

**PLANNING COMMITTEE**

18 April 2024

Minutes of the Planning Committee meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Thursday 18 April 2024 at 9:35am.

Committee Members present: Councillors B.J. Drayson (Chair), J. Stanger (Vice-Chair), J. Barnes (MBE) (Substitute), Mrs. M.L. Barnes, S.J. Coleman (Substitute), F.H. Chowdhury, C.A. Creaser, K.M. Field (Substitute), A.E. Ganly, N. Gordon (in part), P.J. Gray, and C. Pearce.

Other Members present: Councillors B.J. Coupar (in part).

Other Members present remotely: Councillors P.N. Osborne (in part).

Advisory Officers in attendance: Development Manager, Development Management Team Leader, Principal Planning Officer, Legal Representative and Democratic Services Manager.

Also Present: 28 members of the public in the Council Chamber and 48 via the live webcast.

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PL23/97. **MINUTES**

(1)

The Chair was authorised to sign the Minutes of the meeting held on 14 March 2024 as a correct record of the proceedings.

PL23/98. **APOLOGIES FOR ABSENCE AND SUBSTITUTES**

(2)

Apologies for absence were received from Councillors C.A. Bayliss, T.J.C. Byrne, Mrs V. Cook, T.O. Grohne and T.M. Killeen (MBE).

It was noted that Councillors J. Barnes, Coleman and Field were present as substitutes for Councillors Grohne, Bayliss and Killeen respectively.

PL23/99. **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

(5)

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

Coupar            Agenda Item 8 – Other Registerable Interest as a Member of Westfield Parish Council.

Drayson            Agenda Item 7 – Non-Registerable Interest due to pre-determination.

There were no dispensations noted.

## **PART II – DECISIONS TAKEN UNDER DELEGATED POWERS**

### **PL23/100.      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.

### **COUNCILLOR STANGER IN THE CHAIR**

### **PL23/101.      RR/2023/627/P - 16 HEIGHTON CLOSE, BEXHILL (7)**

**DECISION: DEFERRED FOR NEGOTIATION WITH THE APPLICANT TO CONSIDER AN ALTERNATIVE ACCESS WHICH IS ACCEPTABLE TO THE HIGHWAYS AUTHORITY**

The Planning Committee heard from two objectors to the application and the Agent, on behalf of the applicant.

During the discussion, the Planning Committee requested that the applicant be asked to consider an alternative access to the plot, subject to approval by the Highway Authority, to alleviate the impact of vehicle movements on the cottages directly opposite the plot. Members were also in favour of additional conditions to remove permitted development rights to minimise the impact on drainage of any future additional development and the installation of an electric vehicle charging point on the new chalet bungalow, which would be discussed with the Applicant.

(Councillor Drayson declared a Non-Registerable Interest in this matter in so far as he was pre-determined, and after addressing the Planning Committee as this application was subject to public speaking, and in accordance with the Members' Code of Conduct left the room during the consideration thereof).

### **COUNCILLOR DRAYSON IN THE CHAIR**

PL23/102. **RR/2021/3010/P - MOORHURST CARE HOME, MAIN ROAD, WESTFIELD**

(8)

**RM**

#### **DECISION: REFUSE (PLANNING PERMISSION)**

The Planning Committee had visited the site which was a full application (recommended to delegate subject to conditions and Section 106 agreement) to erect a 64-bed care home (Use Class C2) over two storeys to include landscaping, access and car parking. The site was a brownfield site owned by East Sussex County Council (ESCC), which was allocated for housing with care (Use Class C3) under Policy WES2 of the Development and Site Allocations Local Plan. The site lay to the north-east of the village, on the north-western side of the A28 (Main Road). It was located within the development boundary for Westfield and the High Weald National Landscape, also designated an Area of Outstanding Natural Beauty. The site previously contained a detached two storey building dating from the Victorian era, which was last in use as a residential care home. Previous planning permission to develop the site with the erection of a 48-bed residential care unit was not implemented, and the site was subsequently cleared of buildings and had remained vacant for many years.

The development would not provide any affordable housing and as such, would not comply with the Council's development plan and would undermine the provision of Westfield's identified housing need. However, it was the officer's view that in this case, the Applicant had demonstrated that there were material considerations to justify the determination of the application other than in accordance with the development plan. It was noted that since the site visit, ESCC Highway Authority had acknowledged that the footway on the east side of the main road was narrow, mainly as a result of overgrown

vegetation which could be removed through maintenance carried out by East Sussex Highways. The developer would need to contact East Sussex Highways and request that the existing footway be improved prior to occupation of the development, to ensure that the surface was returned to the maximum width available.

