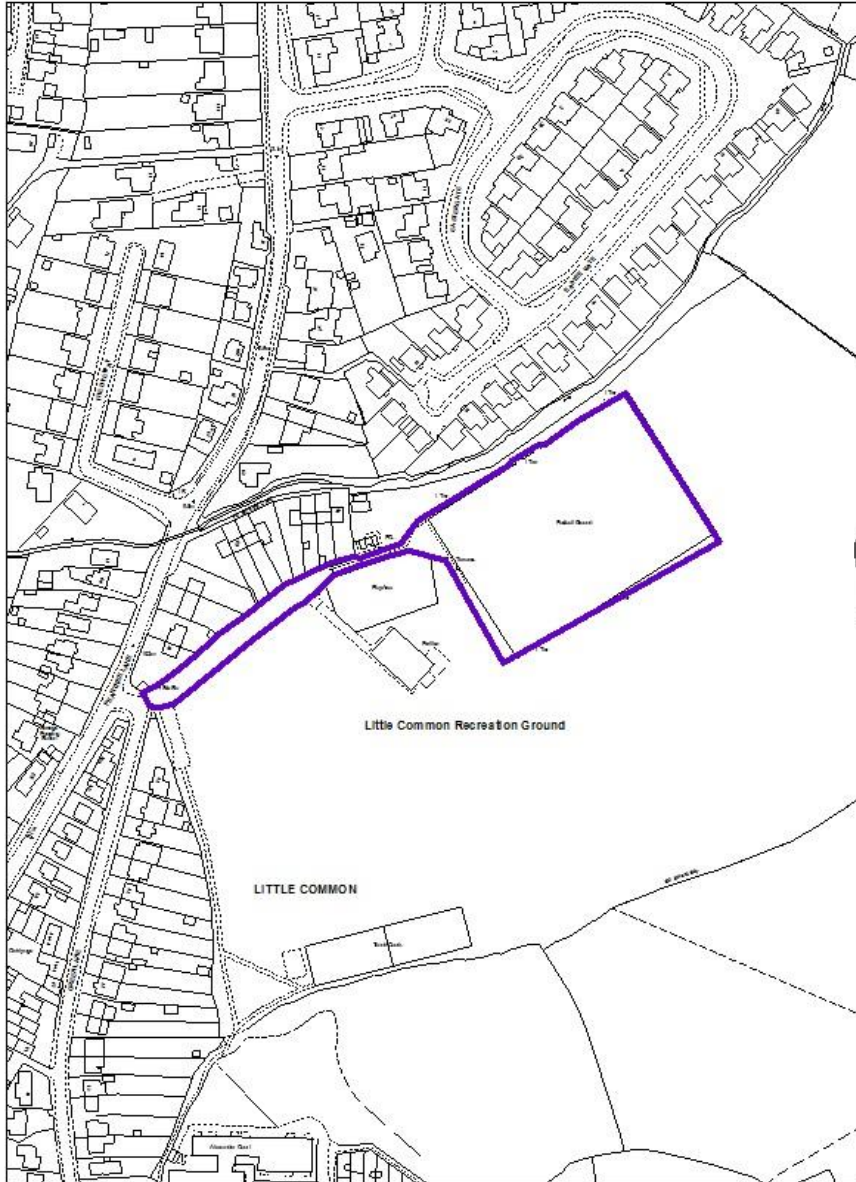


SITE PLAN
RR/2020/296/P

BEXHILL
Little Common Recreation Ground, Green Lane.



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made.

