

PLANNING COMMITTEE

1 June 2023

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 1 June 2023 at 9:30am.

Committee Members present: Councillors A.S. Mier (Chair), J. Barnes (MBE) (Substitute), Mrs M.L. Barnes, S.J. Coleman (Substitute), F.H. Chowdhury, C.A. Creaser, A.E. Ganly, P.J. Gray, T.M. Killeen (MBE), C. Pearce and H.L. Timpe (Substitute).

Other Members present: Councillors K.M. Field (in part), D.B. Oliver (in part) and S.M. Prochak (MBE) (remote).

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

Also Present: 4 members of the public in the Council Chamber and 22 via the live webcast.

PL23/4. **MINUTES**

(1)

The Chairman was authorised to sign the Minutes of the meetings held on 13 April 2023 and 24 May 2023 as correct records of the proceedings.

PL23/5. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

(2)

Apologies for absence were received from Councillors C.A. Bayliss, T.J.C. Byrne, Mrs V. Cook (ex-officio), B.J. Drayson, N. Gordon, T.O. Grohne and J. Stanger.

It was noted that Councillors J. Barnes, Coleman and Timpe were present as a substitute for Councillors Gordon, Bayliss and Stanger respectively.

PL23/6. **DISCLOSURE OF INTEREST**

(5)

There were no declarations of interest made.

PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

PL23/7. **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.

PL23/8. **RR/2023/430/P - 55 SOUTH CLIFF, BEXHILL**

(7)

DECISION: GRANT PLANNING PERMISSION

SUBJECT TO CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the original permission (that date being 22/12/21).
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 drawings:

00121-PL-150-REV A, 23/02/2023
00121-PL-225-REV A, 23/02/2023
00121-PL-226-REV A, 23/02/2023
00121-PL-227-REV A, 23/02/2023
00121-PL-300-REV A, 23/02/2023
00121-PL-450-REV A, 23/02/2023
00121-PL-350-REV A, 23/02/2023
00121-PL-200 (approved plan from RR/2021/863/P), 14/04/2021
00121_50 (approved plan from RR/2021/863/P), 14/04/2021
00121-PL-300 (approved plan from RR/2021/863/P), 14/04/2021
Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to occupation of the dwelling hereby permitted, boundary treatments shall be erected strictly in accordance with details submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and to prevent the development from having any harmful impact upon the amenities of adjoining properties by way of overlooking, in accordance with OSS4 (ii and iii) of the Rother Local Plan Core Strategy 2014.
4. Prior to occupation of the dwelling hereby permitted, privacy screens to the ends of the first-floor rear balcony on the western elevation shall be erected strictly in accordance with details submitted to and approved in writing by the Local Planning Authority. The privacy screens shall thereafter be retained in that condition.
Reason: To prevent the development from having any harmful impact upon the amenities of adjoining properties by way of overlooking, in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014.
5. The development shall be completed in accordance with the detail contained in 'Report on Ground Investigation undertaken by Ground and Environmental Services Limited (Document Reference No: 12818), received 04/08/2022 and approved under ref: RR/2022/1931/DC.
Reason: To protect the stability of the cliff in accordance with Policy DEN6 of the Development and Site Allocations Local Plan.
6. The dwelling hereby approved shall meet the requirement of no more than 110 litres/person/day water efficiency set out in Part G of Schedule 1 of the Building Regulations 2010 (as amended) for water usage. The dwelling hereby permitted shall not be occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the dwelling(s) has been constructed to achieve water consumption of no more than 110 litres per person per day.
Reason: To ensure that the dwelling is built to acceptable water efficiency standards in line with sustainability objectives and in accordance with Policy SRM2 (v) of the Rother Local Plan Core Strategy and Policy DRM1 of the Rother Development and Site Allocations Local Plan.

7. The dwelling(s) hereby permitted shall not be occupied until it has/they have been constructed in accordance with Part M4(2) (accessible and adaptable dwellings) of Schedule 1 of the Building Regulations 2010 (as amended) for access to and use of buildings.

Reason: To ensure that an acceptable standard of access is provided to the dwelling(s) in accordance with Policy OSS4 (i) of the Rother Local Plan Strategy and Policy DHG4 of the Rother Development and Site Allocations Local Plan.

8. The development shall be completed in accordance with the details approved under ref: RR/2022/1931/DC.

Reason: To ensure that the development reflects the appearance and character of the surrounding area and safeguard the local biodiversity in accordance with Policies OSS4 and EN5 of the Rother Local Plan and Policies DHG11 and DEN4 of the Development and Site Allocations Local Plan.

