

PLANNING COMMITTEE

14 March 2024

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 14 March 2024 at 9.30 am.

Committee Members present: Councillors B.J. Drayson (Chair), J. Stanger (Vice-Chair), J. Barnes (MBE) (Substitute), T.J.C. Byrne, C.A. Bayliss, Mrs V. Cook, C.A. Creaser, K.M. Field (Substitute), A.E. Ganly (in part), N. Gordon, T.O. Grohne, C. Pearce and A. Rathbone Ariel (Substitute).

Other Members present: Councillors B.J. Coupar (in part), E.M. Kirby-Green (in part), C.R. Maynard, A.S. Mier and R.B. Thomas (in part).

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

Also present: 23 members of the public in the Council Chamber and 90 via the live webcast.

PL23/89. MINUTES

(1)

The Chair was authorised to sign the Minutes of the meeting held on 15 February 2024 as a correct record of the proceedings.

PL23/90. APOLOGIES FOR ABSENCE AND SUBSTITUTES

(2)

Apologies for absence were received from Councillors Mrs. M.L. Barnes, F.H. Chowdhury, S.J. Coleman (substitute), P.J. Gray and T.M. Killeen (MBE).

It was noted that Councillors J. Barnes, Rathbone Ariel and Field were present as substitutes for Councillors Mrs. Barnes, Gray and Killeen, respectively.

PL23/91. WITHDRAWN APPLICATIONS

(4)

It was noted that the following application was withdrawn from the agenda:

- RR/2022/2690/P – Land at Beech Farm, Hawkhurst Road, Sedlescombe. This application had been completely withdrawn by the Applicant.

DISCLOSURE OF INTERESTS AND DISPENSATIONS

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

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| Barnes J | Agenda Item 7 – Other Registerable Interest as the Chair of Etchingam Parish Council which made representations against the application but he had not personally taken part or voted when the Parish Council considered the application. |
| Bayliss | Agenda Item 7 – Other Registerable Interest as the Applicant was previously a Member of the Rother Alliance, but did not have a close, personal relationship. |
| Byrne | Agenda Item 7 – Other Registerable Interest as the Applicant was previously a Member of the Rother Alliance, but did not have a close, personal relationship. |
| Cook | Agenda Item 7 – Other Registerable Interest as the Applicant was previously a Member of the Rother Alliance, but did not have a close, personal relationship. |
| Coupar | Agenda Item 7 – Other Registerable Interest as a Member of Sedlescombe Parish Council.

Agenda Item 9 – Other Registerable Interest as a Member of Westfield Parish Council. |
| Drayson | Agenda Item 7 – Other Registerable Interest as the Applicant was previously a Member of the Rother Alliance, but did not have a close, personal relationship. |
| Creaser | Agenda Item 7 – Other Registerable Interest as the Applicant was known to her, but not a close personal relationship. |
| Field | Agenda Item 7 – Other Registerable Interest as the Applicant was previously a Member of the Rother Alliance, but did not have a close, personal relationship. |
| Ganly | Agenda Item 7 – Non-Registerable Interest due to a potential appearance of pre-determination / bias. |
| Mier | Agenda Item 7 – Other Registerable Interest as the Applicant was previously a Member of the Rother Alliance, but did not have a close, personal relationship. |

There were no dispensations noted.

PART II – DECISIONS TAKEN UNDER DELEGATED POWERS

PL23/93.
(6)

PLANNING APPLICATIONS - INDEX

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.

PL23/94.
(7)

RR/2022/840/P - LAND AT BEECH FARM, HAWKHURST ROAD, SEDLESCOMBE

RM

DECISION: APPROVE (FULL PLANNING) SUBJECT TO CONDITIONS DELEGATED TO OFFICERS

Members had visited the site where full planning permission was sought for the erection of a new detached carbon negative live/work dwelling with a ground floor design studio, including landscaping (tree/hedge removal and replanting) with biodiversity enhancements. The development had been specifically promoted by the applicant as a design of exceptional quality to meet the requirements of Paragraph 84 (e) of the National Planning Policy Framework (NPPF). It was described as a modern interpretation of a High Weald vernacular building. The existing storage building and access track would be removed, a new access point on Hawkhurst Road and an attenuation

pond installed in the southwest corner of the field. The site was located within the countryside and the High Weald National Landscape, which is designated as an Area of Outstanding Natural Beauty (AONB) and was outside the development boundary.