Not To Scale

Rother District Council

Report to	-	Planning Committee
Date	-	10 September 2020
Report of the	-	Executive Director
Subject	-	Application RR/2020/296/P
Address	-	Little Common Recreation Ground BEXHILL
Proposal	-	Permanent enclosure of pitch four with wire V mesh fencing 1.83m in height. Installation of seven gates. Provision of hard surfaced footpath and installation of a 50-seat spectator stand and 75-person standing stand.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **GRANT (FULL PLANNING) SUBJECT TO REFERRAL TO THE SECRETARY OF STATE FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT**

Head of Service: Tim Hickling

Applicant:	Little Common FC
Case Officer:	Mr J. Pyrah (Email: jeff.pyrah@rother.gov.uk)
Parish:	BEXHILL – ST MARKS
Ward Member(s):	Councillors S.J. Errington and K.M. Harmer

Reason for Committee consideration: Head of Service Strategy and Planning referral: Council owned land

Statutory 8 week date: 3 June 2020
Extension of time agreed to: 9 October 2020

This application is included in the Committee site inspection list.

1.0 SUMMARY

- 1.1 It is recommended that the Planning Committee resolve to grant planning permission, subject to referral of the application to the Secretary of State for Housing, Communities and Local Government, for the erection of fencing around Little Common Recreation Ground's Pitch No. 4, together with the erection of two stands and a tarmac path between them. These improvements to the sports facility are in accordance with Policy CO3 of the Rother Local Plan Core Strategy and taking account of other adopted planning policies including those relating to car parking and protection of residential amenity as well as other material planning considerations would provide an overall benefit to the District through improved football pitch

facilities in Bexhill, where deficits in facilities are identified. This is subject to a condition requiring the side gates to be kept open for public access on non-match days.

- 1.2 In accordance with The Town and Country Planning (Consultation) (England) Direction 2009, referral to the Secretary of State for Housing, Communities and Local Government is required because to grant planning permission would be contrary to Sport England's objection.
-

2.0 SITE

- 2.1 Little Common Recreation Ground (LCRG) is located to the rear of dwellings in Eastergate and Peartree Lane. The site lies within the Development Boundary for Bexhill and comprises a mix of football pitches, play areas, general space, sports pavilion and toilet block.
 - 2.2 Pitch No. 4 - the subject of this application - is used by the local football club who are the applicants. This is the closest pitch to surrounding dwellings, separated from the gardens of 51 - 61 (odds) Eastergate on the north-west side by a narrow band of deciduous trees. The pitch runs lengthways to the adjoining properties. There are six floodlight columns. The car park that serves the site is located along the rear boundary of the dwellings in Peartree Lane.
 - 2.3 Public footpath 65 runs along the northern edge of the pitch, while public footpath 48b cuts across the south-western corner of the pitch before turning southwards to cross the recreation ground.
-

3.0 PROPOSAL

- 3.1 It is proposed to erect fencing around the existing pitch area. The fence would be of an open wire mesh design (green in colour), 1.83m high. There would be seven gates - one each close to the eastern end corner posts; one on the halfway line on the northern side; one on the southern edge (on the 48b public footpath alignment); two on the western edge (one of which is one the 48b public footpath alignment), facing the pavilion; and one on the western corner of the pitch which would allow ambulance access to the pitch (this is an additional access proposed during the application process). The applicant advises that the gates would be open to enable access through them apart from on match days.
- 3.2 One of the existing stands would be replaced with a 50-person seated stand (with four rows of seats) and a 75-person standing stand added. Both stands would be located at the western end of the pitch, where the existing stands are and a 1m wide tarmac path is proposed to connect them. Both stands would be around 3m high and wrapped in green coloured metal sheeting, including their roofs.
- 3.3 The erection of the fencing requires the existing footpath (Public Right of Way No. 48b) to be redirected. The footpath alignment cuts across the south-western corner of the pitch and it is proposed to divert it, so that it would run along the outside edge of the western touch line (outside the

fence) and directly across the open space to the south. Public footpath 65 runs along the northern edge of the pitch, outside of the proposed fence line.

