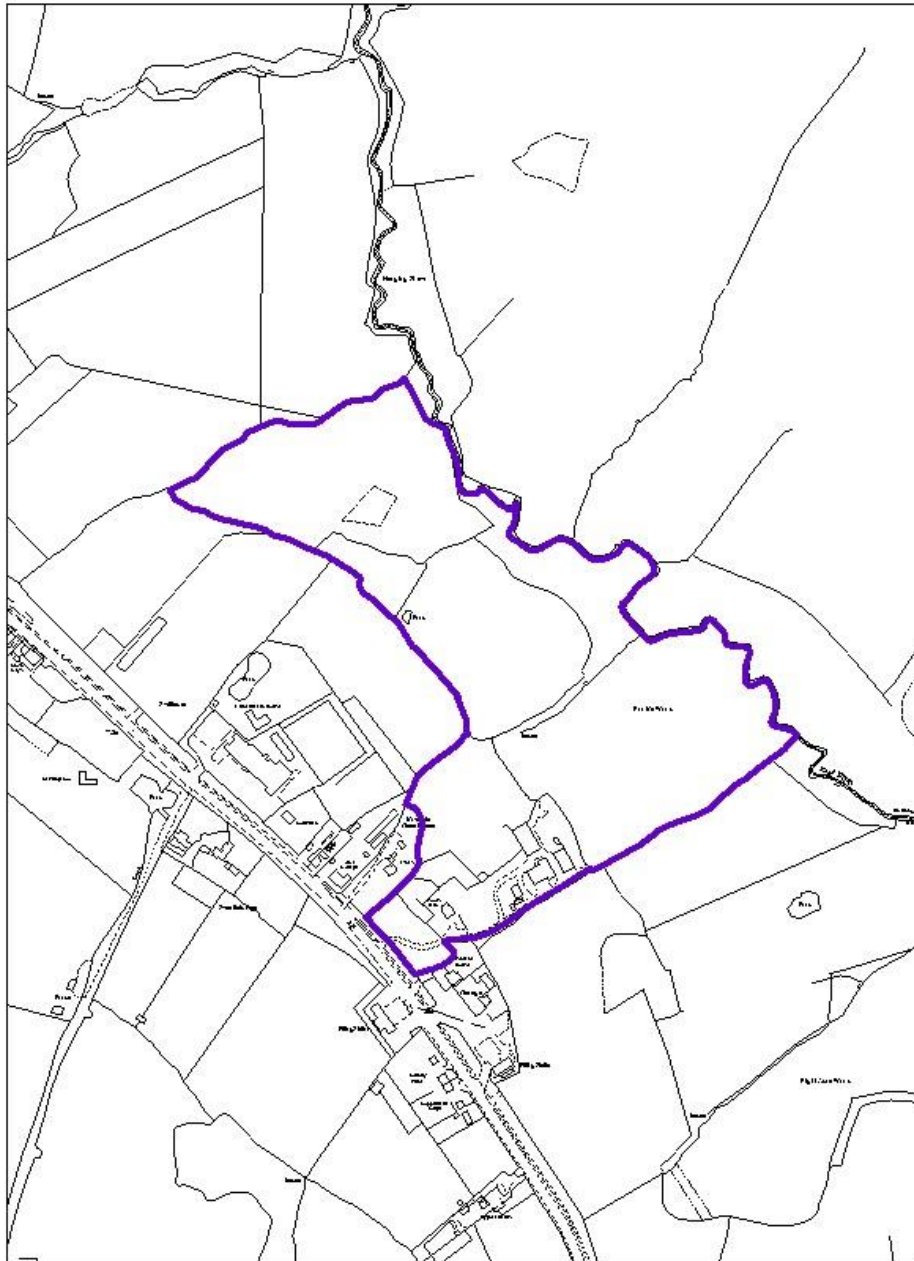


SITE PLAN

HURST GREEN

RR/2020/865/P

POOK FARM, LONDON ROAD.



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Not To Scale

## Rother District Council

Report to - Planning Committee  
Date - 18 June 2020  
Report of the - Executive Director  
Subject - Application RR/2020/865/P  
Address - Pooks Farm  
London Road  
Hurst Green  
Proposal - Variation of Condition 4 imposed on RR/2015/2683/P to allow use as an ancillary annexe or holiday let

[View application/correspondence](#)

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**RECOMMENDATION:** It be **RESOLVED** to **GRANT (FULL PLANNING) DELEGATED SUBJECT TO EXPIRATION OF SITE NOTICE**

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**Head of Service: Tim Hickling**

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**Applicant:** Mr G.S. Browne  
**Agent:** N/A  
**Case Officer:** Mr M. Worsley  
(Email: [matthew.worsley@rother.gov.uk](mailto:matthew.worsley@rother.gov.uk))  
**Parish:** HURST GREEN  
**Ward Members:** Councillors Mrs M.L. Barnes and G.S. Browne

**Reason for Committee consideration: The Applicant is an elected member**

**Statutory 8 week date: 28 June 2020**

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### 1.0 SUMMARY

1.1 The proposal relates to a modestly sized extension which is permitted to be used as an annexe. Holiday let use is generally supported by Core Strategy Policy EC6 and Development and Site Allocations (DaSA) Policy DEC2. Given no external alterations are proposed, there would be no adverse impact on the AONB and vehicular access and parking arrangements would remain unchanged.

