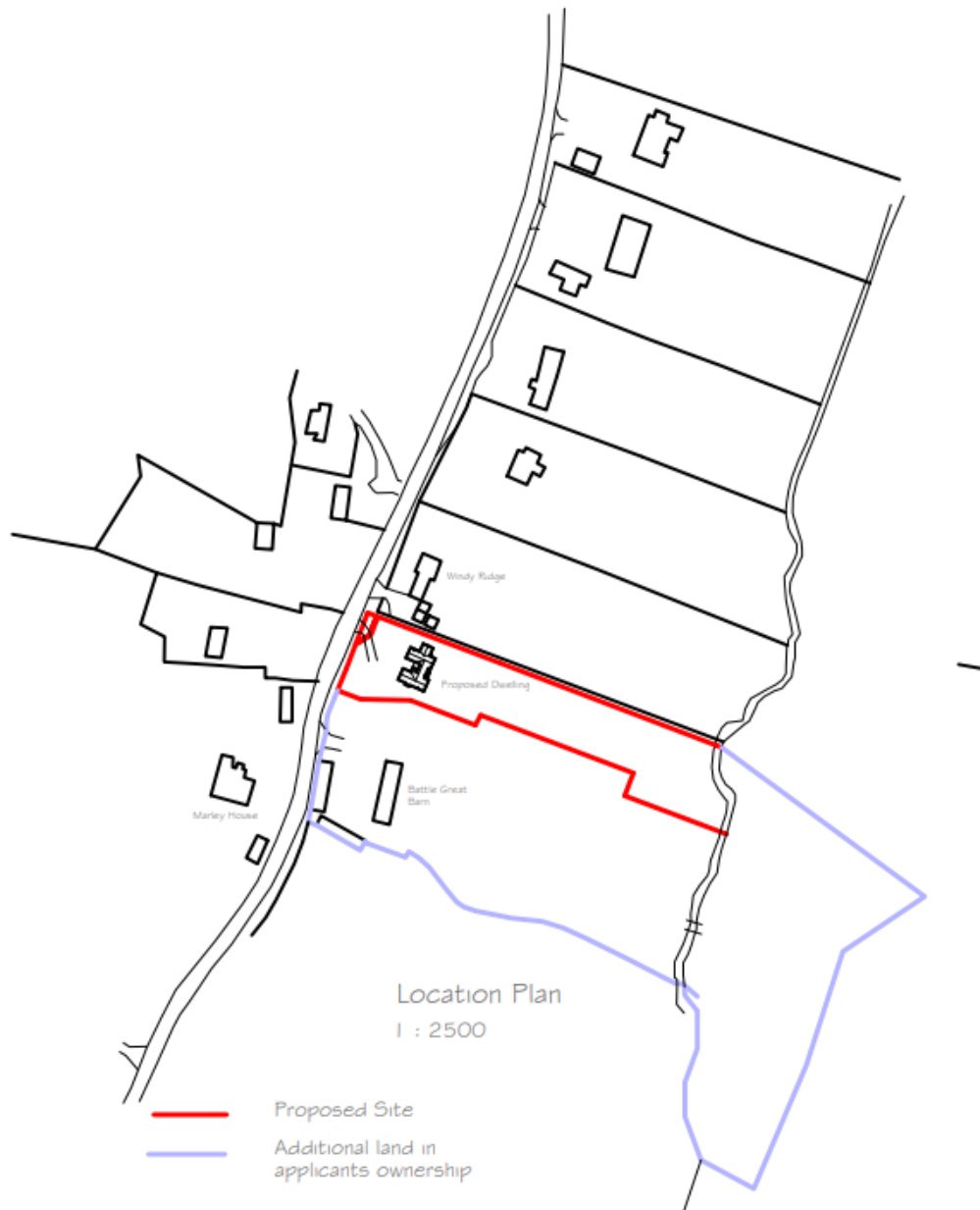


SITE PLAN

RR/2020/240/P

BATTLE

Battle Great Barn – Land adj  
Marley Lane



## Rother District Council

Report to - Planning Committee  
Date - 23 June 2022  
Report of the - Director - Place and Climate Change  
Subject - Application RR/2022/240/P  
Address - Battle Great Barn - Land adj, Marley Lane  
Battle  
Proposal - Erection of new dwelling.

