

PLANNING COMMITTEE

12 October 2023

Minutes of the Planning Committee meeting held at the Town Hall, Bexhill-on-Sea on Thursday 12 October 2023 at 9:34am.

Committee Members present: Councillors A.S. Mier (Chair), B.J. Drayson (Vice-Chair), J. Barnes (MBE) (Substitute), C.A. Bayliss, T.J.C. Byrne, F.H. Chowdhury, C.A. Creaser, A.E. Ganly, N. Gordon, P.J. Gray, T.O. Grohne, T.M. Killeen (MBE), C. Pearce and J. Stanger.

Other Members present: Councillors K.M. Field (in part), B.J. Coupar (in part) and C.R. Maynard (in part).

Advisory Officers in attendance: Director – Place and Climate Change (in part), Development Manager, Development Management Team Leader x 2, Principal Planning Officer, Planning Officer, Assistant Planning Officer, Housing Enabling and Development Officer (in part), Legal Representative and Democratic Services Officer.

Also Present: 15 members of the public in the Council Chamber and 36 via the live webcast.

PL23/42. **MINUTES**

(1)

The Chair was authorised to sign the Minutes of the meeting held on 7 September 2023 as a correct record of the proceedings.

PL23/43. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

(2)

An apology for absence was received from Councillor Mrs. M.L. Barnes.

It was noted that Councillor J. Barnes was present as a substitute for Councillor Mrs Barnes.

PL23/44. **DISCLOSURE OF INTEREST**

(5)

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

Coupar Agenda Items 7 & 8 – Personal Interest as a Member of Westfield Parish Council, elected in May 2023.

PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

PL23/45. **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.

PL23/46. **RR/2023/919/P - WESTFIELD DOWN - LAND AT MAIN ROAD, WESTFIELD**
(7)

Councillor Ganly requested that a recorded vote be taken. This was seconded by Councillors Byrne, Gordon and Grohne.

In accordance with Council Procedure Rule 17.5(b) a vote by roll call for the Motion was taken.

FOR the Motion (10): C.A. Bayliss, T.J.C. Byrne, F.H. Chowdhury, C.A. Creaser, B.J. Drayson, P.J. Gray, T.M. Killeen, A.S. Mier, C. Pearce and J. Stanger.

AGAINST the Motion (4): J. Barnes, A.E. Ganly, N. Gordon and T.O. Grohne.

The Motion being put forward was declared **CARRIED**.

DECISION: GRANT VARIATION OF CONDITION 1 OF RESERVED MATTERS APPROVAL RR/2017/1293/P (APPROVED PURSUANT TO OUTLINE PLANNING PERMISSION RR/2009/322/P) TO AMEND THE TENURE MIX TO DELIVER A 100% AFFORDABLE HOUSING SCHEME, AND VARIATION OF CONDITION 6 OF RESERVED MATTERS APPROVAL TO REFER TO THE NEW SITE PLAN - DELEGATED SUBJECT TO COMPLETION OF ASSOCIATED DEED OF VARIATION

SUBJECT TO CONDITIONS:

CONDITION 1 OF RESERVED MATTERS APPROVAL RR/2017/1293/P (APPROVED PURSUANT TO OUTLINE PLANNING PERMISSION RR/2009/322/P) IS VARIED AS FOLLOWS:

1. The development hereby permitted shall be carried out in accordance with the following approved drawings and document:
Drawing No. 11.361/07, dated January 2014, as approved under outline planning permission RR/2009/322/P.
Drawing No. 6775/1/E (PROPOSED SITE PLAN), dated 21.04.23.
Drawing No. 3016:02 Revision E (Site Sections), dated 16:01:18.
Drawing No. 3016:03 Revision A (House types 1), dated 02:08:17.
Drawing No. 3016:04 Revision A (House types 2 detached), dated 02:08:17.
Drawing No. 3016:05, dated 27:08:17.
Drawing No. 3016:06 (House types 3), dated 27:08:17.
Drawing No. 6775/T4/C (HOUSE TYPE 4 - 3B6P), dated FEB 21.
Drawing No. 3016:08 Revision A (House types 5), dated 27:08:17.
Drawing No. 3016:09 Revision B (M4 (3) Bungalow), dated 06:11:17.
Drawing No. 3016:10 Revision B (Flat Types 8, 9, 10, 12, 13 & 14), dated 05.03.18.
Drawing No. 3016:12 (Refusal and cycle storage details), dated 28:07:17.
Drawing No. 17362-5-SK001-E (PROPOSED LEVELS STRATEGY), dated 27.09.2018.
Drawing No. 17362-5-SK003-E (REFUSE VEHICLE TRACKING), dated 30.05.18.
Drawing No. MAT19812 11D Sheet 1 (Landscape Proposals), dated 10.09.18.
Drawing No. MAT19812 11D Sheet 2 (Landscape Proposals), dated 10.09.18.
ACD ENVIRONMENTAL SOFT LANDSCAPE SPECIFICATION (Document File Ref: MAT19812 spec), dated June 2017.
Reason: For the avoidance of doubt and in the interests of proper planning.