The officer's opinion was that the design was not bespoke architecture, specific to its place and thus not exceptional design quality. There were concerns over elements of the landscaping, domestication of the site and the creation of a new access and associated earthworks. In conclusion, the proposal would not meet the exceptional requirements of paragraph 84 (e) of the NPPF, would be harmful to the landscape and scenic beauty of the AONB, contrary to Policy EN1(i) of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan and Paragraph 182 of the NPPF and Section 85 of the Countryside and Rights of Way Act 2000. It would be a creation of a new unjustified dwelling in the countryside, contrary to the spatial strategy for Sedlescombe and the district as a whole and the location of the site being unsustainable.

The Monitoring Officer reminded Members of the rules on bias and predetermination. The Planning Committee heard from two objectors to the application. Members also heard from Dr Feltwell and the Applicant in support of the application. The Planning Committee heard from the Clerk to Sedlescombe Parish Council. The local Ward Members, Councillor Coupar spoke in support of the application and Councillor Maynard spoke against the application. Councillors Kirby-Green, Thomas and Mier spoke as Members of the Council who were not Members of the Planning Committee. Consideration was also given to the comments made by the statutory and non-statutory bodies as detailed within the report.

Members asked a series of questions in relation to several issues. These included: impact on and protection of the AONB; whether the modular system construction of the proposed dwelling could be replicated on many other sites across the AONB countryside; the similarity of the design to dwellings recently granted permission in Bexhill; whether the ecological benefits could be achieved without the construction of the building; whether pre-application advice had been sought from the Council (High Weald AONB Unit only); suitable or unsuitable location for development; access; highway safety, particularly with increased traffic movements on a busy high speed road; business usage of the property; whether the site was considered to be isolated in terms of paragraph 84 of the NPPF; design and materials proposed (not traditional); and if the development could lead to an increased number of these types of properties within the AONB.

Councillor Stanger said that, on balance, the carbon and sustainable features of the scheme far outweighed the potential harm to the AONB. As the High Weald AONB Unit, Conservation Officer and other statutory consultees had not raised any objections, it was in his view that the scheme did meet a truly outstanding standard of design and therefore met the requirements of paragraph 84 (e) of the NPPF.

Councillor Stanger moved the motion to, notwithstanding the officer's recommendation, GRANT planning permission subject to conditions to be determined by officers, based on the positive environmental factors and that the exceptional landscape and design meet the requirements of paragraph 84 (e) of the NPPF. This was seconded by Councillor Mrs Cook.

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

FOR the Motion (6): C.A. Bayliss, T.J.C. Byrne, Mrs V Cook, K.M. Field, C. Pearce and J. Stanger.

AGAINST the Motion (6): J. Barnes (MBE), C.A. Creaser, B.J. Drayson, N. Gordon, T.O. Grohne and A. Rathbone Ariel.

ABSTENTION (0)

The Chair exercised his casting vote against the Motion and the Motion on being put was declared **LOST**.

Members debated whether or not the dwelling was in fact isolated and it was confirmed by the Council's Legal Representative that this was a matter for their judgement, having regard to the relationship between the proposed dwelling and the nearest settlement, and if Members did not consider this to be the case, paragraph 84 (e) of the NPPF would not apply.

Members gave consideration to Paragraph 11 (d) of the NPPF, as read out by the Council's Legal Representative, which stated that for decision-taking where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The most important policies in the Council's development plan were out of date, as the 5-year housing land supply requirement was not met. Members also gave consideration to whether the innovative design, which promoted high levels of sustainability, should be given significant weight.

Councillor Bayliss moved the motion to, notwithstanding the officer advice and recommendation, GRANT planning permission on the basis that this is an innovative design, not an isolated development and the benefits outweigh any potential harm to the High Weald National Landscape, therefore the Committee consider that this is a sustainable development under Paragraph 11 (d) of the NPPF. This was seconded by Councillor Stanger. The motion was declared **CARRIED** (8 for / 3 against / 1 abstention).

