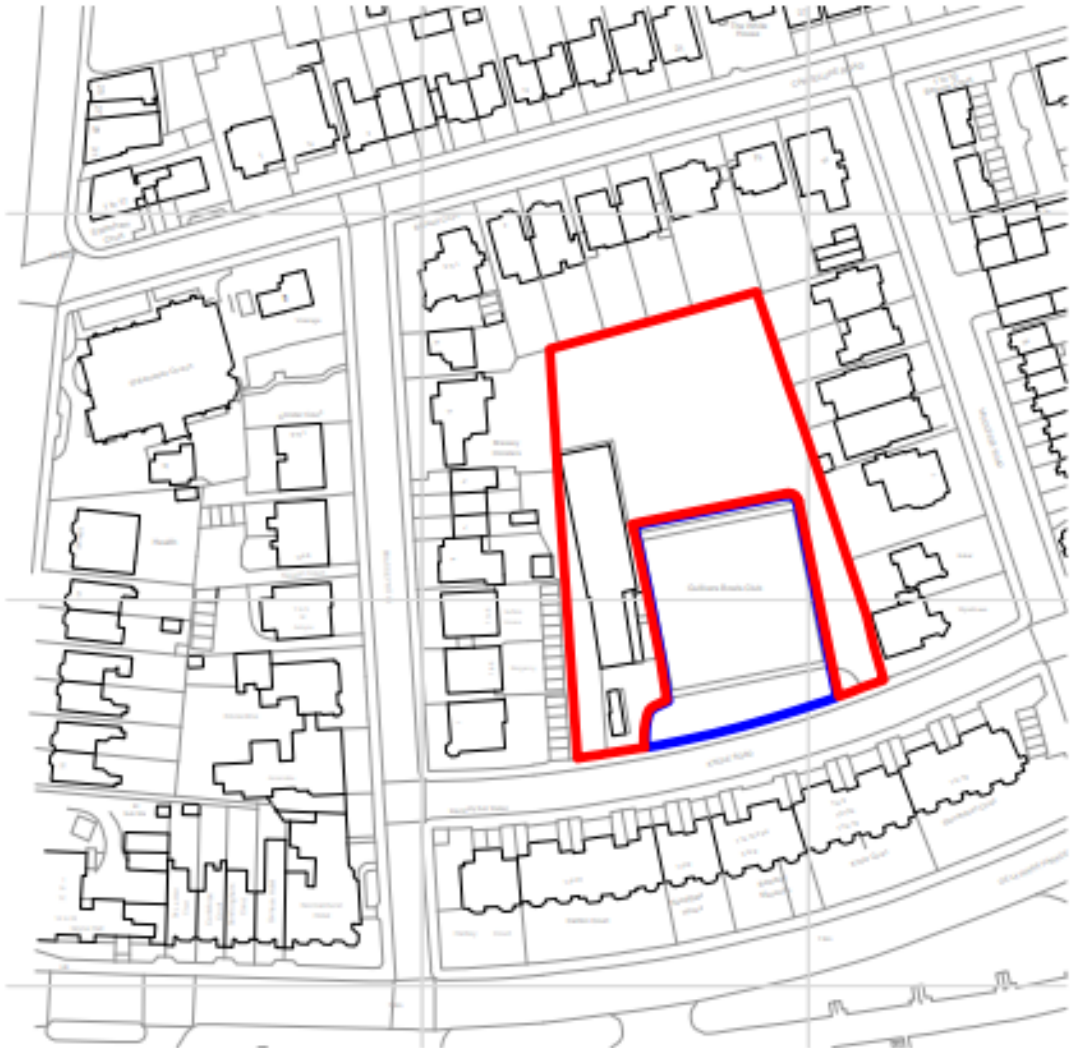


SITE PLAN

BEXHILL

RR/2021/1455/P

Gullivers Bowls Club – Land at, Knole Road



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.
Rother District Council Licence No. 100018643 2013

Not to Scale

Rother District Council

Report to - Planning Committee
Date - 14 April 2022
Report of the - Director – Place and Climate Change
Subject - Application RR/2021/1455/P
Address - Gullivers Bowls Club – Land at, Knole Road, Bexhill,
TN40 ILJ
Proposal - Replacement of club house, refurbishment of indoor
bowls rink and the erection of 8 No. 2 bedroom dwellings
together with associated car parking and landscaping.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **GRANT FULL PLANNING PERMISSION**

Director: Ben Hook

Applicant: Court Developments Ltd
Agent: Jonny Pickup
Case Officer: Lucia Devon
(Email: lucia.devon@rother.gov.uk)

Parish: BEXHILL SACKVILLE

Ward Members: Councillors T.J.C. Byrne and H.L. Timpe

Reason for Committee consideration: Director – Place and Climate Change referral: “There is considerable local interest in this application both for and against and a great desire to have an open debate in front of the planning committee.”

Statutory 8-week date: 14/10/21

Extension of time agreed to:

This application is included in the Committee site inspection list.

1.0 SUMMARY

1.1 This application seeks permission for the replacement of the club house, the refurbishment of indoor bowls rink and the erection of 8 No. 2-bedroom dwellings together with associated car parking and landscaping.

- 1.2 The site resides within Bexhill Development Boundary and is allocated for residential development under BEX5 of the Development and Site Allocations Local Plan (DaSA).
- 1.3 The proposal is considered to satisfy the requirements of Policy BEX5, is of an acceptable scale and design for the site, proximity to listed buildings and adjacent conservation area and would have an acceptable impact upon neighbouring amenity, the highways and drainage network. A good standard of residential accommodation has been provided. No objection is raised in respect of arboriculture or ecology matters. The application is therefore recommended for approval, subject to the imposition of conditions.

