs T. Quinn
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/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/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/2020/2306/P (Delegation)	CAMBER: Poundfield Farm, Farm Lane, Camber Siting of holiday lodge for seasonal tourist/holidaymakers accommodation. Mrs Michelle Bristow
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/2021/2992/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/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/2022/949/P (Delegation)	EWHURST: New Morgay Farm, Cripps Corner Road, Staplecross, Ewhurst Demolition of existing stables and erection of residential annexe. Mrs F. Radermaker
RR/2022/37/P (Delegation)	GUESTLING: Milward Gardens - Land adjacent to, Winchelsea Road, Guestling Outline: Erection of 4 No. bedroom detached house. BBG Commercial Properties Ltd
RR/2022/155/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/2022/469/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
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/2022/2250/O (Delegation)	GUESTLING: The Cottage, Stream Farm, Chapel Lane, Guestling

	Existing use of the garage building as a residential dwelling. Mr Colin McNulty
RR/2022/1062/P (Delegation)	HURST GREEN: 2 Silverhill Cottages, Silverhill, Hurst Green First floor rear extension Miss Karina Hymers
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/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/2021/1084/P (Delegation)	NORTHIAM: The Cedars, Station Road, Northiam Demolition of existing single storey bungalow and erection of 2 dwellings with retained access. Brasseur
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/2021/3084/L (Delegation)	RYE: 18 Landgate, Larkin House, Rye Alterations to roof space including formation of access through low collar in roof structure, insertion of 3 no. new rooflights in inner roof slopes, enlargements and guarding of loft hatch opening. Ms Tara Larkin
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/2021/2597/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/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/2021/2335/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/2022/1013/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/2021/1647/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/2022/132/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

NONE

APPEALS DISMISSED

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/2021/2888/P (Delegation)	PEASMARSH: 1 Brickfield, Main Street, Peasmarsh Erection of a two storey side extension over part of existing footprint to form 1 bedroom maisonette. Mr Peter Bedborough
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

APPEALS WITHDRAWN

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
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FORTHCOMING HEARINGS/INQUIRIES

NONE

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