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:
 - General location plan Drawing no. 7095/LBP dated March 2022
 - Section plan Drawing no. 7095/100 dated May 2022
 - Site layout plan Drawing no. GHA-BEC-LS-001 revision C dated 10/02/22
 - Elevation Drawing no. WA2E revision A dated 3.3.22
 - Floorplan - Drawing no. WA2P revision B dated 24.3.22Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development shall commence, until the tree protection measures have been provided in accordance with The Mayhew Consultancy Ltd Arboricultural Report (AR/110922 dated March 2022) save for any tree removal, the creation of the pond or biodiversity installations. The tree protection measures shall be retained for the duration of the development and until all machinery, equipment and building materials have been removed from the site.
Reason: To protect the health of the retained trees on the site and to preserve the landscape and scenic beauty of the High Weald National Landscape in accordance with Policies EN1 and EN5 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan.
4. The development shall be carried out in accordance with the approved document 'project specification for an archaeological evaluation' as prepared by Thames Valley Archaeological Services dated 17 August 2022.
Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and in accordance with Policy EN2 (vi) of the Rother Local Plan Core Strategy.
5. The development shall be carried out in accordance with the approved Dormice Method Statement as prepared by Wildlife Matters dated 1 February 2023
Reason: To protect species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended, and The Conservation of Habitats and Species Regulations 2017, as amended, and to accord with Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Rother Development and Site Allocations Local Plan.

6. The development shall be implemented in accordance with the approved EDS prepared by Wildlife Matters updated 6 June 2023 and all features shall be retained in that manner thereafter.
Reason: To provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006 and Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Rother Development and Site Allocations Local Plan.
7. No development, save for any tree work and removal of the existing driveway/and building, shall commence until the vehicular access serving the development has been constructed in accordance with the approved plans, drawing no. GHA-BEC-LS-001 revision C dated 10/02/22 and drawing no. 7095/100 dated May 2022.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy CO6 (ii) of the Rother Local Plan Core Strategy.
8. The development shall be carried out and managed thereafter in accordance with the approved Landscape and Ecology Management Plan (LEMP) prepared by Wildlife Matters dated 1 February 2023.
Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long-term management of habitats, species and other biodiversity features in accordance with Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Rother Development and Site Allocations Local Plan.
9. All ecological measures and/or works shall be carried out in accordance with the details contained in Response to Environment Team Comments (Wildlife Matters Consulting Unit, 08/06/22) with respect to the protection of badgers and Reasonable Avoidance Measures (Wildlife Matters Consulting Unit, 25/05/22) with respect to the protection of great crested newts and reptiles as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, as required by Section 40 of the Natural Environment and Rural Communities Act 2006, and Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Rother Development and Site Allocations Local Plan.
10. The access shall not be used until visibility splays of 2.4m by 160m are provided in both directions and maintained thereafter.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy CO6 (ii) of the Rother Local Plan Core Strategy.

11. The development shall not be occupied until a parking area has been provided in accordance with the site layout drawing no. GHA-BEC-LS-001 revision C dated 10/02/22 and shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.
12. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls). Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies CO6 (ii) and TR4 (i) of the Rother Local Plan Core Strategy.
13. The development shall not be occupied until a cycle parking area has been provided and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with Policies PC1 and TR3 of the Rother Local Plan Core Strategy.
14. The gate shall be positioned at least 5.5m back from the edge of the highway and shall not open outwards in order that a vehicle may wait clear of the highway whilst the gate is being operated.
Reason: To ensure that the use of the highway by persons and vehicles is not obstructed by waiting vehicles in accordance with Policy CO6 (ii) of the Rother Local Plan Core Strategy.
15. 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 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.
16. The dwelling hereby permitted shall not be occupied until it has been constructed in accordance with Part M4(2) (accessible and adaptable dwellings) of Schedule 1 of the Building Regulations 2010 (as amended) for access to and use of buildings, unless otherwise agreed in writing with the local planning authority.
Reason: To ensure that an acceptable standard of access is

provided to the dwelling in accordance with Policy OSS4 (i) of the Rother Local Plan Core Strategy and Policy DHG4 of the Rother Development and Site Allocations Local Plan.

17. The development hereby permitted shall be constructed in complete accordance with the Sustainable Construction/Low Energy Principles including appended statement (Appendix 2) of the Design and Access Statement (by Greenhayes Planning Ltd). Certification by a suitable qualified assessor to show the dwelling achieves rating of 117A under the Standard Assessment Procedure, shall be submitted to the Local Planning Authority prior to occupation and shall be maintained thereafter.

Reason: Given the special circumstances of the innovative design and to ensure that the development achieves the high levels of sustainability, in line with Policies PC1 and SRM1 of the Rother Local Plan Core Strategy and Paragraph 139 of the National Planning Policy Framework.