4.0 HISTORY

- | | | |
|------|-----------------|---|
| 4.1 | B/51/209 | Extension of recreation ground. Approved. |
| 4.2 | B/69/319 | Sports pavilion. Approved conditional. |
| 4.3 | RR/85/1380 | Football trainers' dugout. Approved conditional. |
| 4.4 | RR/98/1256/3R | New sports pavilion, alter existing sports pitches and improvements to existing car parking facilities. Approved conditional. |
| 4.5 | RR/2001/1932/3R | Removal and deposit spoil on adjoining site, proposed new sports pavilion, alterations and additions to sports pitches, improvements to existing car park facilities. Approved conditional. |
| 4.6 | RR/2005/1014/P | Installation of a pitch side barrier to pitch no.4; use of semi-permanent tubular steel post and top rail, in use only September to April each year. Approved conditional. |
| 4.7 | RR/2009/1638/P | Hard surfaced footpath along northwest pitch boundary of Pitch No. 4. Extension of two dugouts. Double present size. (Retrospective). Approved conditional. |
| 4.8 | RR/2009/2818/P | Erection of 6 No. 15m high masts/floodlights. Approved conditional. |
| 4.9 | RR/2010/1922/P | Provision of hard surfaced footpath along the northeast end of the pitch and between the sports pavilion and the pitch. Erection of spectator stand alongside existing stand. |
| 4.10 | RR/2015/1229/P | Variation of Condition 4 of planning permission RR/2009/2818/P to allow use of floodlights in April in any year (restrictions May-August to remain). Approved conditional. |
-

5.0 POLICIES

- 5.1 The following policies of the adopted [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- CO3: Improving Sports and Recreation Provision
 - OOS4: General Development Considerations
 - TR4: Car Parking
- 5.2 Playing pitch provision in Rother is referred to in paragraph 9.13 of the adopted [Development and Site Allocations Local Plan](#) (DaSA). It advises

that the Council's Playing Pitch Strategy (PPS) highlights specific deficiencies in both football and rugby pitches and that the deficit of football pitches is particularly acute in Bexhill, particularly due to a number of Bexhill-based clubs who require enclosed pitches to progress through the football league structure. It states that it is imperative that the existing facilities are safeguarded, in line with Core Strategy Policy CO3, but also that new/previously used sites within Bexhill are brought back into use.

5.3 The following Council documents are considered relevant to the proposal:

- Green Spaces, Sport and Recreation Study, 2006
- Rother and Hastings Playing Pitch Strategy (PPS), 2016

5.4 The National Planning Policy Framework and Planning Policy Guidance are also material considerations. Section 8 of the National Planning Policy Framework advises that planning decisions should aim to achieve healthy, inclusive and safe places; and social, recreational and cultural facilities and services to meet community need.

6.0 CONSULTATIONS

6.1 Sport England – **OBJECTION**

6.1.1 Sport England (SE) issued a holding objection, requesting drawings which showed the impact of the proposed fence on the cricket and football pitches surrounding the site. Following the submission of that plan, SE responded as set out below (summarised).

6.1.2 SE objects to the proposal as it prejudices the use of other parts of the playing field and playing pitches, namely the non turf cricket pitch. As such the proposal does not meet any of the exceptions set out in SE's Playing Fields Policy. Specifically, it would fail to meet either of SE Policy E2 or E3. It would also not accord with Paragraph 97 of the National Planning Policy Framework. Should the Local Planning Authority be minded to grant planning permission for the proposal, contrary to SE's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

6.1.3 The outfield of the non-turf cricket pitch (NTP) including the safety run off, would be less than the acceptable minimum by approximately 3m and obstructed by a clear hazard (the proposed fence) to players. While SE acknowledges that the Ramblers Cricket Club feels it can manage within the constraints that the fence would impose, the England and Wales Cricket Board (ECB) objects to the application because the NTP would not meet match standards. It would add to the existing deficit of available cricket pitches for senior match play in Bexhill identified in the Playing Pitch Strategy (PPS). In addition, it would render the good quality NTP here, one of only four in the whole of Rother, unsuitable for senior matches. In addition, a Labrosport risk assessment for potential ball strike is required in connection with the proposed spectator stands and their proximity to the NTP.

6.1.4 The Football Association (FA) has no objection as long as the size of the pitches outside the fence are maintained. The existing pitch dimensions are not provided, but it appears that the pitches are of a similar dimension with the proposed fence in place. The proposed plan should be amended to show how the boundary trees on the southern edge of the recreation ground and in the south-east corner of the site impact on the ability to accommodate the pitches and the run offs.