[View application/correspondence](#)

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**RECOMMENDATION:** It be **RESOLVED** to **REFUSE (FULL PLANNING)**

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**Director: Ben Hook**

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**Applicant:** Mr Neil Mortimer  
**Agent:** Mr Neil Mortimer  
**Case Officer:** Miss Katie Edwards  
(Email: [katie.edwards@rother.gov.uk](mailto:katie.edwards@rother.gov.uk))

**Parish:** Battle  
**Ward Members:** Councillor K.P. Dixon

**Reason for Committee consideration:** Referred by Director – Place and Climate based on a request from the Ward Members

**Statutory 8-week date:** 30 March 2022  
**Extension of time agreed to:** 30 June 2022

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This application is included in the Committee site inspection list.

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### **1.0 SUMMARY**

- 1.1 The proposed development would cause harm to the Area of Outstanding Natural Beauty (AONB), the openness of the green gap designated within the Battle Civic Parish Neighbourhood Plan (BCPNP) and the setting of the Grade II listed Battle Great Barn. The development would also represent the creation of a new unjustified dwelling in the countryside contrary to the spatial strategy for Battle and the district as a whole, the location of the site is unsustainable, and the development would harm the privacy of the neighbouring dwelling to the north.
- 1.2 The proposed development does not comply with Rother Local Plan Core Strategy, Development and Site Allocations Local Plan or Neighbourhood

Plan policies or the various provisions contained within the National Planning Policy Framework. For the reasons explained the application cannot be supported.

### 1.3 PROPOSAL DETAILS

PROVISION	
No of houses	1
No of affordable houses	0
CIL (approx.)	£62,777
New Homes Bonus (approx.)	£6,684

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## 2.0 SITE

- 2.1 This application relates to land to the north of the Grade II listed Battle Great Barn. The site sits outside of any development boundary and is within the High Weald AONB. A public right of way footpath crosses the field to the east of the site.
- 2.2 The listing for Battle Great Barn is as follows:  
*'Dated 1729/30. Timber-framed building faced with weatherboarding. Hipped thatched roof'.*
- 2.3 The site is around 2km from the centre of Battle and 0.8km from the edge of the town's development boundary as defined in the BCPNP.

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## 3.0 PROPOSAL

- 3.1 Permission is sought to erect a detached 4-bedroom dwelling in land to the north of Battle Great Barn. The proposal would have a maximum width of 18.5m and a maximum depth of 12.7m. It would have a hipped roof with gable ends over each first-floor window, with a ridge height of 8m. The first floor would serve four bedrooms with four bathrooms and would have four side facing windows, three of which would be serving bathrooms. The dwelling would feature a mixture of materials including facing brickwork and natural lime render to the walls, with plain clay tiles to the roof and oak framed fenestration. The internal area of the development would be 260sqm.
- 3.2 Permeable paved car parking is proposed to the front of the site with an entrance on Marley Lane, there would be two electric car charging points and secure cycle parking.
- 3.3 The accompanying planning statement states that the Applicants would like to live in the new dwelling to act as potential consultants to the vineyard to the south east of the proposed site. They believe the proposal has been developed and designed to some of the most up-to-date criteria for meeting sustainability, ecology, appearance and quality in the UK.
- 3.4 Accompanying the application there are the following statements: Heritage Statement, Design and Access Statement, Planning Statement, Landscaping Details, Assessment of Significance and a Drainage Plan.