CONDITION 2 OF RESERVED MATTERS APPROVAL RR/2017/1293/P (APPROVED PURSUANT TO OUTLINE PLANNING PERMISSION RR/2009/322/P) NO LONGER HAS EFFECT AND IS NOT REIMPOSED.

CONDITION 3 OF RESERVED MATTERS APPROVAL RR/2017/1293/P (APPROVED PURSUANT TO OUTLINE PLANNING PERMISSION RR/2009/322/P) NO LONGER HAS EFFECT AND IS NOT REIMPOSED.

CONDITION 4 OF RESERVED MATTERS APPROVAL RR/2017/1293/P (APPROVED PURSUANT TO OUTLINE PLANNING PERMISSION RR/2009/322/P) CONTINUES TO HAVE EFFECT AND IS REIMPOSED:

4. No surface water shall drain onto the public highway.
Reason: To avoid prejudice to road safety, in accordance with Policy CO6 (ii) of the Rother Local Plan Core Strategy.

CONDITION 5 OF RESERVED MATTERS APPROVAL RR/2017/1293/P (APPROVED PURSUANT TO OUTLINE PLANNING PERMISSION RR/2009/322/P) CONTINUES TO HAVE EFFECT AND IS REIMPOSED:

5. The access shall have maximum gradients of 4% (1 in 25) / 2.5% (1 in 40) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.
Reason: To avoid prejudice to road safety, in accordance with Policy CO6 (ii) of the Rother Local Plan Core Strategy.

CONDITION 6 OF RESERVED MATTERS APPROVAL RR/2017/1293/P (APPROVED PURSUANT TO OUTLINE PLANNING PERMISSION RR/2009/322/P) IS VARIED AS FOLLOWS:

6. No part of the development shall be occupied until the 2m wide pathways linking the site to the A28 footpath and PROW, as indicated on approved Drawing No. 6775/1/E (PROPOSED SITE PLAN), dated 21.04.23, have been constructed in accordance with construction details first submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure adequate and safe access arrangements for the development, in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

CONDITION 7 OF RESERVED MATTERS APPROVAL RR/2017/1293/P (APPROVED PURSUANT TO OUTLINE PLANNING PERMISSION RR/2009/322/P) CONTINUES TO HAVE EFFECT AND IS REIMPOSED:

7. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with the approved drawings and the cycle parking spaces shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
Reason: To provide alternative travel options to the use of the car, in accordance with Policy TR3 of the Rother Local Plan Core Strategy.

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

(Councillor Coupar declared a Personal Interest in this matter in so far as she was a Member of Westfield Parish Council elected in May 2023, and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

PL23/47. **RR/2022/2935/P - WESTFIELD DOWN - LAND AT MAIN ROAD, WESTFIELD**

(8)

DECISION: APPROVE MODIFICATION OF THE SECTION 106 PLANNING OBLIGATION DELEGATED SUBJECT TO COMPLETION OF DEED OF VARIATION

REASON FOR RECOMMENDATION: In accordance with Section 106A(6)(c) 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.

(Councillor Coupar declared a Personal Interest in this matter in so far as she was a Member of Westfield Parish Council elected in May 2023, and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

PL23/48. **RR/2021/2947/P - FORMER PUTTING GREEN SITE – LAND AT OLD LYDD ROAD, CAMBER**

(9)

The Planning Committee agreed that this application be deferred subject to the end of the consultation period on 13 October 2023, to allow all potential comments received to be considered.