6.2 RDC Neighbourhood Services – **NO OBJECTION**

6.2.1 At Rother District Council's Cabinet meeting on 4 November 2019, Members granted Little Common FC an eight year lease of Pitch 4 for the Club to undertake a number of ground grading works (the fencing and spectator stand proposed by this application) in order to comply with the FA ground grading requirements (Minute CB19/61 refers).

The proposals will enable the Club's First team to return to the ground to play home games.

6.3 Planning Notice

6.3.1 Approximately 35 objections have been received. The concerns raised are summarised as follows:

- Impact of cars parking on surrounding residential roads.
- Noise on match days, especially from spectators.
- Loss/privatisation of public space.
- Impact of placing a permanent barrier in open space.
- Impact of relocation of the public footpath.
- Impact on residential amenity and privacy.

6.3.2 Approximately 175 comments in support have been made. Some of these are from further afield, but the majority are from residents of Bexhill and Little Common. The reasons are summarised as follows:

- It creates a community hub for sport.
- It brings league football back to Bexhill.
- Many kids are supported and trained by the club.
- This is a grass roots club.
- It is on a large space and there is space for everyone.
- The parking issues are minor.

7.0 **LOCAL FINANCE CONSIDERATIONS**

7.1 There are no local finance considerations, as defined by *Section 70(4) of the Town and Country Planning Act 1990 (as amended)*.

8.0 APPRAISAL

8.1 Principle of Development

8.1.1 The site is an established football pitch. In the Council's 2006 open space study, LCRG, in which it is located, is defined as an 'outdoor sports facility'. Note that other open spaces in Bexhill are defined as 'parks and gardens'; 'amenity green space'; or 'natural and semi-natural open space'. Hence, while the recreation ground has a valuable role, providing public open space with many of the characteristics of parks and other green and open spaces, its primary purpose is the provision of sports facilities. This role is emphasised visually, by the flat open spaces, the pavilion and tennis courts.

8.1.2 The proposals for this playing pitch accord with adopted Core Strategy Policy CO3(ii) which advises that proposals for the improvement of existing facilities will be permitted where deficits in facilities are identified. This deficiency is identified in paragraph 9.13 of the adopted DaSA, which refers to the 2016 Rother & Hastings playing pitch strategy and the deficiency of league-standard pitches in Bexhill. This requirement for league-standard pitches is highlighted, in reality, by the fact that Little Common FC currently have to play their home matches in Eastbourne and have had to do so for the past three years (2017 to 2020). The club advises that their first team had previously played their home matches on Pitch No. 4 on LCRG for 51 years.

8.2 Impact on Other Parts of the Playing Field and Playing Fields

8.2.1 SE's primary objection is that the NTP, which is located to the south of the application site, would be restricted in size by the erection of the proposed fence. An amended proposed pitch plan submitted by the Applicant indicates that the proposed fence would mean that that NTP pitch would be 45m (42m playing area + 3m run-off) in length from the nearest middle wicket stump. The ECB minimum requirement for a senior match pitch is 48.46m (45.72m + 2.74m safety run-off). SE object on this basis.

8.2.2 However, the Chairman of the Little Common Ramblers Cricket Club has written to Little Common FC (copy provided to the Local Planning Authority), advising that:

"the Cricket Club are very happy to support your plans to develop the Football Club to meet FA guidelines.

I am aware that you are planning to erect a fence around the pitch. The fence will have no detrimental impact on the third eleven cricket boundary.

I am aware how important the return of Football is to the Club and also to the Pavilion finances. The income generated helps both the cricket and football clubs thrive and support the junior sections which have taken many years of dedication to get to the position they are in at the moment."

8.2.3 The reason for the Cricket Club's support is that they do not use the NTP for senior team matches (there is a full size pitch, albeit without an artificial wicket, at the recreation ground which is not affected by these proposals.

Hence while there is a national level objection, there is no local sporting conflict.