## 4.0 HISTORY

- 4.1 RR/2017/2539/P Erection of two detached holiday cabins and one tent – Refused. Appeal allowed.
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## 5.0 POLICIES

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) (Core Strategy) are relevant to the proposal:
- PC1 (presumption in favour of sustainable development)
  - OSS1 (overall spatial development strategy)
  - OSS2 (use of development boundaries)
  - OSS3 (location of development)
  - OSS4 (general development considerations)
  - BA1 (policy framework for Battle)
  - RA2 (general strategy for the countryside)
  - RA3 (development in the countryside)
  - SRM1 (towards a low carbon future) (part (i) was superseded by the Rother District Council Development and Site Allocations Local Plan)
  - SRM2 (water supply and wastewater management)
  - CO6 (community safety)
  - EN1 (landscape stewardship)
  - EN2 (stewardship of the historic built environment)
  - EN3 (design quality)
  - EN5 (biodiversity and green space)
  - TR3 (access and new development)
  - TR4 (car parking)
- 5.2 The following policies of the [Development and Site Allocations Local Plan](#) (DaSA) are relevant to the proposal:
- DRM1 (water efficiency)
  - DHG3 (residential internal space standards)
  - DHG4 (accessible and adaptable homes)
  - DHG7 (external residential areas)
  - DHG11 (boundary treatments)
  - DHG12 (accesses and drives)
  - DEN1 (maintaining landscape character)
  - DEN2 (AONB)
  - DEN4 (biodiversity and green space)
  - DEN5 (sustainable drainage)
  - DEN7 (environmental pollution)
  - DIM2 (development boundaries)
- 5.3 The following policies of the Battle Civic Parish Neighbourhood Plan (BCPNP) are relevant to the proposal:
- HD1 (development boundaries)
  - HD2 (site allocations)
  - HD4 (quality of design)
  - HD5 (protection of landscape character)
  - HD7 (integration of new housing)
  - HD8 (protection of green gap)

- IN3 (parking and new development)
  - IN4 (pedestrian provision and safety)
  - EN2 (conservation of the natural; environment, ecosystems and biodiversity)
  - EN3 (the High Weald AONB and countryside protection)
  - EN4 (historic environment)
- 5.4 The National Planning Policy Framework, Planning Practice Guidance, High Weald AONB Management Plan 2019 – 2024 and High Weald Housing Design Guide are also material considerations.
- 5.5 In respect of the setting of nearby listed buildings, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to local planning authorities, when considering whether to grant planning permission, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
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## 6.0 CONSULTATIONS

### 6.1 Sussex Newt Officer – **FURTHER INFORMATION REQUIRED**

- 6.1.1 Further information required, holding objection. The development falls within the red impact risk zone for great crested newts where there is a high likelihood of great crested newt presence. They are not satisfied that the Applicant has adequately demonstrated that there will be no impact to the great crested newts or their habitat.

### 6.2 East Sussex County Council Highways – **OBJECTION**

- 6.2.1 Whilst visibility splays of 2.4 x 120m have been provided, the splay to the south is measured to the far side of the road not the nearside, which is a general requirement. Resulting in a large envelope of road to the south which would remain obscured where approaching northbound vehicles, especially motorcycle or vehicles overtaking, may not be visible to drivers leaving the new access. This would be a concern and as result the access arrangement as submitted is considered to be unacceptable.

### 6.3 Planning Notice

- 6.3.1 **Two GENERAL COMMENTS** and one **OBJECTION** received, both summarised as follows: Would set a precedent in Marley Lane for more than one house per plot, where the plots are large, some several acres, resulting in the urbanisation of Marley Lane dramatically changing the street scene. Would prefer property to be built further from boundary.

### 6.4 Battle Town Council – **NO OBJECTION IN PRINCIPLE**

- 6.4.1 Battle Town Council have no objection in principle however would suggest additional native hedge and tree species to enhance the road scene.
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## **7.0 LOCAL FINANCE CONSIDERATIONS**

- 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, and the Applicant has stated they wish to claim self-build exemption from the fee, however, the self-build exemption form has not been completed so would need to be done if approval is granted.
- 7.2 The proposal is one that would provide New Homes Bonus (subject to review by the Government). If New Homes Bonus were paid it could, assuming a Band D property, be approximately £6,684 over four years.
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## **8.0 APPRAISAL**