1.4 **PROPOSAL DETAILS**

PROVISION	
No of houses	8
No of affordable houses	0
CIL (approx.)	£54,387

2.0 SITE

- 2.1 The application site comprises the Gulliver’s Bowls Club in central Bexhill, along with a disused former bowls green to the rear. It is located within the Bexhill Development Boundary. The bowls club is located at the front of the application site facing towards Knole Road and comprises a single storey club house, indoor rink and a building used as a changing room. There are two existing access points from Knole Road at the south eastern and south western corners of the site, leading onto a small car park.
- 2.2 The site is open in nature towards the front, with some boundary trees surrounding the northern part together with some additional vegetation, with housing beyond front onto Cantelupe Road to the north, Middlesex Road to the east and Brasse Road to the west.
- 2.3 The surrounding housing which backs on the application site comprise a mix of Victorian and Inter-War properties including detached and semi-detached houses and small apartment buildings. On the opposite side of Knole Road to the south is an extensive grade II listed terrace (Berkeley Mansions, Charlton Court, Knole Court, Newdigate House and Stonehaven Court).
- 2.4 The application site occupies a central location in Bexhill, within close walking distance of the town centre and train station and has easy access to local key amenities. There are bus stops on Cantelupe Road and Sea Road which provide regular services to Bexhill train station, Hastings and Eastbourne.

3.0 PROPOSAL

- 3.1 The application seeks permission for:

Replacement of club house, refurbishment of indoor bowls rink and the erection of 8 No. 2 bedroom dwellings together with associated car parking and landscaping.

- 3.2 The proposal is to replace the existing club house building and to refurbish the indoor bowls rink, including recladding the external walls and replacing the roof access to the bowls club and car parking arrangements are proposed to remain the same.
- 3.3 The new bowls club building would be of brick construction, following a similar footprint and location as the existing building. The pitched roof would be covered with natural slate tiles, with a stone parapet at the southern elevation. There would be a mixture of sash and regular windows. The bowls rink would be re-clad with cedar weatherboard cladding, and the replacement roof would be composite insulated panels. The building footprint would be 22.3m x 12.4m x 2.9m (eaves height)/6.1m (ridge height).
- 3.4 Amendments were sought throughout the course of the application to amend the design of the club house following recommendations from the Heritage Officer.
- 3.5 In terms of site layout, an existing access point at the south eastern corner of the site is proposed to be reused with a new internal shared access road being provided along the eastern boundary of the site to the rear. This would lead into a courtyard area provided the allocated parking spaces (eight in total) for the mews dwellings. Four unallocated spaces are proposed on the eastern side of the shared access road.
- 3.6 The news terrace would form an 'L' shape, with Plots 1-5 running from east to west at the northern end and Plots 6-8 running from the north to south adjacent to the eastern boundary. A paved area to the front of each property is proposed and a patio to the rear, with rear gardens extending to at least 10m, with Plots 1 and 6 having larger wrap around gardens.
- 3.7 The terrace would be of brick construction, faced with red brickwork incorporating sash windows with stone surrounds. Each property would have a timber front door with a gable hanging porch above and to the rear, each would have full bi-folding doors leading out onto the rear patio. Two cottages would be single storey and six would have a bedroom in the roof space. All cottage would have accommodation in the roofspace, served by rooflights.

4.0 HISTORY

- 4.1 RR/2006/2226/P Redevelopment to Form 41 Sheltered Apartments for the Elderly, Car Parking, Landscape and Access and New Outdoor Bowls Green, Indoor Rink, Club Facilities and Car Parking Including Alteration to Existing and Formation of New Vehicular Access. Refused – Appeal Allowed – subsequently dismissed following High Court challenge.
- 4.2 RR/2014/235/P Redevelopment to form 39 private sheltered apartments for the elderly (Category II type accommodation) with associated communal facilities, access, car parking and landscaping, including demolition and replacement outdoor bowls green, indoor rink, club facilities and car

park. Approved at Planning Committee subject to Section 106 Agreement.

- 4.3 RR/2014/235/P Redevelopment to form 39 private sheltered apartments for the elderly (Category II type accommodation) with associated communal facilities, access, car parking and landscaping, including demolition and replacement outdoor bowls green, indoor rink, club facilities and car park. Previous decision quashed by Judicial Review.
-

5.0 POLICIES

5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:

- PC1: Presumption in Favour of Sustainable Development
- OSS2: Use of Development Boundaries
- OSS3: Location of Development
- OSS4: General Development Considerations
- BX1: Overall Strategy for Bexhill
- BX3: Development Strategy
- SRM1: Towards a Low Carbon Future
- SRM2: Water Supply and Wastewater Management
- CO3: Improving Sports and Recreation Provision
- CO6: Community Safety
- LHN1: Achieving Mixed and Balanced Communities
- EN2: Stewardship of the Historic Built Environment
- EN3: Design Quality
- EN5: Biodiversity and Green Space
- EN6: Flood Risk Management
- EN7: Flood Risk and Development
- TR2: Integrated Transport
- TR3: Access and New Development
- TR4: Car Parking

5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:

- DHG3: Residential Internal Space Standards
- DHG7: External Residential Areas
- DHG11: Boundary Treatments
- DHG12: Accesses and Drives
- DEN4: Biodiversity and Green Space
- DEN5: Sustainable Drainage
- DIM2: Development Boundaries
- BEX5: Land at Gullivers Bowls Club, Knole Road, Bexhill

5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.

6.0 CONSULTATIONS

6.1 Cantelupe Community Association – **OBJECTION**

6.2 Bexhill Heritage – **OBJECTION**

6.3 Victorian Society – **OBJECTION**

6.4 East Sussex County Council (ESCC) Highways – **NO OBJECTION, SUBJECT TO CONDITIONS**

6.5 Rother District Council (RDC) Waste & Recycling – **NO OBJECTION**

6.6 ESCC Flood Risk Management Officer – **NO OBJECTION, SUBJECT TO CONDITIONS**

6.7 ESCC Ecology Officer – **NO OBJECTION, SUBJECT TO CONDITIONS**

6.8 Environmental Health – **NO OBJECTION**

6.9 Planning Notice

6.9.1 16 letters of objection have been received. The concerns raised are summarised as follows:

- Inadequate private garden space
- No charging points for electric vehicles or bicycle storage
- Parking and turning space concerns
- Inadequate housing mix – no 'family' homes
- Drainage, sewerage and flooding concerns
- Loss of green space and community asset
- Negative impact on listed buildings on Knole Road
- Concern regarding consultation procedure
- Alternative recreational uses on the site should be considered
- Privacy concerns
- Ecology and loss of wildlife concerns
- Asbestos concerns
- Harmful impact on gas pipe infrastructure of the area
- Harmful glare considered to be caused from proposed slate roofing
- Granting planning permission would set an unwanted precedent
- Light pollution
- Security and anti-social behaviour concerns
- Disturbance from construction

6.9.2 15 letters of support have been received. The reasons are summarised as follows:

- Development is considered to be sympathetic to the surroundings and would preserve this local amenity (club house)
- Without the redevelopment of the site, the club will have to close
- Development not considered to result in traffic issues by way of small number of properties proposed on site

- If planning permission were not to be granted, concern raised in respect of the future use of the site
- Development considered to safeguard green space and community asset
- Contribute to housing supply

6.9.3 Four letters with general comments have been received. The comments are summarised as follows:

- Concern that all affected parties have not been consulted
- Loss of community asset
- Concern regarding who will be responsible for maintaining the road, boundaries of site and run off water tanks
- Concern of flooding to lower ground flats opposite the site
- Light pollution/disturbance from cars
- Additional noise
- Parking concerns
- Use of tax payer's money to cover cost of previous planning appeals on site
- Loss of green space
- Removal of asbestos

6.10 Bexhill Town Council – **OBJECTION**

6.10.1 “The town council met to review the plans for Gulliver’s Bowls Club following representations from members of the public and the Cantelupe Community Association. The council objects to the development as it will represent a loss of amenity green space which should be protected. The development is not in keeping with the character of the area and will cause a loss of privacy for the surrounding residents. The town council supports the views of Cantelupe Community Association.”

7.0 LOCAL FINANCE CONSIDERATIONS

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a Local Planning Authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

7.1 The proposal is for a type of development that is Community Infrastructure Levy (CIL) liable. The total amount of CIL money to be received is subject to change, including a possible exemption, but the development could generate approximately £54,387.

8.0 APPRAISAL

8.1 The main issues raised by the proposal are as follows:

- The principle of development
- Standard of residential accommodation
- Impact on neighbouring amenity
- Design and appearance of the development
- Ecology
- Trees
- Drainage
- Highways
- Other matters

8.2 The principle of development

- 8.2.1 In respect of the proposed development, Policy OSS1 of the Core Strategy stipulates that the strategy for the overall spatial development is to: (i) plan for at least 5,700 dwellings (net) in the district over the period 2011-2028 and (iii) identify suitable sites in accordance with the following distribution: (a) focus on new development at Bexhill, giving particular attention to promotion economic regeneration and growth of the Hastings and Bexhill area, including through mixed use development.
- 8.2.2 The site resides with the Bexhill Development Boundary. Policy OSS2 of the Rother Local Plan Core Strategy states that development boundaries provide a clear and readily understood indication of where development would, and would not, be allowed in principle. Within development boundaries there is a presumption that infilling, redevelopment and changes of use will be acceptable subject to other policies of the plan.
- 8.2.3 BX1 stipulates that two of the overarching objectives for Bexhill is to (ii) develop local amenities, including support for community activity and facilities, learning opportunities, and improved sports and leisure facilities, including a new leisure/swimming centre, and a network of accessible green space around the town and (ix) provide for employment and housing growth, in accordance with Policy BX3, with particular regard to the needs of families, affordable housing for younger people and a range of supported housing options for older households.
- 8.2.4 Policy BX3 states that new residential and employment development will contribute to the overall strategy for Bexhill through: (ii) an overall level of housing growth of 3,100 dwellings between 2011-2028.
- 8.2.5 Although objections were received in respect of loss of green space and that it was deemed that an alternative recreational use on the land should be considered before a residential use, land at Gullivers Bowls Club, Knole Road, Bexhill, as shown on the Policies Map, is allocated for mixed use development comprising of housing and a replacement bowls facility. The site is allocated for 39 units. Considering the reduced number of units proposed in this case, it would retain green space to the front of the site, which would be most visible from Knole Road.
- 8.2.6 Policy BEX5 states that proposals will be considered on the site where:
- (i) Some 39 sheltered dwellings are provided, of which 30% are affordable;

- (ii) An improved bowls facility comprising of an outdoor bowls green, an indoor rink and associated clubhouse and maintenance facilities is provided;
- (iii) Development at the rear of the site is single storey only;
- (iv) Separate access points are provided for the residential and bowls facility part of the scheme;
- (v) The design of the scheme does not adversely affect the character of the area or the setting of the listed terrace to the south;
- (vi) Sustainable drainage (SuDS) is provided in accordance with Policy DEN5; and
- (vii) Provision is made for the retention and enhancement of boundary planting, particularly on the western, northern and eastern boundaries, as indicated on the Detail Map.

8.2.7 As the site is allocated for housing, redevelopment for residential use is supported in principle. While the proposal would be different from the site allocations (for up to 39 sheltered accommodation flats), it is considered that the provision of eight houses would be acceptable in principle, subject to the improvements to the existing bowls facilities. Furthermore, the design of the mews style development is considered favourable, as it has been carefully crafted and thought to respond positively to the setting of the listed buildings. It is considered that a balanced approach has been taken by the development and that the criteria of BEX5 have largely been achieved.

8.2.8 Although objections have been made in respect of the housing mix, it should be noted that Policy LHN1 of the Rother Local Plan Core Strategy states that in Bexhill, developments should contribute to increased provision of family dwellings, unless site circumstances make this inappropriate. In this case, the site circumstances (limited site size, proximity to listed buildings and conservation area), it is considered that the proposed unit size is more appropriate. Family sized units are likely to occupy more of the site, and would unlikely be accommodated by single storey dwellings, which is a requirement of BEX5.

8.2.9 The remaining requirements of BEX5 (points ii-vii) will be addressed in the following sections.

8.3 Standard of residential accommodation

8.3.1 Policy OSS4 'General Development Considerations' states that in addition to considerations set out by other policies, all development should meet the needs of future occupiers, including providing appropriate amenities. Specifically, Policy DHG3 states that all new dwellings should provide adequate minimum internal space in line with the standard provided at national level.