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### 2.0 PRELIMINARY MATTER

2.1 In light of the COVID-19 coronavirus pandemic, the consequent travel limitations and social distancing guidance from the Government, and following consideration of the proposed development, it is considered that this application could, exceptionally, be determined without the need for a site

visit. In place of carrying out a site visit a detailed site assessment has been undertaken using GIS and aerial photography taken in May 2018, which shows the extension to the dwelling. The case officer also has extensive knowledge of the local area, having dealt with applications at the site previously and on nearby sites.

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### **3.0 SITE**

- 3.1 The application relates to a detached chalet dwelling located to the northeast side of the A21, around 1km north of the village of Hurst Green. It lies within the countryside and is within the High Weald Area of Outstanding Natural Beauty (AONB).
- 3.2 The property is subject to an agricultural tie and the house serves farmland in the locality.
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### **4.0 PROPOSAL**

- 4.1 Planning permission (RR/2015/2683/P) was previously granted for an extension to the dwelling to provide annexe accommodation for a relative. Condition 4 of that permission restricted the use so that only family could occupy the annexe. The current proposal seeks to vary the condition so that the extension could be used as an annexe and a holiday let.
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### **5.0 HISTORY (RELEVANT)**

- 5.1 RR/2004/2102/P      Erection of detached chalet bungalow (farm house) with provision of three parking spaces – Approved Conditional.
- 5.2 RR/2015/2683/P      Extension to form annexe for disabled relative – Approved Conditional
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### **6.0 POLICIES**

- 6.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- OSS4: (general development considerations)
  - RA3: (development in the countryside)
  - CO6: (community safety)
  - EC6: (tourism activities and facilities)
  - EN1: (landscape stewardship)
  - TR4: (car parking)
- 6.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:
- DHG10: (annexes)
  - DEC2: (holiday sites)
  - DEN1: (maintaining landscape character)

- DEN2: (the High Weald AONB)

6.3 The High Weald AONB, National Planning Policy Framework (the Framework) and Planning Policy Guidance are also material considerations.

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## **7.0 CONSULTATIONS**

### 7.1 Planning Notice

7.1.1 Publicity currently expires on 16 June 2020. Any comments will be reported.

7.2 Town/Parish Council – Any comments will be reported.

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## **8.0 APPRAISAL**

8.1 The annexe previously permitted is relatively small in scale and has been provided in the form of an extension to the existing dwelling. The dwelling and annexe share the same vehicular access, parking facilities and garden.

8.2 Permitting a variation in condition to allow the annexe to be occupied as an annexe and holiday let would accord with Core Strategy and DaSA policies which are generally supportive of the economic benefits that holiday let use can bring. Conditions could be imposed to manage the uses proposed. In the case of an annexe, it should only be occupied by family members and in the case of a holiday let, the standard 56-day limit in any calendar year for any one person should be used.

8.3 No external changes are proposed to the property, thus the impact on the AONB would be neutral. In addition, vehicular access and parking arrangements would remain the same.

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## **9.0 PLANNING BALANCE AND CONCLUSION**

9.1 The proposal relates to a modestly sized extension which is permitted to be used as an annexe. Holiday let use is generally supported by Core Strategy Policy EC6 and DaSA Policy DEC2. Given no external alterations are proposed, there would be no adverse impact on the AONB and access and parking arrangements would remain unchanged.

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## **RECOMMENDATION: GRANT (FULL PLANNING)**

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### **CONDITIONS:**

#### **Condition 4 imposed on RR/2015/2683/P is amended as follows:**

4. When the extension is used as a residential annexe, it shall be used solely as additional accommodation for the existing dwelling 'Pooks Field Farm' and the residential annexe shall not be occupied by any person who is not a member of the family (as defined by section 186 of the Housing Act 1985 or in any

provision equivalent to any re-enactment of that Act) residing in the family dwelling or as a separate dwelling.

Reason: In the interests of protecting the character of the area and to preclude the creation of a new dwelling in the countryside, in accordance with Policies OSS4 (iii), RA3 (iii) and (iv) and EN1 (i) of the Rother Local Plan and Policy DHG10 of the Rother District DaSA Local Plan.

#### **New conditions:**

5. When the extension is used as a holiday let, it shall 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.

6. When the extension is used as a holiday let, the owners/operators shall maintain an up-to-date register of the names of all occupiers of the extension, 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.

7. In respect of the permitted holiday let use, the extension shall not be occupied for more than 56 days in total in any calendar year by any one person.

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.

8. The development shall not proceed other than in accordance with Conditions 1-3 inclusive, imposed on planning permission RR/2015/2683/P dated 11 December 2015 which remain in full force and effect.

Reason: This permission is granted pursuant to planning permission RR/2015/2683/P dated 11 December 2015. Under Section 73 of the Town and Country Planning Act 1990 the Council has considered the conditions subject to which that previous planning permission was granted and confirms that the conditions and associated reasons remain pertinent and are re-imposed, apart from as varied by this permission.

#### **NOTES:**

1. The Applicant's attention is drawn to the fact that the unit of accommodation contained within the extension permitted under reference RR/2015/2683/P will remain small and ancillary in form, with a shared access and garden, and will thus remain a single planning unit. Planning permission would be required to create a separate independent dwelling.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraphs 186 and 187) 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.