(Councillor J. Barnes declared an Other Registerable Interest in this matter in so far as he was the Chair of Etchingam Parish Council which made representations against the application but he had not personally taken part or voted when the Parish Council considered the application and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

(Councillor Coupar declared an Other Registerable Interest in this matter in so far as she was a Member of Sedlescombe Parish Council and in accordance with the Member's Code of Conduct remained in the room during the consideration thereof).

Councillor Creaser declared an Other Registerable Interest in this matter in so far as the Applicant was known to her but did not a close personal relationship with and in accordance with the Member's Code of Conduct remained in the room during the consideration thereof).

(Councillors Bayliss, Byrne, Cook, Drayson, Field and Mier each declared an Other Registerable Interest in this matter in so far as the Applicant was previously a Member of the Rother Alliance, but they did not have a close, personal relationship and in accordance with the Member's Code of Conduct remained in the room during the consideration thereof).

(Councillor Ganly declared a Non-Registerable Interest in this matter in so far as that as there could be an appearance of pre-determination / bias due to his previous dealings with this matter, and in accordance with the Members' Code of Conduct they left the room during the consideration thereof).

PL23/95. **RR/2023/1021/P - TREE TOPS - LAND ADJ, COTTAGE LANE, WESTFIELD**

(9)

DECISION: GRANT (RESERVED MATTERS) SUBJECT TO CONFIRMATION OF A SATISFACTORY CONSTRUCTION

MANAGEMENT PLAN RELATING TO THE ACCESS, DELEGATED TO OFFICERS.

Following discussion and concerns expressed regarding the nature of the site access, Members requested an additional condition be added seeking further information on the construction management plan, as to the nature of vehicles and facilities required during construction.

SUBJECT TO CONDITIONS:

1. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Drawing No. 590 SK5 Rev. D (Proposed Access Drive Details) dated October 2023.
Drawing No. 590 SK3 A Rev A (Proposed Ground Floor Plan) dated February 2023 – block paving not approved subject to drainage condition.
Drawing No. 590 SK2 Rev B (Proposed Plans and Elevation) dated May 2023. – Materials are not approved and shall be agreed.
Drawing No. 590 SK4 Rev A (Proposed Roof Plan) dated February 2023.
Construction Management Plan as corrected by email sent on 20 February 2024.
Reason: For the avoidance of doubt and in the interests of proper planning

2. Prior to any work being undertaken in respect of the development hereby approved and notwithstanding the construction management plan already submitted and approved, additional details shall be submitted to and approved in writing by the local planning authority. Thereafter the approved details shall be implemented and adhered to in full throughout the construction period. The details required shall include:
 - a) The anticipated number, frequency and types of vehicles used during construction, the method of access and egress and routing of vehicles during construction (to ensure that trips in and out of the site are limited to those that are necessary).
 - b) The plant and machinery to be used during construction including their weight (to ensure that this will not damage the footpath, embankment and the garden area of Tree Tops).
 - c) The positioning and the distance from the footpath of plant and machinery kept on site during construction.
 - d) Details of the type and siting of welfare facilities including any structures that need to be transported to and positioned on site.

Reason: A pre-commencement condition is required as these details are necessary to try to preclude any adverse impact on the stability of the footpath, access track, embankment and garden of Tree Tops, to protect the hedgerows either side of the access track and to protect the amenities of adjoining residents during construction, in accordance with Policies OSS4, CO6 (ii) and EN1 of the Rother Local Plan Core Strategy and DEN1, DEN2 and DEN6 of the Development and Site Allocations Local Plan.

3. No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development reflects and enhances the character and appearance of the area in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy and Policy DHG9(ii) of the Rother Development and Site Allocations Plan and the High Weald Housing Design Guide (November 2019)

4. No development shall commence until indications of all existing trees and hedgerows (particularly that adjacent to the footpath) on the land adjacent to the site and within the site including details of those trees protected by a Tree Preservation Order that could be affected by the development, together with measures for their protection in the course of development have been submitted to and approved by the Local Planning Authority and such approved protection measures shall be retained in situ for the duration of construction works.

Reason: These details are required prior to commencement of works to ensure the protection of trees and hedgerows during construction in accordance with Policy EN3 of the Rother Local Plan Core Strategy.

5. No development above ground level shall take place until the (hard AND soft) landscaping details for the site have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: To ensure a high-quality public realm taking account of the characteristics of the area in accordance with Policy OSS4 and EN3 of the Rother Local Plan Core Strategy.