8.3.2 The standard requires that the dwelling provides:

- at least the minimum gross internal floor area and built-in storage
- that a dwelling with two or more bed spaces has at least one double bedroom
- a single bedroom has a floor area of least 7.5sqm and be at least 2.15m wide
- a double bedroom has a floor area of at least 11.5sqm and is at least 2.75m wide and every other double room is at least 2.55m wide

- any are with a headroom of less than 1.5m is not counted within the GIA unless used solely for storage
- any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all
- a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards
- the built-in storage requirement
- the minimum floor to ceiling height is 2.3m for least 75% of the GIA

8.3.3 The GIA requirements for a 2-bedroom 4 person dwelling is as follows:

1 storey = 70 sqm with 2 sqm of built in storage

2 storey = 79 sqm with 2 sqm of built in storage

8.3.4 The proposed dwellings would meet this standard, and the bedrooms would accord with the above size requirements. An internal head height of at least 2.3m would also be achieved. The units provide the following GIA:

Unit 1 = 96 sqm

Unit 2 = 128 sqm

Unit 3 = 128 sqm

Unit 4 = 120 sqm

Unit 5 = 107 sqm

Unit 6 = 103 sqm

Unit 7 = 110 sqm

Unit 8 = 107 sqm

8.3.5 The proposed units are considered to be provided with adequate levels of outlook and daylight provision.

8.3.6 Policy DHG7 of the DaSA states that in relation to residential development, appropriate and proportionate levels of private usable external space will be expected. For dwellings, private rear garden spaces of at least 10m in length will normally be required. This requirement would be met by the proposed development.

8.3.7 Policy DHG7 (iii) requires sufficient bin storage and collection points to be provided on all new residential developments. The Waste & Recycling team have been consulted with throughout the course of the application who have advised that “the waste contractor has advised that the plans look good, and the turning circle looks efficient to turns providing its clear of parked cars”. Details of bin storage and their locations can be obtained via condition.

8.4 Impact on neighbouring amenity

8.4.1 Policy OSS4 (ii) of the Core Strategy states that all development should not unreasonably harm the amenities of adjoining properties. Such as, result in loss of light and privacy, causing an overbearing presence and causing intrusion such as through noise, activity at unsocial hours, lighting etc.

- 8.4.2 In respect of Policy DHG9, para.4.86 of the DaSA states that overlooking is most commonly an issue where windows to habitable rooms would directly face those in neighbouring property. Regard should be given to any significant change in level between properties, as this may increase the impact of an extension on the amenity of neighbouring homes.
- 8.4.3 Throughout the course of the public consultation period, objections were received in respect of harm to neighbouring amenity (namely loss of privacy concerns and noise disturbance from vehicle entering and exiting the site).
- 8.4.4 The proposed mews terrace would be single storey or one and a half storey in height and set into the site by at least 10m to the north and east, and 6.5m from the western boundary. Along the rear boundary, all existing boundary trees and hedgerows would be retained. Coupled with the distance (approximately 30-31m) between the rear of properties along Cantelupe Road and the rear elevation of the mews properties, it is not considered that the residential element of the proposal would result in any significant sense of enclosure, loss of light or outlook to these rear facing properties. Additionally, overlooking and loss of privacy from the rear facing habitable room windows is considered to be mitigated by the separation distance.
- 8.4.5 To the west of Plot 1 is Brassey Cloisters. Between the sites a 1.8m close board fence is proposed and the pine and sycamore tree would be retained. A distance of approximately 24.94m would be retained between the rear of Brassey Cloisters and the flank wall of Plot 1. Considering the single storey nature of this unit, it is not considered that any significant harm would arise to the occupiers of Brassey Cloisters in respect of overlooking, loss of privacy, sense of enclosure, loss of light and outlook.
- 8.4.6 Similarly, the siting of the mews along the eastern boundary adjacent to Middlesex Road, coupled with a minimum separation distance of approximately 24m, it is not considered that any significant harm would arise to occupiers of these facing properties.
- 8.4.7 The level of occupancy associated with the mews development, is not considered to give rise to an unacceptable or overly harmful level of noise generation. As noted by the ESCC Highways Officer, *the level of traffic likely to be generated by the 8 x 2 bedroom cottages is likely to be relatively low, with approximately four tips during AM and PM peak hours of the day.*

8.5 Design and appearance of the development

- 8.5.1 The supporting paragraphs for Policy OSS4 of the Rother Local Plan Core Strategy states that the suitability of a specific development proposal needs to be considered in terms of the extent to which it delivers appropriately high standards that conserve landscape character as well as fosters local identity and safeguard amenities. Good design should respect the character of its setting, whether urban or rural, and make a positive contribution to reinforcing local distinctiveness. This relates not only to the layout and design of buildings, but also the treatment of external areas which should respect landscape character.
- 8.5.2 This is reiterated by Policy EN3 of the Rother Local Plan Core Strategy which states that new development will be required to be of high quality

design by: (i) contributing positively to the character of the site and surroundings including taking opportunities to improve areas of poor visual character or with poor townscape qualities.