The Planning Committee heard from the Clerk to Westfield Parish Council, who was objecting to the scheme; the clerk also provided commentary from the local GP practice manager. The Planning Committee then heard from the Agent, the Development Director and Head of Healthcare Frontier Estates, the Operator and the local Ward Member, who was also a Westfield Parish Councillor. Consideration was also given to the comments made by the statutory and non-statutory bodies as detailed within the report.

It was noted that all the residents in the current home (Whitegates Care Home, Westfield) would transfer to the new building, so whilst in total there were 64 beds, there would only be an additional 43 new residents.

Members asked a series of questions in relation to several issues, including the impact on the local primary care provision that additional high-demand patients would create, car parking provision, proposed staffing levels and proposed local bus service and infrastructure improvements. Members were surprised to note that the local Clinical Commissioning Group had not responded to the consultation.

Whilst Members were impressed with the ethos and track record of the proposed operator, Greensleeves Care, they felt unable to support the development in the proposed location at Westfield. The proposal would take away the last major site in Westfield for development to meet local needs rather than meeting the needs of the whole district.

At this point of the debate, the Chair adjourned the meeting to consider reasons for refusal, which were confirmed as follows:

The Planning Committee resolved to refuse this application, contrary to the officer's recommendation, on the grounds that it was contrary to Policy WES2 and detrimental to Westfield's ability to meet its housing needs. Furthermore, the Planning Committee was not satisfied in regard to Policy OSS3 that it would not have a markedly adverse impact on the provision of primary care services to the village.

Councillor J. Barnes moved the motion to REFUSE (Planning Permission) and this was seconded by Councillor Mrs Barnes. The motion was declared CARRIED (8 for / 3 against).

#### **REASON FOR REFUSAL:**

1. The proposed care home development would be contrary to Policy WES2 of the Development and Site Allocations Local Plan 2019, which seeks to secure housing with care, and therefore would be detrimental to Westfield local area's ability to meet its

housing needs, as specified in the Development Plan. Furthermore, the proposed care home development would be contrary to Policy OSS3 (ii) of the Rother Local Plan Core Strategy 2014, as it has not been satisfactorily demonstrated that the proposal would not have a markedly adverse impact on the provision of primary care services to the village.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with Paragraph 38 of the National Planning Policy Framework, the Local Planning Authority has worked in a positive and pro-active way with the Applicant and looked for solutions to enable the grant of planning permission. However, it has not been possible to overcome all matters of concern and the reasons for this have been clearly set out in the reason for refusal, thereby allowing the Applicant the opportunity to consider whether or not they can be remedied as part of a revised scheme.

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

(When it first became apparent, Councillor Field declared an Other Registerable Interest in so far as she was an elected non-Executive Member of East Sussex County Council and in accordance with the Members' Code of Conduct, left the room during the consideration thereof).

PL23/103. **RR/2023/2630/P - WINCHELSEA BEACH CARAVAN PARK, PETT LEVEL ROAD, ICKLESHAM**

(9)

Members heard from the local Ward Member, who had called this item in to Committee following representation from Icklesham Parish Council, who were concerned at additional tanker movements and flood risk issues.

**DECISION: GRANT (FULL PLANNING)**

**SUBJECT TO CONDITIONS:**

**Condition as amended under RR/76/0411**

1. The total number of caravans stationed on the site shall at no time exceed 57.

Reason: To safeguard the character and appearance of the locality and to control occupancy in the interest of the amenities of the site, in accordance with Policies OSS4 and EN1 of the Rother Local Plan Core Strategy 2014 and Policies DEN1 and DEC2 of the Development and Site allocations Local Plan.

**Varied Condition:**

2. The caravans on the site shall not be occupied except during the period 1 March in any one year to the 14 February the following year.

Reason: To ensure that the caravans are not used for unauthorised permanent residential occupation, which would result in the loss of tourist accommodation and would present an unacceptable risk to life in the event of a flood in accordance with Policy EC6 (vi) of the Rother Local Plan Core Strategy and Policy DEC2 of the Development and Site allocations Local Plan.

**New Conditions:**

3. The caravans are to be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies OSS4 (iii) EC6 and RA3 of the Rother Local Plan Core Strategy.