NOTES:

1. The development is subject to the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision. All interested parties are referred to <http://www.rother.gov.uk/CIL> for further information and the charging schedule.
2. The development will be subject to the requirements of the Building Regulations, and advice should be sought from the East Sussex Building Control Partnership. No work should be carried out until any necessary permission has been obtained.
3. The landowner and/or developer should take all relevant precautions to minimise the potential for disturbance to adjoining occupiers from noise and dust during the construction period. This should include not working outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays, and no such work should take place on Sundays or Bank Holidays.
4. The Environment Agency can be contacted by telephone on 03708 506 506 or by e-mail at enquiries@environment-agency.gov.uk.
5. In relation to the significant excavation and construction works, responsibility for securing a safe development rests with the developer and/or landowner.

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.

PL23/9. **RR/2022/2839/P - BIG WOOD - LAND AT, LONDON ROAD, BATTLE**

(8)

During deliberation, Councillor Ganly moved the motion to approve granting (Full Planning) as per the officer's recommendation subject to conditions as outlined in the report. This was seconded by Councillor Timpe.

Prior to the vote being taken, an amendment to the original motion was proposed by Councillor J. Barnes to add an additional condition for hedging to provide soft screening. This was seconded by Councillor Gray. The amendment to the motion was declared LOST (4 for / 5 against / 1 abstention).

The original substantive motion to APPROVE (FULL PLANNING) was declared CARRIED (6 for / 3 against / 1 abstention).

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 plans and details:
Site Location Plan submitted 1 December 2023
Block Plan submitted 1 December 2023
Proposed Floor Plan submitted 6 December 2023
Proposed Elevations submitted 6 December 2023
Proposed Roof Plan submitted 6 December 2023
Proposed Section – Cross Section submitted 6 December 2023
Proposed Section – Internal Elevations submitted 6 December 2023
Planning Statement submitted 1 December 2023
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 maintain the characteristics and the visual amenities of the surrounding area in accordance with Policies OSS4 (iii) of the Rother Local Plan Core Strategy (2014).

4. The building hereby permitted shall only be used for the purposes of agriculture and/or forestry as defined in Section 336 of the Town and Country Planning Act 1990 and for no other purpose.
Reason: To ensure that only buildings essential to the running of an agricultural unit are provided in the countryside in accordance with Policy RA3 of the Rother Local Plan Core Strategy (2014).

5. The building hereby permitted shall only be used as described within the application; for the keeping of livestock within the animal pens and the storage of hay and machinery associated with the agricultural use of the site.
Reason: To preserve the amenities of nearby residential properties in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy (2014).

6. No floodlighting or other external means of illumination of the development hereby permitted shall be provided, installed or operated at the site, except in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard the visual amenities of the locality in accordance with Policies OSS4, RA2, RA3 and EN1 of the Rother Local Plan Core Strategy (2014), and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan (2019).

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

(When it first became apparent, Councillor Coleman stated that he had considered himself objective on the matter but as the debate evolved found himself prejudiced to his views on animals and agriculture, he decided not to take any further part in the debate or vote and therefore left the room during the consideration thereof).

PL23/10.

RR/2023/638/T - KING OFFA HIGH SCHOOL SITE - LAND TO THE REAR OF, ADJACENT TO THE KITCHEN DINING ROOM BUILDING, DOWN ROAD, BEXHILL

(9)

DECISION: NO OBJECTION to works to T332 at King Offa/High School Site – land to the rear of, Bexhill

GRANT CONSENT for TPO 332 - Crown-lift Oak tree to 5.5m, removing 1 x primary branch growing towards the building and multiple secondary branches. Also remove two low secondary branches over the footpath.

SUBJECT TO CONDITIONS:

1. This 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.

PL23/11. **PLANNING STATISTICS FOR THE QUARTER JANUARY – MARCH 2023 (4TH QTR) (INCLUDING SUMMARY OF PLANNING STATISTICS FOR 2021-2023)**

(10)

Consideration was given to the report of the Director – Place and Climate Change on the planning statistics for the quarter January to March 2023 which included a summary of planning statistics for 2021/23.

RESOLVED: That the report be noted.

PL23/12. **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.

RESOLVED: That the report be noted.

PL23/13. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**

(12)

The next site inspection was scheduled to be held on Tuesday 20 June 2023 at 9:00am departing from the Town Hall, Bexhill.

CHAIR

The meeting closed at 11:09am.