- 8.5.3 In respect of the application site, Policy BEX5 of the DaSA states that the design of the scheme should not adversely affect the character of the area or the setting of the listed terrace to the south. It is noted that throughout the public consultation period a number of objections were received, raising concerns over the design of the development and the harmful impact that would be had on the adjacent listed buildings and Conservation Area.
- 8.5.4 However, prior to formal submission, the Applicant engaged in the pre-application service with the Local Planning Authority, at which stage various design and layouts were negotiated. A scheme that takes its cue from a traditional mews development was supported, being as it is common to see mews development in the vicinity of large terraces such as in the context of the grade II mansion terrace to the south of the site.
- 8.5.5 The design response for the housing is considered to be carefully crafted and to respond positively and appropriately to local area. The linked, single storey buildings arranged in a strong rhythm around a courtyard is considered to create a strong 'mews' character and sense of place. This is reinforced by the simple approach at the front with no front gardens, and instead buildings fronting onto hard landscaping which delineates the space. Details of hard landscaping, in the event of an approval will be covered by a condition.
- 8.5.6 The dwellings themselves are considered to be architecturally strong and well-detailed, with arched brick lintels, brick arches over the passageways to rear gardens parapeted gables with finials, and a central clocktower/weathervane features. However, further details can be covered by a condition in the event of an approval. A brick wall is advised to be needed to enclose the southern boundary of the garden to plot 8 but can also be covered by a condition.
- 8.5.7 Overall, the form, character and appearance of the dwellings is considered to be of intrinsically high design quality as to comply with Policy EN3 of the Rother Local Plan Core Strategy, and to preserve the character of the setting of the listed mansion terrace to the south of the site, having regard to paragraph 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
- 8.5.8 Notwithstanding the above, concerns however were raised about the proposed design of the bowls club pavilion. Its design was considered to be unimaginative and bland in its form, massing and articulation – in particular the southern, front elevation, (notwithstanding the attempt to introduce the parapet gable and finial at the southern end). The design was considered to respond neither the wealth of historic nor contemporary precedent of pavilion design available today. As advised by the Rother Heritage Officer, the proposal was suggested to be amended to reflect such character; the key amendment would be to include a central pediment gable and a detail such as a clock. A pediment gable, supported on columns, could extend forward (1.5-2m), providing a useful veranda feature giving shelter below,

whilst still providing clear access and not impinging on the existing tarmac path in front.

8.5.9 Additionally, it had been advised that in regard to internal layout, while not strictly a planning matter, it would not be ideal to have the disabled WC openings straight out into the club room area. A better arrangement would be to have the changing rooms located along the back (western) wall of the new pavilion, with a new lobby and disabled WC between them. An additional benefit would be a more regular shaped, spacious and useable clubroom area. As per the above recommendations made by the Heritage officer, a formal resubmission was made (Drawing Nos. 6729-100-2C and 6729-100-1-C. Upon review by the Heritage officer it was advised that the amended plans address the concerns raised and that the design of the dwellings together with the bowls club were acceptable in respect of the impact on the site, listed buildings and wider locality.

8.6 Ecology

8.6.1 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, as amended, states that: “every public authority must, in exercising its functions, have regard, so far as consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity.”

8.6.2 The Duty applies to all public authorities in England and Wales, including all local authorities. Conserving biodiversity includes restoring and enhancing species and populations and habitats, as well as protecting them.

8.6.3 The National Planning Policy Framework (2020) states that “*the planning system should contribute to and enhance the natural and local environment by...protecting and enhancing...sites of biodiversity or geological value or soils...*”, “*...recognising the wider benefits from natural capital and ecosystem services...*” and “*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...*” (paragraph 174).

8.6.4 The National Planning Policy Framework sets out principles that local planning authorities should seek to apply when determining planning applications to protect and enhance biodiversity, these include refusing planning permission if significant harm to biodiversity from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for; refusing development that would result in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees), unless there are wholly exceptional reasons and a suitable compensation strategy exists; and encouraging opportunities to incorporate biodiversity improvements in and around developments, especially where this can be secure measurable net gains for biodiversity (para.180).

8.6.5 Policy EN5 of Rother’s Core Strategy 2014 states that biodiversity, geodiversity and green space will be protected and enhanced. Development must retain, protect and enhance habitats of ecological interest, including ancient woodland, water features and hedgerows, and provide for appropriate management of these features. Developers are also required to integrate biodiversity into development schemes by avoiding adverse impacts from development on biodiversity or habitat, or where wholly

unavoidable, provide mitigation against or compensation for any losses. Developers are also expected to consider and promote opportunities for the creation and/or restoration of habitats appropriate to local context.

8.6.6 An ESCC Ecology Officer has been consulted throughout the course of the application, who raised no objection to the proposed scheme. The proposed development is not designated for its nature conservation interest. Given the nature, scale and location of the proposed development, there are unlikely to be any impacts on the designated wildlife asset. The site currently comprises buildings, hard standing, amenity grassland and scattered trees. The habitats of greatest importance are the trees which are to be retained and protected.

8.6.7 Bats

8.6.7.1 All species of bats are fully protected under the Wildlife and Countryside Act 1981, as amended, and the Conservation of Habitats and Species Regulation 2017, as amended, making them European Protected Species. The buildings and trees on site do not support any potential roost features, and the site overall offers low potential for foraging and commuting. However, there are records of bats from the local area, so lighting design should take account of best practice guidance to minimise spill.

8.6.8 Breeding Birds

8.6.8.1 Habitats on site offer potential for breeding birds, and house sparrows were recorded nesting on the gable end of the existing indoor bowling green building. Under section 1 of the Wildlife and Countryside Act 1981, as amended, wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. To avoid disturbance to nesting birds, any removal of scrub/trees or demolition of/works to buildings that could provide nesting habitat should be carried out outside the breeding season (generally March to August). If this is not reasonably practicable within the timescales and given the mitigation required for other protected species, a nesting bird check should be carried out prior to any demolition/clearance works by an appropriately trained, qualified and experienced ecologist, and if any nesting birds are found, advice should be sought on appropriate mitigation. House sparrow terraces should be provided on new/and or refurbished buildings to compensate for the loss.

8.6.9 Other species

8.6.9.1 The site is unlikely to support any other protected species. If protected species are encountered during development, work should cease immediately, and advice should be sought on how to proceed from a suitably qualified and experienced ecologist.

8.6.10 Mitigation Measures

8.6.10.1 In addition to the mitigation measures discussed above, the site offers opportunities for enhancement which will help the Council meet its duties and responsibilities to provide biodiversity net gain under the NERC Act and national and local planning policy. The Preliminary Ecological Appraisal (PEA) submitted with the application (Marsh Environmental, June 2021)

recommends the provision of bird, bat and insect boxes and the provision of gaps in boundaries to allow movement of wildlife through the site. In addition to the house sparrow terraces referred to above, bird, bat and insect boxes should be provided on suitable locations throughout the site, targeting species of known conservation concern. The landscaping scheme should use native species/and or species of known wildlife value, which should be of local provenance. Site boundaries should be enhanced through the provision of new species rich native hedgerow where possible, and/or areas of longer grassland. These measures should be set out in an Ecological Design Strategy.