6. The hard and soft landscaping for the development required under Condition 4 shall include:

- a) planting plans;
- b) written specifications (including cultivation and other operations associated with plant and grass establishment);
- c) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- d) hard surfacing materials; and
- e) implementation programme.

Reason: To enhance the appearance and setting of the development in accordance with Policies OSS4 (iii) and EN3 of the Rother District Local Plan Core Strategy.

7. All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority and if within a period of five years from the date of the planting any tree or plant 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 ensure a satisfactory appearance and setting for the development in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

8. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: These details are integral to the whole development and are therefore required 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.

9. The surface water drainage scheme for the site, based on sustainable drainage principles shall be wholly implemented in accordance with the approved details prior to occupation of any of the dwellings hereby permitted and thereafter the approved system shall be maintained and managed wholly in accordance with the approved maintenance and management plan.

Reason: The full implementation of the approved scheme and its long-term management is to prevent the increased risk of flooding, to improve and protect water quality 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.

10. Before above ground level works take place on any building, details of the collection point of the waste facilities, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented and thereafter continued.

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

11. Public Footpath Westfield 30 is to remain open and available at all times.

Reason: To ensure that the amenities of residents and other users are protected and in accordance with Policy OSS4 of the Rother Local Plan Core Strategy.

12. Construction of the access in accordance with plan 'Proposed Access Drive Details (Drawing No. SK5 / Revision D)' is to be completed prior to the commencement of any development on the site.
Reason: To protect the amenity of Public Footpath Westfield 30 and its users in accordance with Policy OSS4 of the Rother Local Plan Core Strategy.
13. The dwelling hereby permitted shall not be occupied until it has been constructed in accordance with Part M4(2) (accessible and adaptable dwellings) of Schedule 1 of the Building Regulations 2010 (as amended) for access to and use of buildings.
Reason: To ensure that an acceptable standard of access is provided to the dwelling(s) in accordance with Policy OSS4 (i) of the Rother Local Plan Core Strategy and Policy DHG4 of the Rother Development and Site Allocations Local Plan.
14. 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 has been constructed to achieve water consumption of no more than 110 litres per person per day.
Reason: To ensure that the dwellings are 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.
15. The development shall not be occupied until the parking area has been provided in accordance with the approved plan (Ref: 590 SKA, dated February 2023) and the area shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies TR3 and TR4 of the Rother Local Plan Core Strategy.
16. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).
Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies TR3 and TR4 of the Rother Local Plan Core Strategy.
17. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plan (Ref: 590 SK3 A, dated February 2023) and the

turning space shall thereafter be retained for that use and shall not be obstructed.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies TR3 and TR4 of the Rother Local Plan Core Strategy.

18. No part of the development shall be occupied until details of a covered and secure cycle parking spaces have been provided and agreed in writing with the Local Planning Authority. The area shall thereafter be retained for that use and shall not be used other than for parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with Policies OSS4 (ii) & TR3 of the Rother Local Plan Core Strategy.

NOTES:

1. This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) and does not include any other consent or approval under any enactments, byelaw, order or regulation. The grant of planning permission does not override any third-party rights which may exist over the application site. Furthermore, and for clarity, this planning permission does not authorise any interference with, or disturbance of, any right of way upon which the development impacts. All matters relating to the right of way such as, in this instance, the laying of hard surface, must be resolved between the parties concerned.
2. 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.
3. The Applicant is advised that it is their responsibility to notify their Building Control Body (Local Authority or Approved Inspector) that conditions triggering the optional technical standards for Water Efficiency and Accessibility Housing Standards are attached to this planning permission and that development should be built accordingly. Enforcement action may be taken without further notice if the relevant standards are not achieved.
4. The Applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning consent for a development does not provide a defence against prosecution under European and UK wildlife protection legislation. You are advised that it may be necessary, shortly before development commences, for the Applicant to commission an ecological survey from suitably qualified and experienced professionals to determine the presence or otherwise of such protected species. If protected species are found to be present, Natural England should be consulted.

5. The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received. For further information, contact the Environmental Health Service.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with paragraph 38 of the National Planning Policy Framework, the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

PL23/96.
(10)

TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS

The next site inspection was scheduled to be held on Tuesday 15 April 2024 at 9:30am departing from the Town Hall, Bexhill.

CHAIR

The meeting closed at 3:05pm