- 8.1 The main issues to consider in the determination of the application include:
- Principle/policy position.
  - Character and appearance, including the landscape and scenic beauty of the AONB.
  - Setting of nearby listed buildings.
- 8.2 Principle/policy position
- 8.2.1 The site is located within an existing loose knit section of ribbon development. However, it is still within the countryside, remote from any town or village or other built up area. It is around 2km from the centre of Battle and its associated, shops, schools and other services, and 0.8km from the edge of the town's development boundary as defined in the BCPNP. The site is within the High Weald AONB which has the highest status of protection in relation to landscape and scenic beauty.
- 8.2.2 Being outside the development boundary, the proposal is contrary to Policy OSS2 of the Rother Local Plan Core Strategy, which advocates that development boundaries around settlements will continue to differentiate between areas where most forms of new development would be acceptable and where they would not. This is supported by Policies HD1 (development boundaries) and HD2 (site allocations) of the BCPNP which indicate new housing development is not acceptable in this location. It is also the case that the site is some distance (0.8km) from the edge of the settlement of Battle and therefore is not in line with the spatial strategy of the Rother Local Plan Core Strategy.
- 8.2.3 The meaning of the word 'isolated' has been subject to scrutiny in the Bramshill judgement. This clarified that 'isolated' should be given its ordinary objective meaning of 'far away from other places, buildings or people; remote', as per paragraph 42 of the Braintree case. It also confirmed that the decision maker is required to consider whether a proposed development would be physically isolated, in the sense of being isolated from a settlement. Whether a proposed dwelling is, or is not, 'isolated' in this sense, is a matter of fact and planning judgement for the decision maker in the circumstances of the case. The small ribbon of development to the north of the site does not constitute a settlement and therefore the location is considered 'isolated' in terms of paragraph 80 of the National Planning Policy Framework.

- 8.2.4 There are no footpaths along the road and the development would not be well located in terms of access to public transport and services. Therefore, future occupiers are likely to be reliant on private vehicles and as such would be contrary to the relevant planning policy aims that seek to minimise the need to travel and to support the transition to a low carbon future. For the reasons explained the site is considered to occupy an unsustainable location.
- 8.2.5 The accompanying Planning Statement states that the Applicants want to be close to the vineyard and that they potentially may act as consultants to the new owners, however, this is not considered an agricultural use. The proposal is not for agriculture, economic or tourism needs and as such it would be contrary to Policy RA2 of the Rother Local Plan Core Strategy, which provides an overarching strategy for new development in the countryside. Furthermore, as the new dwelling would not be to support farming and other land-based industries, re-use existing agricultural buildings, or provide affordable housing (an exception site) the planning application proposal would not meet the criteria for development in the countryside set out by either Policy RA2 or RA3 of the Rother Local Plan Core Strategy.
- 8.2.6 Policy SRM1 of the Rother Local Plan Core Strategy and Policy DRM2 of the DaSA seek to support low carbon and renewable energy development. The accompanying Planning Statement details how the oak frame would be sustainably produced and that the building would have highly insulated panels and triple glazing. There would be a solar panel powered electric charge point and ground source heat pump for underfloor heating in the dwelling as well as using a rainwater harvesting tank. Whilst these are positive attributes, they do not outweigh the other planning issues and the unsustainable location of the development.
- 8.2.7 The site is not intrinsically linked to the existing dwelling, Battle Great Barn and therefore would amount to a new dwelling in the AONB countryside outside of the development boundary, contrary to policy.
- 8.3 Character and appearance
- 8.3.1 The site falls within the countryside and AONB where both local and national planning policies seek to ensure that development respects the open countryside, including the following policies.
- 8.3.2 Policy OSS4 (iii) of the Rother Local Plan Core Strategy requires all development to respect and not detract from the character and appearance of the locality.
- 8.3.3 Policy EN1 (i) of the Rother Local Plan Core Strategy requires development to protect and enhance the landscape and scenic beauty of the AONB which is supported by paragraph 176 of the National Planning Policy Framework.
- 8.3.4 Policy HD7 of the BCPNP requires that proposals for new housing must ensure that the new homes are visually integrated with their surroundings and well connected to the community and its shops and facilities.