DECISION: DEFERRED SUBJECT TO THE END OF CONSULTATION PERIOD ON 13 OCTOBER 2023, TO ALLOW ALL POTENTIAL COMMENTS RECEIVED TO BE CONSIDERED

PL23/49. **RR/2023/1465/P - WYLANDS FARM CAMPSITE, POWDERMILL LANE, CATSFIELD**

(10)

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:
Location Plan Drawing No. 6754/22/LP/A, dated Jun 22
Block Plan Drawing No. 6754/22/BP, dated May 2022
Site Layout Drawing No.6754/22/2/C, dated Jul 22
Landscape Masterplan Phase 2 Drawing No. 3025-APA-ZZ-OO-LA-L-1000 rev P3, dated 17/11/22
Toilet/Shower Block Drawing No. 6754/101/1, dated September 2021
Refuse and Cycle Storage Drawing No. 6754/RS2/A, dated Jun 22
Refuse and Cycle Storage Drawing No. 6754/R+CS/A, dated Jun 22
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Within seven months of the date of this permission, by 12 May 2023, all caravans of whatever sort shall be removed from the field area north of footpath 15a and the overflow car park and landscaping of that area shall be implemented upon removal or within the next planting season, in accordance with the approved plans, Drawing No. 6754/22/2/C, dated Jul 22 and Drawing No. 3025-APA-ZZ-OO-LA-L-1000 rev. P3, dated 17/11/22.
Reason: To ensure removal of caravans potentially in breach of the Enforcement Notice on the site and improve the character and appearance of the site and thus enhance the landscape of the High Weald Area of Outstanding Natural Beauty having regard to Policy EN1 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan.
4. Prior to commencement of the use of the camping areas or overflow car park hereby approved, full details of the landscaping for the site in accordance with the approved Landscape Masterplan Phase 2, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
 - a) indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development;
 - b) planting plans;
 - c) written specifications (including cultivation and other operations associated with plant and grass establishment);
 - d) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and

- e) implementation programme (all tree and hedge planting to be undertaken as soon as possible and before 31 December 2024).

All landscape works shall be carried out in accordance with the approved details and in accordance with the programme agreed with the Local Planning Authority and if within a period of 10 years from the date of the planting any tree or plant, it is removed, uprooted, destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enhance the appearance of the development and conserve and enhance the landscape character and scenic beauty of the site within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 and EN1 of the Rother Local Plan Core Strategy, Policies DEC2, DEN1 and DEN2 of the Development and Site Allocations Local Plan, paragraph 176 of the National Planning Policy Framework and various objectives within the High Weald Management Plan.

- 5. Prior to the commencement of use of the camping or car park areas, full details of the mitigation and enhancements in respect of protected species, habitats and biodiversity set out within the (a) Preliminary Ecological Appraisal and Building Inspection report by 'The Ecology Partnership' dated June 2022 and (b) the Biodiversity Net Gain Calculation report by 'The Ecology Partnership' dated 26 July 2022, where not part of the landscaping details, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented before 31 December 2024.

Reason: To conserve and enhance the habitat and biodiversity of the site enhance the appearance of the development and conserve and enhance the landscape character and scenic beauty of the site within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies EN1 and EN5 of the Rother Local Plan Core Strategy, Policies DEC2, DEN1, DEN2 and DEN4 of the Development and Site Allocations Local Plan and paragraph 176 of the National Planning Policy Framework.

- 6. No part of the development shall be first occupied until the visibility splays of 2.4m x 160m westbound and 2.4m x 215m eastbound have been provided at the proposed site vehicular access onto Powdermill Lane. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy CO6 of the Rother Local Plan Core Strategy.

- 7. The development shall not be occupied until parking and cycle areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall

not be used other than for the parking of motor vehicles and cycles.

Reason: To ensure the development has on-site parking provisions and in order that the development site is accessible by non-car modes and to meet the objectives of sustainable development, in accordance with Policies TR3 and TR4 of the Rother Local Plan Core Strategy.

8. The proposed parking spaces shall measure at least 2.5m x 5m (add an extra 50cm where spaces abut walls).

Reason: To provide adequate space for the parking of vehicles, in accordance with Policy TR4 of the Rother Local Plan Core Strategy.

9. The site shall not accommodate more touring pitches than those specified on the approved site layout plan, Drawing No. 6754/22/2/C, dated Jul 22, i.e. maximum of 18 tent camping pitches to the northern field, 12 tent camping pitches to the south west field area and 12 pitches for touring caravans/motorhomes. The touring pitches shall not be utilised for storage purposes and no caravan, motorhome or tent shall be left on site unless it is in occupation.

Reason: To restrict the density and nature of development at the site thereby controlling the level and nature of activity and enabling maintenance of the existing and proposed landscaping of the site, so as to conserve and enhance the landscape and scenic character of the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 and EN1 of the Rother Local Plan Core Strategy, Policies DEC2, DEN1 and DEN2 of the Development and Site Allocations Local Plan, paragraph 176 of the National Planning Policy Framework and various objectives within the High Weald Management Plan.