- 8.2.4 In addition, one of the floodlights around the application site football pitch, which were permitted by this Council in 2010 (RR/2009/2818/P), already restricts the size of the NTP pitch to less than 48.46m and provides a potential hazard to cricket. For the record, SE were not consulted in relation to the floodlight planning application. Had they been, they and the ECB may well have objected at that point. However, that process did not take place and the floodlights were erected without apparent conflict with the Cricket Club's use of the NTP. Indeed, the Applicant advises that, before installing the NTP, the Cricket Club asked Little Common FC if they could position it in its current location so as to avoid interfering with the other football pitches – and at the time they were aware of intentions to install floodlights around our main pitch (it is understood the NTP was installed around 15 years ago).
- 8.2.5 It is noted that the proposed fence would enclose the floodlights, arguably reducing the hazard to cricket players, while reducing the maximum NTP playing pitch size by, it is estimated, around 0.5m.
- 8.2.6 SE advise that a Labosport risk assessment for potential ball strike is required in connection with the siting of spectator stands in proximity (ball striking range) of the NTP. In response, the Applicant advises that they do not, and will not, play matches where there is a match on the NTP (during the clash of the sporting seasons at the end of August/beginning of September). The Applicant advises that they have the option of switching matches to Sunday or Friday evening or playing early season matches away from home. This could be secured by planning condition. In addition, it would help to alleviate parking stress by preventing two cricket matches and a football match taking place at the same time.
- 8.2.7 Finally, SE raise concerns, based on the information provided that there may be an impact on the size of the two football pitches to the south of the main pitch. The Applicant has advised that they propose to reduce the length of these pitches by 3m and 1m but they remain within the minimum requirements of the FA. It is noted that the FA have not objected to the proposals.
- 8.2.8 In summary, with the Cricket Club in support, while SE's national remit to protect the quality of sporting facilities and standards is recognised, there is a local benefit to sport and the sporting facilities on the playing field as a whole will remain to an acceptable standard to the two sport clubs while providing a senior pitch for Little Common FC which meets the FA and SE standards.
- 8.2.9 Should the Planning Committee be minded to grant planning permission for the proposal contrary to SE's objection, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application would be referred to the Secretary of State, via the National Planning Casework Unit.

8.3 Impact on Residential Amenity

8.3.1 The principle of improving this playing pitch is supported by the adopted development plan as well as by the Bexhill residents and fans of the Club from further afield who have written in support. However, this benefit should be weighed against Policy OSS4, which seeks to ensure residential amenity is not harmed. The negatives identified by local objections must also be considered.

8.3.2 Little Common FC's secretary has written to respond to the issues raised in the objections. He explains that other options in Bexhill have been explored, including the use of the Gullivers site in Sidley and the old Northeye Prison site. Both are identified in the adopted DaSA for future sports pitch use, but both are in private hands and are not currently available. They also advise that the option to continue to play at Eastbourne United AFC's ground will cease at the beginning of the 2021/22 season, because the Eastbourne club plan to introduce extra teams of their own. Little Common FC will therefore be effectively 'homeless'.

Parking

8.3.3 Core Strategy Policy TR4(i) advises that permission should be granted where provision for parking meets the residual needs of the development, having full regard to the potential for access by means other than the car, and to any safety, congestion or amenity impacts of a reliance on parking off-site.

8.3.4 The application seeks permission for the erection of 50 seat and 75 standing spectator stands. This is a FA ground grading requirement, rather than a club requirement. The Club advises that the number of spectators varies depending on the weather, the Club they are playing and the importance of the game. They advise that many of their matches are watched by less than 100 spectators. Regardless of this, the provision of a greater capacity of covered spectator facilities is likely to encourage spectators. However, while this is the case, this is an existing facility where the number of spectators reflect the interest in the match, and this would be the case whether these proposals are implemented or not. Therefore, it is not considered that the introduction of improved spectator facilities of the capacity proposed will, in itself, lead to an unacceptable additional demand for parking or an unacceptable amenity impact. These factors are a function of the existing facility.

8.3.5 The Club advises that it has access to an overflow car park, and they have advised that it will be possible for their team's players to park in it on match days. This is to be welcomed. Given that it is considered that the proposals will not lead to an unacceptable impact, it is not considered that it would be necessary or reasonable, through a planning condition, to require the team to park in the overflow car park.

Noise

8.3.6 Core Strategy Policy OSS4 requires development to not unreasonably harm the amenities of adjoining properties. Several objectors are concerned that the noise generated by matches will be unreasonable and a number have referred to the use of foul and abusive language. While this may be an issue generated by matches on this pitch, this would be the case in any event and

could be an issue generated by any users of the recreation ground. It is not considered to be an issue generated by this proposal. The Club highlights their role in reminding players to respect other users of the recreation ground and surrounding residents and, it could be argued, the fencing of the pitch will enable greater control of spectators and the ability to evict spectators involved in unacceptable behaviour. This is a management, rather than a planning issue.

Enclosure of the pitch

8.3.7 The erection of fencing will lead to an area of the recreation ground being unavailable for general use in the way that it is now, although it is proposed that the gates will be open to enable public access except on match days. The land is primarily a sports facility as explained in section 8.1 above, and as such the use of pitches for league-standard football is supported and currently lacking in Bexhill. The pitch, and the other pitches and courts are in any event, unusable during match and training use and the recreation ground is a large open space, the majority of which will remain open and publicly accessible. The requirement for the gates to be left open when the pitch is not in use can be ensured by condition. The enclosure of the pitch is therefore not considered to lead to an unacceptable loss of public space.

8.3.8 Objectors have asked whether the fencing could be temporary and removed at the end of each season. As set out above, this is not considered necessary for the application to be acceptable.

8.3.9 The fencing would also have a visual impact on the locality. It is considered that the fencing is typical of the type used to enclose sports pitches and courts and would not detract from the character and appearance of the locality.

Relocation of the footpath

8.3.10 The public right of way alignment of footpath 48b currently crosses the south-western corner of the pitch. This alignment is not marked on the ground and, of course, the recreation ground, not just the footpath route, is publicly accessible. The diversion of the footpath is therefore not necessarily a concern, if a publicly accessible route remains available, at all times, from north to south across the recreation ground. The proposed diversion would ensure that this is the case and this diversion can be secured through section 257 of the Town and Country Planning Act. During this process, and if planning permission has granted, the Public Rights of Way Officer has advised that the fencing could be erected, because the proposed gates will retain access to the existing footpath alignment.

Other Issues

8.3.11 Concerns have been raised regarding the impact of floodlighting on residential amenity. However, no changes are proposed to the lighting permitted by RR/2009/2818/P, as amended by RR/2015/1229/P. The conditions relating to floodlighting are repeated on the proposed recommendation for completeness.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 It is proposed to construct a fence around Pitch No. 4 on LCRG, as well as install 50 seat and 75 standing spectator stands and a tarmac path between them. These works are required by the FA for Little Common FC First team to play matches here. There are no other available FA-grade facilities in Bexhill and the Club has played at Eastbourne United AFC's ground for the past three seasons.
- 9.2 Improvements to sports facilities are supported by adopted Core Strategy Policy CO3(ii) and the deficiency of such facilities in Bexhill is highlighted in the adopted DaSA as well as the Rother & Hastings Playing Pitch Strategy. The proposals therefore accord with development plan policy. This benefit should be weighed against other planning policies, particularly Core Strategy Policies TR4 (car parking) and OSS4 (general development considerations) and any other material planning considerations.
- 9.3 The effect of parked cars on match days is the key concern of objectors. While matches may generate significant numbers of spectators, this is as expected at an outdoor sports facility and therefore is an existing situation. Many activities on the recreation ground could attract visitors and it is likely that, as far as matches are concerned, interest in the particular match due to the teams playing or importance of the competition would be the main drivers of numbers, not the stands or fencing proposed by this application.
- 9.4 Noise is also a concern but, it is considered to be an issue for the Club to manage, not a consequence of the proposals if they are approved and implemented. Enclosure of the pitch has a visual effect as well as reducing the total amount of publicly available open space. However, the primary use of the recreation ground is to provide a sports facility, there is considerable available open space on the recreation ground and the proposed fencing is, being open mesh and green coloured, of a type one would associate with a sports facility. Diversion of the public right of way is a further concern of objectors, however, the diverted footpath will continue to provide a suitable and satisfactory route across the recreation ground (which is open and publicly accessible ground in any event).
- 9.5 SE objects to the proposal as it prejudices the use of other parts of the playing field and playing pitches, namely the NTP. However, the Little Common Ramblers Cricket Club, who installed the NTP has written to Little Common FC to support the proposals and advise that that there will be no detrimental impact on their cricket boundary. In these circumstances, and despite SE's objection, the local sporting facilities will be maintained and the applicant's main football pitch upgraded to the required FA standard.
- 9.6 In conclusion, the proposals are supported by adopted planning policy and will enable the local football club to play competitively on their home ground. The material planning objections are not considered to outweigh the benefit of permitted the proposal in this instance and the application should be granted, subject to referral of the application to the Secretary of State for Housing, Communities and Local Government.

RECOMMENDATION: GRANT (FULL PLANNING) SUBJECT TO REFERRAL TO THE SECRETARY OF STATE FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

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:
Existing Site Block Plan, BA2018.02
Proposed Site Location Plan, BA2018/05/C, dated Aug 2020
Arena Seating, S-50/2, dated 20/08 2018
Arena Seating, ST-110/1, dated 05/10/2018
Footpath diversion diagram, 001, submitted with the application
V-mesh panel fencing diagram, 005, submitted with the application
Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.
3. The seven gates hereby permitted, as shown on approved Drawing No. BA2018/05/C, shall be kept open and the football pitch made available for public access, when not in use by Little Common Football Club.
Reason: To retain access to public open space and promote the enjoyment of more healthy lifestyles in accordance with Policy CO3 of the adopted Rother Local Plan Core Strategy.
4. No matches shall be played on the enclosed football pitch, hereby approved, on the same day as a cricket match is held on the non-turf cricket pitch (NTP).
Reason: To prevent the risk of injury to football players or spectators during matches due to ball strikes from the NTP in accordance with Policy OSS4(iv) of the Rother Local Plan Core Strategy.
5. The floodlighting approved by RR/2009/2818/P shall not be used on:
 - a) any consecutive evening.
 - b) more than six weekday evenings in any one calendar month from September to March.
 - c) more than once a weekday evening per week during April, subject to Rother District Council's Season Dates.Reason: To safeguard the visual and residential amenities of the locality in accordance with Policy OSS4(ii) and (iii) of the Rother Local Plan Core Strategy.
6. The floodlighting approved by RR/2009/2818/P shall not be used from 1 May to 1 September in any calendar year.
Reason: To safeguard the visual and residential amenities of the locality in accordance with Policy OSS4(ii) and (iii) of the Rother Local Plan Core Strategy.

7. The floodlighting approved by RR/2009/2818/P shall only be used for matches by Little Common Football Club, except for one Cup Final tie per season and shall not be used for any training sessions.
Reason: To safeguard the visual and residential amenities of the locality in accordance with Policy OSS4(ii) and (iii) of the Rother Local Plan Core Strategy.

8. The lighting approved by RR/2009/2918/P shall be maintained in accordance with the manufacturer's specification unless otherwise agreed in writing by the Local Planning Authority. If any associated light spill or glare becomes visually intrusive within the landscape or detrimental to the residential amenities of the area, the luminaire direction and angle shall be adjusted to minimise any such impacts.
Reason: To safeguard the visual and residential amenities of the locality in accordance with Policy OSS4(ii) and (iii) of the Rother Local Plan Core Strategy.

NOTE:

1. Changes to the existing alignment of the Public Footpath 48b as required should be the subject of an application for a public path diversion order under section 257 of the Town and Country Planning Act.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.