- 8.3.5 The High Weald AONB is characterised by green rolling countryside, of a pastoral nature, punctuated by small areas of woodland, small towns, villages and hamlets. The application site lies in an open countryside setting, away from any established settlement, although it is acknowledged there is a small ribbon of residential development to the north. There is also a large area of ancient woodland to the east of the site. There are no footways or street lighting in the rural lane.
- 8.3.6 The site of Battle Great Barn is substantial in size measuring almost 90m in width and 170m in length. There are residential properties to the north and on the opposite side of the road. The spacious size of the plot contributes to the loose knit character of the locality.
- 8.3.7 It is important to note that within the BCPNP, the application site is part of the green gap designated within the parish. Policy HD8 of the BCPNP states that within the green gap, development will only be supported if it is unobtrusive and maintains the openness of the area.
- 8.3.8 The dwelling would be substantial in scale. It would measure 18.5m in width, 12.7m in depth and 8m in height. It would have four bedrooms and four bathrooms with two living areas and two dining areas, it is considered to be well in excess of what would be necessary for an agricultural dwelling for overseeing the vineyard.
- 8.3.9 Paragraph 80 (e) of the National Planning Policy Framework states that isolated homes in the countryside may be acceptable if they are of exceptional design quality, which would enhance the immediate setting and be sensitive to the defining characteristics of the local area. The proposed dwelling would introduce a large-scale domestic style development urbanising the site and detract from the loose knit character of the existing ribbon of development and would be out of character with the defining rural characteristics of the local area, thus causing harm to the rural character of the area and the landscape and scenic beauty of the AONB.
- 8.3.10 The development would represent an intrusion of residential development in a rural, countryside setting which would considerably harm the landscape and scenic beauty of the AONB and openness of the green gap, contrary to Policies OSS4 (iii), BA1 (i), RA2 (viii), RA3 (v) and EN1 (i) (v) of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the DaSA, Policies HD5, HD7, HD8 and EN3 of the BCPNP and paragraph 176 of the National Planning Policy Framework, which requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs which have the highest status of protection in relation to these issues.
- 8.4 Setting of listed building
- 8.4.1 Policy EN2 of the Rother Local Plan Core Strategy states that development affecting the historic built environment, including that both statutorily protected and the non-statutorily protected, will be required to (iii) preserve, and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric and materials, including forms specific to historic building typologies.



- 8.4.2 Policy EN4 of the BCPNP states that heritage assets in the Parish and their settings, including designated heritages such as listed buildings, will be preserved and enhanced for their historic significance, including the contribution made by their settings and their importance to local distinctiveness, character and sense of place.
- 8.4.3 Paragraph 197 of the National Planning Policy Framework states:  
*In determining applications, local planning authorities should take account of:*
- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
  - b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
  - c) *the desirability of new development making a positive contribution to local character and distinctiveness.*
- 8.4.4 Paragraph 199 of the National Planning Policy Framework states:  
*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 8.4.5 Battle Great Barn is a Grade II listed building, a designated heritage asset, which has been converted to a dwelling. It is timber framed, has weatherboard elevations and a hipped thatched roof. The barn fronts the southeast side of Marley Lane. To the north of the barn sits the application site consisting of maintained lawns with post and rail fencing with some screening to the front of the site however can be clearly viewed from the roadside and from the listed building. Beyond the vineyard to the rear is ancient woodland. The barn is visible from the public footpath to the rear and from the roadside.
- 8.4.6 The listed building with its traditional barn appearance is characterised by the open lawns and fields to either side, which separate the dwellings giving them a spacious and isolated feel. The proposed development would incorporate a new man-made feature into the landscape with associated driveway and parking area, together with inevitable external domestic paraphernalia. These changes to the landscape would erode and cause harm to the rural setting of the listed barn.
- 8.5 Other issues
- Biodiversity*
- 8.5.1 The field has mature, native hedgerows and trees on its boundaries which are designated as historic field boundaries in terms of AONB features. There is also an area of ancient woodland to the east of the field. The ecology strategy outlines the main wildlife species to consider as bats, birds, badgers, harvest mice, reptiles and invertebrates which are stated as not being present on the site. The site is regularly mown so there is little biodiversity on the lawn.
- 8.5.2 To the front of the property are bushes and trees, where it is stated that dead or poor-quality bushes are to be removed and replaced with new

native hedge and tree species. There would be no issue with this providing that care is taken to ensure that no harm to any wildlife occurs, such as nesting birds. A condition could be added to ensure this.