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

Illuminated area m²	Zone E1	Zone E2	Zone E3	Zone E4
Up to 10.00	100	600	800	1,000
Over 10.00	n/a	300	600	600

Environmental Zones

Zone Surrounding	Lighting Environment	Examples
E0 Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1 Natural	Intrinsically Dark	National Parks, Areas of Outstanding Natural Beauty etc.

E2 Rural	Low District Brightness	Village or relatively dark outer suburban locations
E3 Suburban	Medium District Brightness	Small town centres or suburban locations
E4 Urban	High District Brightness	Town/city centres with high levels of night-time activity

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

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

NOTES:

1. The Applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stages of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
2. The Applicant is reminded of the advice within the letter of 6 September 2023 from the Environment Agency with regard to groundwater protection; Waste on-site; and waste to be taken off-site.
3. The Applicant is reminded that no implementation should take place before the end of six weeks from the date of the decision.

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.

(11)

It was noted that the description of development had been amended, such that the access was now also 'proposed' and stated: Outline application for Proposed residential development of 3 No. dwellings. All matters reserved.

During deliberation, Councillor Bayliss moved a motion to defer the application until the Planning Committee had attended a site visit. This was seconded by Councillor Byrne. The motion was declared LOST (6 for / 8 against).

Councillor Stanger moved the motion to approve granting (Outline Planning) as per the officer's recommendation, as detailed within the report. This was seconded by Councillor Drayson. This motion was declared CARRIED (8 for / 2 against / 4 abstention).

DECISION: GRANT (OUTLINE PLANNING)

SUBJECT TO CONDITIONS:

1. Approval of the details of layout, appearance, landscaping and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development commences on each phase of the development.
Reason: In accordance with the requirements of Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010.
2. Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
Reason: In accordance with the requirements of Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010.
3. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
5. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Block Plan- 7623/LBP, dated 29.03.23

Reason: For the avoidance of doubt and in the interests of proper planning.

6. Pursuant to Condition 1, details shall be submitted of the finished ground floor levels for any building(s) on the site in relation to existing and proposed site levels, the adjacent road and adjacent properties, together with details of levels of all accesses, to include pathways, driveways, steps and ramps. Any development shall subsequently be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the locality and the living conditions of occupants of neighbouring properties in accordance with Policy OSS4 (ii) and (iii) of the Rother Local Plan Core Strategy and Policy DEN1 of the Development and Site Allocations local Plan.

7. The soft landscaping details to be submitted pursuant to Condition 1 shall include the following:

- a) indications of all existing trees and hedgerows on the land and on adjoining land including details of those to be retained, together with measures for their protection in the course of development;
- b) design, layout and appearance of structural and amenity green space, including verges;
- c) planting plans;
- d) written specifications (including cultivation and other operations associated with plant and grass establishment);
- e) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- f) details for implementation.

The development shall thereafter be carried out as approved and in accordance with an agreed implementation programme.

Reason: To ensure the creation of a high quality public realm and landscape setting that enhances the landscape and scenic quality of the High Weald Area of Outstanding Natural Beauty in accordance with Policies EN1 and EN3 of the Rother District Local Plan Core Strategy and Policy DEN1 and DEN2 of the Development and Site Allocations Local Plan.

8. Within the details required under Condition 1, proposals for the siting and form of bins for the storage and recycling of refuse within the site (internally or externally), and a collection point, shall be submitted for the consideration and subsequent approval of the Local Planning Authority. The approved details shall be implemented prior to the occupation of any dwellings and thereafter continued, with all bins and containers available for use, maintained and replaced as need be.

Reason: In the interests of providing sustainable development and protect and safeguard the residential and visual amenities of the locality in accordance with Policy OSS4 (i), (ii) and (iii) of the Rother Local Plan Core Strategy.

9. Within the details required under Condition 1, a scheme for the provision of foul water drainage works and surface water drainage shall be submitted for the consideration and subsequent approval of the Local Planning Authority and none of the dwellings shall be occupied until the drainage works to serve the development have been provided in accordance with the approved details.

Reason: These details are integral to the whole development and are therefore required as part of the design and layout for the site and prior to commencement of works to prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the surface water drainage system in accordance with Policies SRM2 (iii) and EN7 (iii) of the Rother Local Plan Core Strategy and Policy DEN5 of the Development and Site Allocations local Plan and paragraphs 167 of the National Planning Policy Framework 2023.

10. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- a) the method of access and egress and routeing of vehicles during construction;
- b) the parking of vehicles by site operatives and visitors;
- c) the loading and unloading of plant, materials and waste;
- d) the storage of plant and materials used in construction of the development;
- e) the erection and maintenance of security hoarding;
- f) the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- g) details of public engagement both prior to and during construction works; and
- h) details of the management of the public footpaths during construction to allow pedestrian use.

Reason: In the interests of highway safety and the amenities of the area in accordance with Policies OSS4 (ii) and TR3 of the Rother Local Plan Core Strategy.

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

Reason: The application site is within an area of unstable land and in order to safeguard the safety of future occupiers of the land, in accordance with the requirements of Policy OSS3 (viii) of the Rother Local Plan Core Strategy.

12. Prior to the occupation of the development, a landscape management plan, including management responsibilities and maintenance schedules for the site including any communal hard and soft landscape/open space areas, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.
Reason: To ensure a high quality public realm taking account of the characteristics of the locality and enhancing the landscape character and quality of the High Weald Area of Outstanding Natural Beauty in accordance with Policies OSS4 (iii), EN1 and EN3 (ii) (e) of the Rother Local Plan Core Strategy and Policy DEN1 of the Development and Site Allocations local Plan.
13. If within a period of five years from the date of occupation any retained tree, planted tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
Reason: To enhance the appearance of the development and the landscape of the High Weald Area of Outstanding Natural Beauty in accordance with Policies EN1 and EN3 of the Rother Local Plan Core Strategy and Policy DEN1 of the Development and Site Allocations local Plan.

NOTES:

1. The Applicant/developer is advised that the submitted illustrative layout is not approved.
2. The proposed development will be subject to the Community Infrastructure Levy at the reserved matters stage.
3. This planning permission does not grant or imply the right to construct the access on land not in the Applicant's ownership. The Applicant will need to seek the consent of the owners of the land not in their ownership to undertake any works on it.

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.

DECISION: GRANT FULL PLANNING

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Site Location Plan 52105-P-01A, dated 27/07/23
Proposed Block Plan, Drawing No. 52105-P-03 dated 27.07.23
Proposed Elevations, Drawing No. 52105-P-60 rev B, dated 26.09.23
Proposed Floor Plan, Drawing No. 52105-P-20 rev B, dated 26.09.23
Proposed Sculpture Elevations, Drawing No. 52105-P-62, dated 11.08.23
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 ensure that the development is in keeping with the character and appearance of the area and to maintain the visual amenities of the area, having regard to Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy and Policy DEN1 of the adopted Development and Site Allocations Local Plan.
4. Prior to the painting of the train carriage and WC building, details of the proposed design shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure that the development is in keeping with the character and appearance of the area and to maintain the visual amenities of the area, having regard to Policies OSS4 (iii) and EN3 of the Rother Local Plan Core Strategy and Policy DEN1 of the adopted Development and Site Allocations Local Plan.
5. The external walls of the train carriage and the WC building shall be maintained in a clean and tidy condition that does not impair the visual amenity of the site.
Reason: To preserve the visual amenities of the locality in accordance with Policy OSS4 (iii) and EN3 of the adopted Rother Local Plan Core Strategy and Policy DEN1 of the adopted Development and Site Allocations Local Plan.

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

PL23/52.
(13)

RR/2023/1448/T - 2 HAMILTON TERRACE, BEXHILL

DECISION: NO OBJECTION to works to TPO 323 (T1 - Oak Tree) at 2 Hamilton Terrace, Bexhill.

GRANT CONSENT for Oak Tree (TPO 323) - Reduce crown by 2.5m (approximately 30%); and slight lift over and away from electrical sub-station, electrical cables and neighbouring residential property.

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.

PL23/53.
(14)

PERFORMANCE REPORT FOR DEVELOPMENT MANAGEMENT

Members noted the report of the Development Manager on the performance of the Council's planning application decisions / targets set against central Government targets, enforcement and appeals performance, as well as a summary of appeals that the Planning Inspectorate had allowed including reasons.

The Development Manager advised that the Council was performing above set targets both internally and nationally. Appropriate and timely action was being taken regarding enforcement action.

The Planning Committee thanked the Development Manager and her teams for their hard work in managing the Council's planning and enforcement services.

RESOLVED: That the report be noted.

PL23/54.
(15)

TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS

The next site inspection was scheduled to be held on Tuesday 14 November 2023 at 9:30am departing from the Town Hall, Bexhill.

CHAIR

The meeting closed at 12:54pm.