In light of the above, and in line *BS42020: 2013 Biodiversity – code of practice for planning and development*, if the Council is minded to approve the application, it is recommended that the conditions and informatives are applied.

8.7 Trees

8.7.1 An arboricultural impact assessment and method statement was submitted alongside the application. It confirms that there are five Grade B trees and seven Grade C trees on the site. However, it is not proposed that any trees are removed as part of the proposal.

8.7.2 It states that a small section of foundations would intrude into the root protection area (RPA) of tree T2, although this is less than 10% of the total RPA. In addition, the rear patio of Plot 1 would enter into the RPA, but 'no-dig' paving would be used in this area, as shown in the Tree Protection Plan. It is also intended that bike sheds would be installed above the RPAs of trees T4 and T5 although again, 'no-dig' paving would be used as the shed base to avoid any harm to the tree.

8.7.3 Subject to the tree protection measures and construction methodologies specified within the report being carried out throughout the course of the construction phase, no objections are raised. This can be conditioned to secure implementation.

8.8 Drainage

8.8.1 Policy DEN5: Sustainable Drainage outlines that drainage should be considered as integral part of the development design process, with Sustainable Drainage Systems (SuDS) utilised unless demonstrated to be inappropriate. In particular:

- (i) Peak run-off rates from development should remain as close to greenfield runoff rates as possible, and not exceed the existing rate/volume of discharge as minimum;
- (ii) New development should utilise opportunities to reduce the causes and impacts of all sources of flooding, ensuring flood risks are not increased elsewhere, that flood risks are associated with the construction phase of development are managed, and that surface water run-off is managed as close to its source as possible;
- (iii) Drainage should be designed and implemented having regard to the latest East Sussex Local Flood Risk Management Strategy (LFRMS) and related guidance;

- (iv) SuDS should be designed and implemented to be 'multi-functional' and deliver other Local Plan policy objectives where appropriate, such as: the provision of habitats and support for biodiversity; reinforcing local landscape; enhancing the design of development; provision of open space/recreation; promotion of water use efficiency and quality; and reducing risks of land instability;
- (v) Applicants should demonstrate that arrangements are in place for ongoing maintenance of SuDS over the lifetime of the development;
- (vi) Within the Pevensey Levels Hydrological Catchment Area, SuDS designs should incorporate at least two stages of suitable treatment, unless demonstrably inappropriate; and
- (vii) Within the Fairlight and Pett Level Drainage Area, surface water run-off from development shall be no more than the greenfield rat, in terms of volume and flow; and at Fairlight Cove, drainage proposals should accord with Policy DEN6.

8.8.2 Policy BEX5 States that a Sustainable drainage (SuDS) is provided in accordance with Policy DEN5. This element of the application has been reviewed by an ESCC Drainage officer, who's comments are as follows:

"The Applicant has submitted evidence to demonstrate that there is sufficient capacity within the Southern Water foul system to receive surface water runoff from the development. Discharging surface water runoff to the foul sewer is not an ideal option, however, there are no other feasible options for this development site.

BGS data indicates that groundwater levels beneath the site may be less than 3m below ground level. We require that groundwater monitoring is carried out between November and April to understand groundwater levels beneath the site, as elevated groundwater could reduce available capacity within the underground attenuation tank.

We are satisfied that it will be possible to manage surface water runoff from the development site, subject to the provision of further information at the detailed design stage. If the Local Planning Authority is minded to grant planning permission, the LLFA requests a number of conditions are imposed to ensure surface water runoff from the development is managed safely."

8.9 Highways

8.9.1 ESCC Highways have been consulted as part of the application, who provided the following comments on the scheme:

"The development proposal is for the replacement of club house, refurbishment of indoor bowls rink and the erection of 8 No. 2 bedroom dwellings together with associated parking and landscaping.

I have no major concerns regarding the development proposal and do not wish to object; however, I recommend that any grant of consent takes into account the comments below and is also subject to the following obligations and conditions.

The Site

The application site comprises part of the Gulliver's Bowls Club in central Bexhill. The site is situated on the northern side of Knole Road. The application site is allocated under Policy BEX5 of the DaSA to provide up to 39 sheltered accommodation apartments together with improvements to the existing bowls club facilities. While a planning application of this nature was approved, the decision was later quashed by a judicial review and withdrawn.

Accessibility

The application site is located relatively centrally in Bexhill, within walking distance of the town centre and train station and has access to key local amenities such as shops, medical centres, restaurants, public houses and public transport. Bus stops on Sea Road provide regular services to Bexhill train station, Hastings and Eastbourne. Bexhill provides regular rail services to Hastings in 12 minutes, Eastbourne in 16 minutes and London Victoria in 1 hour and 58 minutes.

The Development Proposal

This application seeks to undertake improvement works to the existing bowls club facilities including the replacement of the club house and refurbishment of the indoor bowls rink, together with the erection of 8x2 bedroom mews style cottages together with associated access, car parking and landscaping.

The proposal is to replace the existing club house building and the refurbish the indoor bowls rink, including recladding the external walls and replacing the roof. access to the bowls club and car parking arrangements would remain the same.

The new bowls club building would be of brick construction, following a similar footprint and location as the existing building.

Site Access

The existing access point at the south eastern corner of the site would be reused to serve the new dwellings and provide access only to the bowls club parking area.

The access would be reconstructed with a 6m width and sufficient radii either side to accommodate refuse vehicles.

Vehicles would exit the bowls club parking area by the existing access located to the west of the site frontage.

It is noted that the parked vehicles partially obstruct the available sightlines for vehicles turning vehicles are likely to be more difficult. However, given likely slow traffic speeds and low volume of traffic on this section of the road and as the accesses are existing this is not considered a major cause of concern.