- 8.5.3 In terms of the adjacent ancient woodland, there should be no negative impacts provided light spillage from the development is avoided.

*Highway safety*

- 8.5.4 Policy CO6 (ii) of the Rother Local Plan Core Strategy requires all development avoids prejudice to road and/or pedestrian safety. Policy DHG12 of the DaSA provides that proposals for new drives and accesses will be supported where (i) they are considered acceptable in terms of highway safety, including for pedestrians and cyclists.

- 8.5.5 Marley Lane is subject to the national speed limit (60mph) where visibility splays of 2.4m x 215m are required. The Applicant has provided splays of 2.4m x 120m as they state that three recent speed surveys have the average speed of 42.1mph. East Sussex County Council Highways were consulted on this application and have concerns with the visibility splays. The splay to the south of the access is measured to the far side of the carriageway rather than the nearside, which is the general requirement. Therefore, as a tangent splay has not been provided to the nearside of the carriageway and so there is a large envelope of the road to the south of the Battle Great Barn access, which would remain obscured where approaching northbound vehicles, especially motorcycle or vehicles overtaking, may not be visible to drivers leaving the new access. This would be a concern and as result the access arrangement as submitted is considered to be unacceptable.

*Living conditions of neighbouring properties*

- 8.5.6 Policy OSS4 of the Rother Local Plan Core Strategy states that 'all development should meet the following criteria: (ii) It does not unreasonably harm the amenities of adjoining properties'.

- 8.5.7 The proposal would be situated just over 30m from Battle Great Barn so would not affect the property in terms of loss of light or overlooking.

- 8.5.8 The nearest neighbouring property likely to be impacted by the proposed development is 'Windy Ridge' to the north. The proposed dwelling would be sited around 4.9m from the neighbouring boundary. There is some vegetation screening on the boundary and more planting is proposed within the application site. There would be a first-floor window serving a bedroom facing this neighbours rear garden, which would create a new level of overlooking which doesn't currently exist. This would be unacceptable as despite some boundary screening as this hedge could be removed and the privacy of the neighbour lost.

*Living conditions of occupiers*

- 8.5.9 In terms of housing standards, the proposed dwelling would exceed the nationally described space standards, providing around 229m<sup>2</sup> of floor space. A condition would need to be added to any permission to ensure the dwelling is built to Building Regulations M4(2) accessible and adaptable dwellings standards in line with DaSA DHG4. DaSA DHG7 requires rear

gardens to normally measure at least 10m in length. The rear garden would be in excess of 10m in length.

*Affordable housing*

- 8.5.10 In Battle, 25% on site affordable housing is required on schemes of 10 or more dwellings or 0.3 hectares or more. The site measures 0.45 hectares in area and therefore is liable for affordable housing. However, none is proposed and only one unit would be provided.

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## **9.0 PLANNING BALANCE AND CONCLUSION**

- 9.1 The Council has currently only 2.89 years of a required 5-year housing supply which means that the presumption in favour of sustainable development outlined in paragraph 11 d) of the National Planning Policy Framework is applicable to Rother unless, i) the application of policies in the National Planning Policy Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.
- 9.2 In line with paragraph 11 d) i) of the National Planning Policy Framework, the identified harm to the AONB provides a clear reason for refusing the development proposed.
- 9.3 In terms the harm to the setting of the Grade II listed Battle Great Barn, given that this is less than substantial, paragraph 202 of the National Planning Policy Framework directs that this harm should be weighed against the public benefits of the proposal. The proposal would provide one dwelling, which would do little to improve the housing land supply position within the district. It is acknowledged that there would also be some short-term economic benefits from construction. However, these benefits are not considered to outweigh the harm to the setting of the listed barn.
- 9.4 On top of the harm to the AONB and setting of the listed barn, the development has been found to represent the creation of a new unjustified dwelling in the countryside contrary to the spatial strategy for Battle and the district as a whole, in a location which is unsustainable.
- 9.5 Insufficient visibility is proposed in respect of the new access. The development would add a new level of overlooking to the northern neighbour with the addition of a first-floor window situated just under 5m from the neighbouring curtilage.
- 9.6 The proposed development does not comply with the Rother Local Plan Core Strategy, DaSA or BCPNP policies or the various provisions contained within the National Planning Policy Framework. For the reasons explained the application cannot be supported.