4. The owners/operators shall maintain an up-to-date register of the names of all owners and/or occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation in accordance with Policies OSS4 (iii) EC6 and RA3 of the Rother Local Plan Core Strategy.

5. The development hereby approved shall be implemented strictly in accordance with the flood warning and evacuation plan stated in Appendix 1 of the Flood Risk Assessment (dated 14 December 2023) by Mark Southerton, as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: To ensure the safety of the occupants of the holiday caravans if flooding occurs, as it is located within a Flood Zone and in line with paragraph 167 of the National Planning Policy Framework and Policies EN6 and EN7 of the Rother Local Plan Core Strategy.

**NOTE:**

1. The Applicant is advised that a new caravan site licence may be required. Please contact Rother District Council Licensing by e-mail [licensing@rother.gov.uk](mailto:licensing@rother.gov.uk) or by phone 01424 787550 regarding this matter.

**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.

PL23/104.  
(10)

**RR/2024/402/L - TOWN HALL, LONDON ROAD, BEXHILL**

**DECISION: GRANT (LISTED BUILDING CONSENT)**

## **SUBJECT TO CONDITIONS:**

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.  
Reason: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Structural Engineer's Letter – Dated: 29 February 2024  
Ref: DGC22404 - Design and Access Statement - Date of Issue: 4 February 2024  
Drawing No. DGC-22404/02 - Proposed Works: First Floor Plan: As Proposed – Dated: 01/03/2024  
Drawing No. H6312/01 - GENERAL ARRANGEMENT OF COMMITTEE ROOM AND ASSOCIATED AREAS AT TOWN HALL BEXHILL-ON-SEA, EAST SUSSEX – Dated: Feb 2024  
Planning Portal Reference: PP-12857258v1 – Location Plan – Date Produced: 04-Mar-2024  
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the construction 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.
4. The process of 'removal of existing lath and plaster ceiling to Committee Room and replace with new Savolit board and lime hair plaster. Make good and replace cornice like for like' 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/or appearance of the existing building and to safeguard the historic fabric and the special architectural and historic character of the Listed Building having regard to Policy EN2 (i & ii) of the Rother Local Plan Core Strategy.
5. In the event that unforeseen circumstances prevent the works from being carried out as per the approved plans/details. Revised plans and details may be submitted to the Local Planning Authority for approval. Once approved the works shall be carried out in accordance with the revised plans/details and retained as such thereafter.  
Reason: In the interests of ensuring a timely completion of works and to avoid undue risk to the heritage asset having regard to Policy EN2 of the Rother Local Plan Core Strategy.

6. Prior to the commencement of works, a mould is to be taken of the undamaged cornice so that if in the event that a section disengages and falls it can be replicated exactly like for like and the new section inserted, and joins made good with lime hair putty / natural hydraulic lime (NHL) cream grout or similar.  
Reason: To avoid undue risk to the heritage asset and to ensure that the development is in keeping with the character and/or appearance of the existing building and to safeguard the historic fabric and the special architectural and historic character of the Listed Building having regard to Policy EN2 (i & ii) of the Rother Local Plan Core Strategy.
7. As noted on Point N1.07 within Drawing No. DGC-22404/02 - Proposed Works: First Floor Plan: As Proposed – Dated: 01/03/2024, should it be required to provide sound insulation during the works (flexible type contained within the existing floor void), details of the type and specification should be submitted to the Local Planning Authority for approval before works commence. Once approved the works shall be carried out in accordance with the details and retained as such thereafter.  
Reason: To avoid undue risk to the heritage asset and to ensure that the development is in keeping with the character and/or appearance of the existing building and to safeguard the historic fabric and the special architectural and historic character of the Listed Building having regard to Policy EN2 (i & ii) of the Rother Local Plan Core Strategy.
8. For the entirety of the works, the existing decorative fire surrounds, decorative door surrounds and wall panelling is to be temporarily protected to prevent damage and mortar splashes.  
Reason: To avoid undue risk to the heritage asset and to safeguard the historic fabric and the special architectural and historic character of the Listed Building having regard to Policy EN2 (i & ii) of the Rother Local Plan Core Strategy.

PL23/105. **TO NOTE THE DATE AND TIME FOR FUTURE SITE INSPECTIONS**  
(11)

The next site inspection was scheduled to be held on Tuesday 28 May 2024 at 9:30am departing from the Town Hall, Bexhill.

**CHAIR**

The meeting closed at 2:40pm.