Overall, I have no major concerns regarding the proposed access arrangement; however the access required to serve the proposed dwellings and bowls club parking area will require reconstructing in accordance with ESCC specification by an approved contractor under the appropriate license.

It is noted that the widening of the access will impact on the parking bays marked out on the north side of Knole Road. This area is covered by the Rother Civil Parking Order and so the bays are for residents or max 2-hour parking. A Traffic Regulation Order will therefore be required to shorten one or both of the parking bays wither side of the access and to extend the double yellow lines across the site access. A financial contribution of £5k is required to process the TRO.

Parking

Each dwelling is to be provided with one allocated parking space with four additional visitor spaces provided alongside the access route at the front of the site.

The proposed level of parking (12 spaces in total) meets the requirements as determined under the ESCC Parking Demand Calculator; however, it should be noted that each parking space should meet the minimum dimensions of 2.5m x 5.0m.

The Council encourages developers to include charging facilities for electric vehicles at all properties with off-street parking in accordance with current standards and codes of practise as and when they become available.

Car parking for the bowls club will be unchanged and will continue to be provided in an informal arrangement alongside the vehicular route which runs through the site parallel to Knole Road.

Each dwelling will also be provided with a covered cycle shed with garden area.

On-Site Turning

A courtyard area is to be provided which accommodates the allocated parking spaces (8 in total) and a turning area of sufficient size to enable large (refuse and emergency) vehicles to manoeuvre.

Tracking drawings have been provided to demonstrate that refuse vehicle turning can be accommodated within the site; however, the vehicles dimensions have not been specified.

With this in mind the RDC Waste Collection team should be consulted on whether refuse vehicles would enter the site or alternatively collect from the roadside. Should roadside collection be required then a communal waste storage/collection should be provided in a location that satisfies that maximum carry distance for residents and refuse collectors.”

RDC Waste and Recycling Team have been consulted throughout the course of the application and raised no objection to the scheme, stating that

“the waste contractor has advised that the plans look good, and the turning circle looks efficient to turns providing its clear of parked cars.”

The refuse and recycling and collection arrangements for the bowls club would remain the same as existing.

Traffic Generation and Highway Impact

In terms of traffic generation, the bowls club daily would remain the same as existing. The level of traffic likely to be generated by the 8 x 2 bedroom cottages is likely to be relatively low, with approximately four trips during AM and PM peak hours of the day. I am satisfied this would not have a material impact upon the local highway network.

Highways Conclusion and Conditions

Overall, I have no major concerns regarding the development proposal. However, I recommend that any consent should take into account the above comments and include conditions.”

8.10 Other matters

8.10.1 Throughout the course of the application, comments were received from the Cantelupe Community Association in respect of the size of the site and it was considered that the application should be considered as a ‘Major’ application: *“The land area of the application site is stated as being 0.48 hectares. The application is for eight houses and a new access road as well as for a new larger clubhouse for the bowls club and alterations to the dominant indoor bowls rink building. It therefore covers the entire site of 0.74 hectares”.*

8.10.2 A planning application involving new dwellings is a major application if the number of dwellings to be constructed is 10 or more; or if the number of dwellings is not provided in the application, the site area is 0.5 hectares or more. The following is also taken into consideration in the decision to classify a development as major or not:

- The area of the site is defined as the area directly involved in some aspect of the development (usually outlined on the plan).
- If the area involved in a development is split into two parts by a classified road it should still be considered as one site. The area occupied by the road should not be included in the site area.
- The floorspace of a building is defined as the total floor area within the building, which is measured externally to the external wall faces at each level. Basement car parks, rooftop plant rooms, caretakers, flats etc. should be included in the floor space figure.
- Where a major development is subject to a change of use application it should be coded as a major development, not as a change of use, for example converting a warehouse into 12 flats.

8.10.3 While it is acknowledged that the entire site measures 0.7 hectares, the red line boundary of the site (where the proposed works would be undertaken), does not exceed the 0.5-hectare threshold. The application therefore constitutes minor development.

- 8.10.4 During public consultation, comments were received in respect of the potential presence of asbestos within the Bowls club. Environmental Health was consulted on this aspect who provided the following comments:

“We have visited Gullivers Bowls Club a number of times over the years, but not in relation to ACM and no concerns have been raised to us concerning ACM at the property. However, under Regulation 4: (Duty to manage asbestos) of the Asbestos Regulations 2021 the owner of the premises should hold an asbestos register for the property which would identify any ACM in the building. If an asbestos survey of the building has not been conducted it would be prudent to require one.”

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposal is considered to satisfy the requirements of Policy BEX5, is of an acceptable scale and design for the site, proximity to listed buildings and adjacent conservation area and would have an acceptable impact upon neighbouring amenity, the highways and drainage network. A good standard of residential accommodation has been provided. No objection is raised in respect of arboriculture or ecology matters. The application is therefore recommended for approval, subject to the imposition of conditions.

RECOMMENDATION: GRANT FULL PLANNING PERMISSION

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 drawings:
6729/100/1/C dated November 2021
6729/100/2/C dated November 2021
2355/SU-01 dated September 2005
6729/8/D dated May 2021
6729/9/C dated May 2021
6729/10/C dated May 2021
6729/7/C dated May 2021
6729/100/LBP/B dated June 202
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No above ground works shall commence until details of the following have been submitted and approved by the Local Planning Authority, and the development shall thereafter be completed in accordance with the approved details:
 - a) 1:10 scale drawings of proposed details including gable pediment projection to bowls pavilion; fenestration and eaves details for housing and bowls club buildings, and porches, rooflights and clocktower to housing.

The houses shall be constructed in accordance with the architectural details shown on approved Drawing No. 6729/8/D unless otherwise approved in writing by the Local Planning Authority.

- b) Samples of the materials to be used in the construction of all external faces of the buildings (housing and bowls club buildings).
- c) The proposed site levels and finished floor levels of all buildings in relation to existing site levels, and to adjacent highways and properties.

Reason: To ensure a high building appearance and architectural quality, which reflects the character of the town, in accordance with Policy EN3 of the Rother Local Plan Core Strategy and the National Planning Policy Framework.

- 4. Notwithstanding the details on the approved Layout Drawing No. 6729/7/C, no above ground works shall commence until the following public realm and hard landscaping details have been submitted and approved by the Local Planning Authority, and the development shall thereafter be carried out as approved and in accordance with an agreed implementation programme.
 - a) Boundary treatments and any other means of enclosure (fences, railings and walls) indicating the locations, type, design, height, and materials of such. This shall include the provision of a brick garden wall to the southern rear garden boundary of Plot 08.
 - b) Hard surfacing materials (including road surfaces, parking spaces and other areas of hardstandings).
 - c) Minor artefacts and structures (e.g. bins, sheds, bike and refuse stores).Reason: To ensure the creation of a high-quality public realm, design quality, and landscape setting, in accordance with Policy EN3 and EN1 of the Rother Local Plan Core Strategy.

- 5. No above ground works shall commence until the following soft landscaping details have been submitted and approved by the Local Planning Authority, and the development shall thereafter be carried out as approved and in accordance with an agreed implementation programme.
 - a) Indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development.
 - b) Planting plans, including landscape and ecological mitigation (buffer planting and green buffers).
 - c) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
 - d) Details for implementation, including written specifications for cultivation and other operations associated with plant and grass establishment.Reason: To ensure the creation of a high quality public realm and landscape setting in accordance with Policies EN1 and EN3 of the Rother Local Plan Core Strategy.

- 6. If within a period of 10 years from the date of the planting of any tree, that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
Reason: To enhance the appearance of the development in accordance with Policies EN1 and EN3 of the Rother Local Plan Core Strategy.

7. Prior to the commencement of development, a detailed surface water drainage system shall be submitted in support to and approved in writing by the Local Planning Authority. The surface water drainage system shall incorporate the following:
- a) Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to 2 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.
 - b) The details of the outfall of the proposed drainage system and how it connects into the sewer shall be submitted as part of a detailed design including cross sections and invert levels.
 - c) The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
 - d) The detailed design of the surface water drainage features (underground tank) shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed tank. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided

Reason: A pre-commencement condition is required as the very nature of surface water drainage schemes can require works to be put in place prior to any other above ground development being undertaken. To control the quality and rate of run-off in relation to surface water drainage thereby protecting water quality and reducing local flood risks in accordance with Policies SRM2 (iii) and EN7 (iii) of the Rother Local Plan Core Strategy and paragraphs 163 and 165 of the National Planning Policy Framework with accompanying ministerial statement of December 2014.

8. A maintenance and management plan for the entire drainage system shall be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:
- a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
 - b) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development These details shall submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development.

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 paragraph 165 of the National Planning Policy Framework with accompanying ministerial statement of December 2014.

9. The Applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.

Reason: To control the quality and rate of run-off in relation to surface water drainage thereby protecting water quality and reducing local flood risks in accordance with Policies SRM2 (iii) and EN7 (iii) of the Rother Local Plan Core Strategy and paragraphs 163 and 165 of the National Planning Policy Framework with accompanying ministerial statement of December 2014.

10. Prior to the occupation of the development evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: The full implementation of the approved scheme 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 paragraph 165 of the National Planning Policy Framework with accompanying ministerial statement of December 2014.

11. No development shall take place until an ecological design strategy (EDS) addressing enhancement of the site for biodiversity through the provision of bird, bat and insect boxes, and the use of native species and/or species of known wildlife value in the landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures; and
- j) details for disposal of any wastes arising from works. The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 170 and 175 of the National Planning Policy Framework, and Policy EN5 of the Rother Local Plan Core Strategy 2014.

12. No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved drawing and the details agreed at Outline stage.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, in accordance with Policies CO6 and TR3 of the Rother Local Plan Core Strategy and DHG12 of the Development and Site Allocations Local Plan.

13. The development shall not be occupied until parking areas have been provided in accordance with the approved plans which have been submitted

to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas 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, TR3 and TR4 of the Rother Local Plan Core Strategy and DHG12 of the Development and Site Allocations Local Plan.

14. 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 and TR4 of the Rother Local Plan Core Strategy.

15. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area(s) 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 SMR1 and TR2 of the Rother Local Plan Core Strategy and DHG7 of the Development and Site Allocations Local Plan.

16. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policies CO6, TR3 and TR4 of the Rother Local Plan Core Strategy and DHG12 of the Development and Site Allocations Local Plan.

17. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway

Reason: In the interest of highway safety and for this benefit and convenience of the public at large in accordance with Policies CO6, TR3 and TR4 of the Rother Local Plan Core Strategy and DHG12 of the Development and Site Allocations Local Plan.

18. Before building commences, the new estate roads shall be completed to base course level, together with the surface water and foul sewers and main services to the approval of the Planning Authority in consultation with the Highway Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large in accordance with Policies CO6, TR3 and TR4 of the Rother Local Plan Core Strategy and DHG12 of the Development and Site Allocations Local Plan.

19. No part of the development shall be occupied until the road(s), footways and parking areas serving the development have been constructed, surfaced,

drained and lit in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development in accordance with Policies CO6, TR3 and TR4 of the Rother Local Plan Core Strategy and DHG12 of the Development and Site Allocations Local Plan.

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

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

Reason: These details are required prior to commencement of any works to ensure highway safety and to protect the amenities of adjoining residents during construction in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

21. The development hereby permitted must be carried out in accordance with the recommendations contained within the submitted Arboricultural Impact Assessment and Method Statement dated May 2021.

Reason: To ensure that the development does not unduly impact the nearby trees in accordance with Policy EN3 (ii) (e) of the Rother Local Plan Core Strategy.

NOTES:

1. The Applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees, scrub and buildings are likely to contain nesting birds between 01 March and 31 August inclusive. These habitats are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
2. The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards.

3. The Applicant is advised to contact the Transport Development Control Team (01273 482254) to commence the process associated with the proposed Traffic Regulation Order. The Applicant would be responsible for meeting all costs associated with this process which is a minimum of £5000. The Applicant should note that the outcome of this process cannot be guaranteed as it is open to public objection.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. 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.