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

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## REASONS FOR REFUSAL:

1. The site lies outside of the defined development boundary for Battle as set out in the Battle Civil Parish Neighbourhood Plan (BCPNP). The proposal would conflict with the overall spatial strategy set out in Policies OSS2, OSS3 and BA1 of the Rother Local Plan Core Strategy and Policies HD1 (development boundaries) and HD2 (site allocations) of the BCPNP, which seek opportunities within the development boundary of the town. The site is 0.8km from the edge of Battle and fails to meet the spatial strategy policy requirements of the district. In addition, the proposed development does not meet any of the exceptions for providing new dwellings in the countryside under Policy RA3 (iii) of the Rother Local Plan Core Strategy or those for isolated new homes listed in paragraph 80 of the National Planning Policy Framework.
2. The application site is part of a lawned field which contributes positively to the rural character of its surroundings. The proposed dwelling would have an urbanising impact, with associated driveway and parking area, together with inevitable external domestic paraphernalia. The development would encroach on the openness of the green gap designation of the Battle Civil Parish Neighbourhood Plan (BCPNP). The development would represent an unjustified intrusion of residential development in a rural, countryside setting which would fail to conserve or enhance the landscape and scenic beauty of the High Weald AONB, contrary to Policies OSS4 (iii), BA1 (i), RA2 (viii), RA3 (v) and EN1 (i) (v) of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the Development and Sites Allocation Local Plan (2019), Policies HD5, HD7 and EN3 of the BCPNP and paragraph 176 of the National Planning Policy Framework.
3. The site lies within an unsustainable countryside location where occupiers of the development would be highly reliant on private motor vehicles and would not be able to make the fullest possible use of public transport, walking and cycling to access local services and facilities. The development is contrary to Policies PC1, OSS3 (v), SRM1 (vii) and TR3 of the Rother Local Plan Core Strategy (2014), Policy IN4 of the Battle Civil Parish Neighbourhood Plan and paragraphs 8 and 110 (a) of the National Planning Policy Framework which seek to minimise the need to travel and to support the transition to a low carbon future.
4. Having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposed works, by virtue of the incorporation of a new man-made feature into the landscape within the setting of the Grade II listed Battle Great Barn. The change to the landscape would erode and cause harm to the rural setting of the listed barn currently characterised by open lawns and fields to either side, which gives it a spacious and isolated feel, adversely affecting the setting and special architectural and historic character and interest of the listed building as a designated heritage asset, and as such would be contrary to Policy EN2 of the Rother Local Plan Core Strategy, Policy EN4 of the Battle Civil Parish Neighbourhood Plan and paragraphs 197 and 199 of the National Planning Policy Framework.
5. The first-floor window on the northern side elevation would directly overlook the rear garden of the neighbouring property 'Windy Ridge' to an

unacceptable extent and would adversely impact on the living conditions of the occupiers' contrary to Policy OSS4 (ii) of the Rother Local Plan Core Strategy.

6. The development would be served by vehicular access with substandard visibility splays in the south direction due to the alignment of the road. The proposed development would result in additional vehicle movements to and from the site which would prejudice highway safety, contrary to Policy CO6 (ii) of the Rother Local Plan Core Strategy.

**NOTE:**

1. This decision notice relates to the following set of plans:  
Site Block Plan, Drawing No. NH001/03, dated Jan 2022  
Proposed Site Plan and Sections, Drawing No. NH001/02, dated Jan 2022  
Proposed Elevations and Floor Plans, Drawing No. NH001/02, dated Jan 2022  
Proposed Landscaping Plan, Drawing No. NH001/05, dated Jan 2022  
Proposed Drainage Strategy, Drawing No. NH001/06, dated Jan 2022  
Proposed Visibility Splays, Drawing No. NH001/07, dated Jan 2022  
Heritage Statement  
Design and Access Statement  
Planning Statement  
Landscaping Details  
Assessment of Significance

**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 by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme.