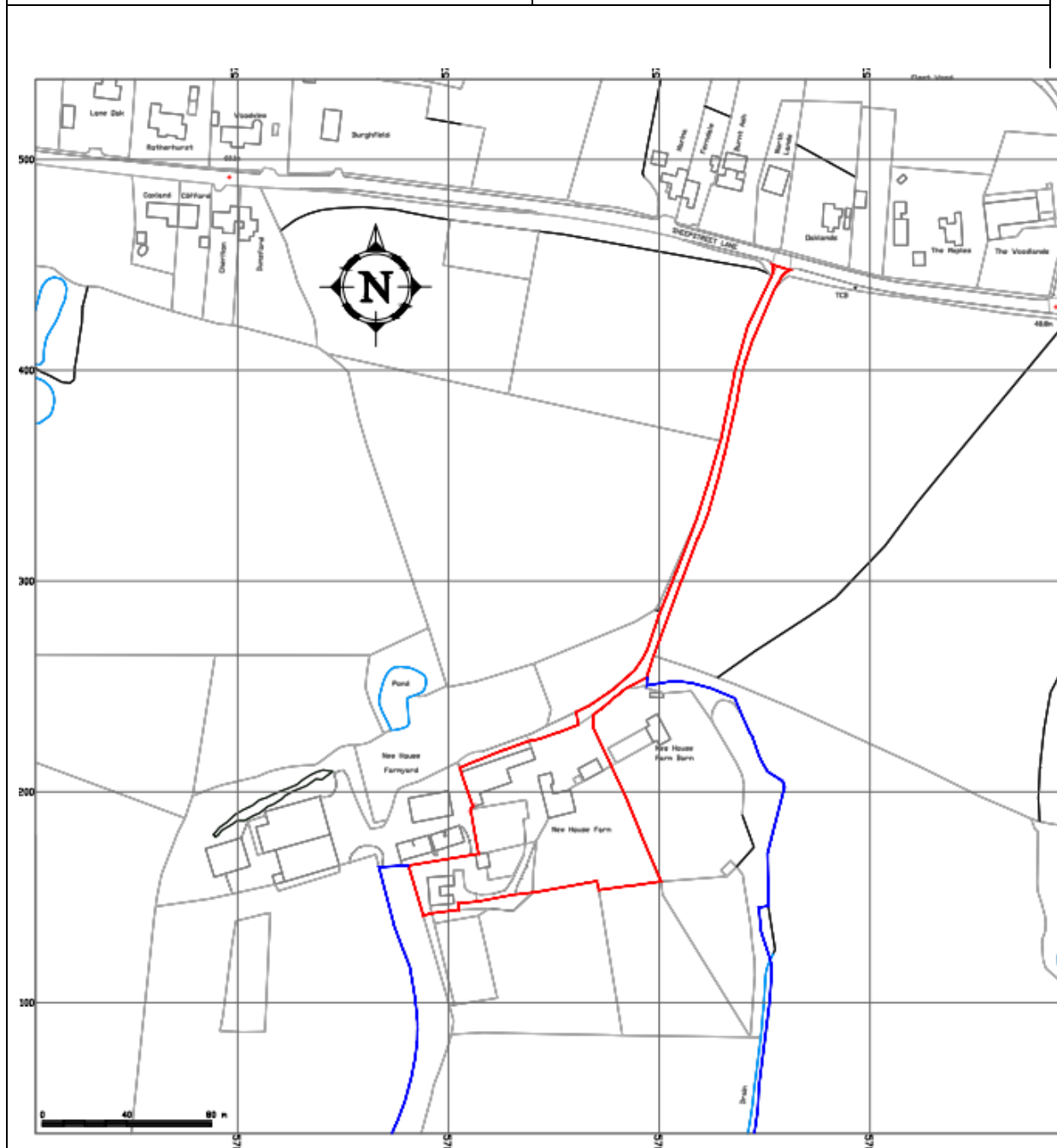


ETCHINGHAM

New House Farm  
Sheepstreet Lane



## Rother District Council

Report to	-	Planning Committee
Date	-	23 June 2022
Report of the	-	Director - Place and Climate Change
Subject	-	Application RR/2021/1573/P
Address	-	New House Farm, Sheepstreet Lane, Etchingham ETCHINGHAM
Proposal	-	Change of use of dwelling and land at New House Farm to mixed use of dwelling and holiday accommodation with inclusion of separate site managers' accommodation within the dwelling. Use of curtilage listed barn by resident guests of the holiday lets and by occupants and guests of the house at New House Farm. (Retrospective)

[View application/correspondence](#)

---

**RECOMMENDATION:** It be **RESOLVED** to **GRANT (FULL PLANNING)** subject to conditions

---

**Director: Ben Hook**

---

**Applicant:** Mr J. Carter  
**Agent:** Speer Dade Planning Consultant  
**Case Officer:** Mrs S. Shepherd  
(Email: [sarah.shepherd@rother.gov.uk](mailto:sarah.shepherd@rother.gov.uk))

**Parish:** ETCHINGHAM  
**Ward Members:** Councillors J. Barnes and Mrs E.M. Kirby-Green

**Reason for Committee consideration:** Councillor referral: There are inconsistencies between the planning and listed applications/plans. Impacts from the use on neighbours.

**Statutory 8-week date: 1 November 2021**  
**Extension of time agreed to: 30 June 2022**

---

This application is included in the Committee site inspection list.

---

### 1.0 SUMMARY

- 1.1 This application seeks planning permission for a mixed use at the site to enable the house to remain in use as a dwelling or be used as holiday accommodation, with an integral managers' flat. In addition the application

details the proposed extended use of the curtilage listed barn and other external areas of the grounds, which include the gardens, swimming pool, treatment room (with extension), manège area, yoga deck, hot tub and parking areas.

- 1.2 The site currently has planning permission for seven holiday lets, (only six have been completed), within various outbuildings and parking. The use of the curtilage listed barn is currently restricted to use by the occupiers of the holiday lets. There are no other conditions with regard to use of any external areas or management of the site.
- 1.3 The house could be let separately as holiday accommodation without needing planning permission. Anyone can advertise their home as short term holiday let. However, in this instance the house has been advertised as part of a complex, with bookings for individual lodges or collective units enabling group stays. The site is also advertised as a 'rural retreat' offering yoga, pilates and fitness camps, meditation and wellbeing escapes and as a venue for business groups. The use of external caterers is also offered. It is thus considered that the use of the site has evolved and materially changed and hence an application has been requested, which enables assessment and consideration of its impacts.

---

## **2.0 SITE**

- 2.1 New House Farm is a grade II listed building, a designated heritage asset, which lies around 270m south of Sheepstreet Lane (C213). It is accessed by a narrow unmade track, which is crossed by a public footpath. The site is outside any defined development boundary within the countryside of the High Weald Area of Outstanding Natural Beauty (AONB).
- 2.2 The site comprises the main dwelling, former farmhouse, a curtilage listed barn and a number of other outbuildings that have been converted into holiday lets. The main barn has previously been granted permission for use as a holiday let in part with the rest providing a communal area in association with the holiday lets at the site. The main dwelling has been used as both a family residence and let as short term holiday accommodation.
- 2.3 The adjacent barn to the east side, old Granary, was sold separately from the rest of the farmstead and has been rebuilt and converted to a dwelling. To the west are a number of barns used for agricultural and commercial uses. To the north lies an area of woodland and a field separating the site from Sheepstreet Lane. Some seven dwellings lie to the north side of Sheepstreet Lane and the site access, around 270m from the site. There are open views to the south over the rolling countryside of the AONB.

---

## **3.0 PROPOSAL**

- 3.1 The application is a full application detailing the use of the site. A separate plan has been submitted that identifies the various areas and buildings on the site, Drawing No. DGC-22062-09, as well as a written schedule of activities and a copy of the 'rental contract terms and conditions'. There are

six specific holiday lets at the site in the various outbuildings as approved in 2016, a 7<sup>th</sup> unit within the curtilage listed barn has not been provided. The listed dwelling house is sought for continued use as an unfettered dwelling or for short term let for holidays as a single unit or in association with the rest of the site and permission is sought for an integral managers' flat within a modern extension of the house.

- 3.2 The curtilage listed barn is currently conditioned for use only by the occupiers of the holiday lets, excluding occupiers of the dwelling (whether the owners or holiday guests), wedding events (including ceremonies and receptions), stag or hen parties, application RR/2015/3143/P refers. Conditions also exist that restrict occupation of the holiday lets for holiday use only. There are no other restrictive conditions on the property.
- 3.3 Use of the swimming pool and immediate gardens by guests is now detailed, as well as proposal to utilise the former manège within the field to the south west of the house for some daytime activities, including yoga/fitness sessions, childrens' play and training/bonding activities by business groups. The plan also identifies 19 parking spaces and leaves space for turning within the site.
- 3.4 The treatment room (for massage/therapy) was converted from a garden outbuilding but has been extended. This is detailed along with the minor works to the listed buildings.

---

#### **4.0 HISTORY**

- 4.1 Recent history comprises the following:
- 4.2 RR/96/1548/L & 1547/P Demolition of existing outshot and erection of single storey extension. Approved conditional.
- 4.3 RR/2000/1177/P Demolition of existing buildings to be replaced with 1. Outbuilding for garaging and 2. Outbuilding for garden equipment store and swimming pool changing room with games room/loft over. Approved conditional.
- 4.4 RR/2000/1222/L Demolition of existing outbuilding. Consent granted.
- 4.5 RR/2015/1757/P Change of use and rebuild of disused agricultural barn to form a single dwelling house. Approved conditional. (now separate ownership).
- 4.6 RR/2015/3143/P Conversion of existing buildings to seven holiday let units and use of barn as a communal area for resident guests only. Approved conditional.
- 4.7 RR/2016/660/L Works relating to conversion of outbuilding to holiday let and use as a communal space for resident guests only. Approved conditional. (Barn).

- 4.8 RR/2018/695/P Variation of Conditions 2 and 5 imposed on RR/2015/1757/P to change the proposed layout including minor changes to the external door and window configuration and extension of the residential curtilage. Approved conditional.
- 4.9 RR/2018/698/P Garden/tractor store. Approved conditional.
- 4.10 RR/2021/1573/P Change of use of dwelling and land at New House Farm to mixed use of dwelling and holiday accommodation with inclusion of separate site managers' accommodation within the dwelling. Use of curtilage listed barn by resident guests of the holiday lets and by occupants and guests of the house at New House Farm. (Retrospective) – to be determined.
- 

## 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)
  - OSS3 (location of development)
  - OSS4 (general development considerations)
  - RA2 (general strategy for the countryside)
  - RA3 (development in the countryside)
  - RA4 (traditional historic farm buildings)
  - SRM2 (water supply and wastewater management)
  - CO6 (community safety)
  - EC4 (business activities elsewhere within the district)
  - EC6 (tourism activities and facilities)
  - EN1 (landscape stewardship)
  - EN2 (stewardship of the historic built environment)
  - 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:
- DEC2: Holiday sites
  - DEC3: Existing employment sites and premises
  - DEN1: Maintaining landscape character
  - DEN2: High Weald AONB
  - DEN7: Environmental pollution
- 5.3 The following objectives from the High Weald Management Plan are relevant to the proposal:
- S1: To reconnect settlements, residents and their supporting economic activity with the surrounding countryside
  - S2: To protect the historic pattern and character of settlement
  - OQ1: To increase opportunities for learning about and celebrating the character of the High Weald

- OQ2: To increase the contribution of individuals and communities to the conservation and enhancement of the AONB
  - OQ3: To develop and manage access to maximise opportunities for everyone to enjoy, appreciate and understand the character of the AONB while conserving its natural beauty
  - OQ4: To protect and promote the perceptual qualities that people value
- 5.4 The National Planning Policy Framework and Planning Policy Guidance are also material considerations. The various provisions contained within the Framework relating to supporting a prosperous rural economy, good design and protecting or enhancing the countryside, AONB, biodiversity and historic environment are also necessary considerations.
- 5.5 Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990, sets out the statutory duty of 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.
- 

## **6.0 CONSULTATIONS**

### **6.1 Environmental Health: NO OBJECTION**

- 6.1.1 Note that:
- Planning permission for holiday lets accommodation is already in place.
  - This application is to formalise the use of the house as part of the planning permission (it has already been used for holiday accommodation and can be rented via various websites).
  - The plans for the site now include quiet zones, such as next to the swimming pool. In this area guests must be quiet after 10pm.
  - Additionally, speakers in the long barn have sound limiters installed.
  - The terms and conditions also address noise management. For example, live bands and DJs are not allowed; weddings are not permitted etc.
- 6.1.2 Noise complaints about the premises have been made, as follows:
- 08/2021: noise from a wedding (loud music, traffic, shouting etc.).
  - 02/2020: noise (potentially from a large-scale event).
  - 12/2019: referral from Planning enforcement – noise from parties.
  - 12/2018: Loud music and shouting (regular basis).
  - 12/2018: Party with fireworks.
- 6.1.3 Environmental Health has responded to these complaints but no evidence has been gathered to show that there are regular noisy events being held at this venue.
- 6.1.4 However, it is accepted that sometimes, residents don't complain for various reasons.
- 6.1.5 Following further discussion, Environmental Health recommends a number of conditions to deal with noise management.

## 6.2 Planning Notice

6.2.1 36 letters of objection have been received (from 18 properties – some repeated following the receipt of additional information). The comments are summarised as follows:

- Increase in traffic on narrow track
- Numbers of guests too large and some non-resident
- Should not permit hiring of whole site by one group
- Too noisy
- Guests do not abide by the 'terms and conditions' they sign up to
- Repeated complaints
- Contradictory information
- Limitations difficult to enforce
- Providing a manager/night watchman acknowledges the unpredictable and disorderly behaviour caused by large groups at the site – as does the defining of 'quiet zones'
- Advance notice of potential disturbance does not mitigate it
- Disturbances are not limited to evenings/night
- Quiet enjoyment and home working at neighbouring property impossible
- Swimming pool should be out of bounds for guests and only used by the resident owner/occupiers of the house
- Peaceful retreats may be acceptable but not other group activities/events, e.g. parties, bouncy castles, falconry displays, fire eating/fireworks
- Breach of existing conditions
- Does not use local business/employees
- Lack of detail for listed building works
- Harmful to the quiet rural character and dark skies of the AONB
- Support letters not from locals

6.2.2 15 letters of support have been received (from 14 properties). The comments are summarised as follows:

- Good for local businesses
- Sells the benefits of nature
- Provides employment
- Is not noisy with lots of traffic
- Visitors to the area are an integral part of the local economy
- Allows others to appreciate the countryside and space
- They are strict about noise and have security on duty to monitor
- Encouraging people to socialise and be active is good
- I live locally and did not know it was there – it should be encouraged

## 6.3 Etchingham Parish Council – **OBJECTION**

6.3.1 Etchingham Parish Council has the strongest possible objection to this application and asks that all original planning conditions and permissions be enforced as swiftly and completely as possible. In summary they consider that:

- application RR/2021/1574L should be considered together with the planning application;
- this change of use is actually a major shift to the business model supporting previous applications;

- this shift has proved hugely detrimental to the neighbours and with an adverse effect on the AONB;
- the 'present' situation this retrospective application seeks is not based on the previous business model or on the reality of the business currently being conducted;
- the Long Barn has seen the installation of a commercial events kitchen and is advertised openly on their website as a dining/party facility for parties of up to 50. This exceeds the accommodation available on site;
- the farmhouse itself is being advertised as eight en-suite bedrooms with a dining facility for 25, not remaining a residential home as previously approved as part of the original business model;
- neighbours' noise and nuisance diaries kept over the last couple of years and date/time stamped CCTV footage is available and much has already been presented to Enforcement during the past few years clearly evidencing the paucity of quiet retreat events claimed to be the only business conducted on site, instead showing examples of pool parties, fire dancing, fireworks, outdoor PA systems and overflow parking in contravention of the approved conditions;
- this property is in a formerly quiet and a beautiful part of the High Weald AONB where this type of business is totally inappropriate and out of place impacting on both fauna and flora; and
- this property is not isolated and its use as an events centre is seriously blighting the lives of neighbours, both immediately adjoining the property, to a further 12 to 15 residential properties along Sheepstreet Lane and as far away as the top of Burgh Hill and to Parsonage Croft off the High Street in the village centre upon occasion.

---

## **7.0 LOCAL FINANCE CONSIDERATIONS**

- 7.1 The proposed holiday use of the dwelling house does not represent a provision of additional residential floorspace and therefore no Community Infrastructure Levy payment is required.
- 7.2 There are no other local financial considerations.

---

## **8.0 APPRAISAL**

- 8.1 The main issues to consider include the impact of the proposal on:
- The local economy
  - The rural character and the landscape and scenic beauty of the AONB
  - The setting of the listed building and the curtilage listed building
  - Highway and pedestrian safety
  - Parking provision
  - Impacts on nearby properties
- 8.2 Economy
- 8.2.1 Policy EC4 states that business activities will be promoted by (i) continuing to give priority to the re-use and adaptation of suitable buildings in the countryside for employment, including for tourism purposes, in accordance with the Rural Areas policies; and (iii) facilitating business activities



operating from residential properties wherever there is no adverse impact on local character and amenities, including by traffic generation. Policy EC6(v) supports the increased supply of quality serviced and self-catering accommodation.

- 8.2.2 Policy RA2 (v) supports rural employment opportunities in keeping with rural character and which are compatible with maintaining farming capacity.
- 8.2.3 Policy DEC3 of the DaSA advises that effective use of existing employment sites will be secured by: (i) land and premises currently (or last) in employment, including tourism use, being retained in such use unless it is demonstrated that there is no reasonable prospect of its continued use for employment purposes or it would cause serious harm to local amenities; (ii) permitting intensification, conversion, redevelopment and/or extension of existing sites and premises where they accord with other policies of the Plan.
- 8.2.4 Paragraph 84 of the National Planning Policy Framework provides support for a) the sustainable growth and expansion of all types of business in rural areas and c) sustainable rural tourism and leisure developments which respect the character of the countryside.
- 8.2.5 The proposed tourist accommodation and use, in general principle, would create employment opportunities and would attract visitors to the local area which would be of benefit to the economy. These are positive factors which weigh in favour of the scheme but do fall to be considered along with all other policy considerations.

### 8.3 Rural character and the AONB

- 8.3.1 Policy OSS4 (iii) requires all development to respect and not detract from the character and appearance of the locality, this is restated in Policy DEN1 of the DaSA.
- 8.3.2 Policy RA2 states that the overriding strategy for the countryside is to (iii) strictly limit new development to that which supports local agricultural, economic or tourism needs and maintains or improves the rural character; (v) support rural employment opportunities in keeping with rural character and compatible with maintaining farming capacity; (vii) support tourism facilities, including touring caravan and camp sites, which respond to identified local needs and are of a scale and location in keeping with the rural character of the countryside; and (viii) generally conserving the intrinsic value, locally distinctive rural character, landscape features, built heritage, and the natural and ecological resources of the countryside.
- 8.3.3 Policy RA3 provides that proposals for development in the countryside will be determined on the basis of (ii) supporting suitable employment and tourism opportunities in the countryside, including by the conversion, for employment use, of farm buildings generally in keeping with the rural character, and by the sensitive, normally small-scale growth of existing business sites and premises; and (v) ensuring that all development in the countryside is of an appropriate scale, will not adversely impact on the landscape character or natural resources of the countryside and, wherever practicable, support sensitive land management.

- 8.3.4 Policy EN1 provides for the protection, and wherever possible enhancement of (i) the distinctive identified landscape character, ecological features and settlement pattern of the AONB and (vii) tranquil and remote areas, including the dark night sky. The points are reiterated within Policies DEN2 and DEN7 of the DaSA.
- 8.3.5 Paragraph 84 of the National Planning Policy Framework provides support for a) the sustainable growth and expansion of all types of business in rural areas and c) sustainable rural tourism and leisure developments which respect the character of the countryside.
- 8.3.6 Paragraph 176 of the National Planning Policy Framework requires great weight to be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty.
- 8.3.7 The application does not propose any new buildings and the parking spaces are contained within the former farmyard area, adjacent the stables holiday let and the track/garden. The yoga deck is timber and located at the southern end of the manège. The children's play equipment in this area, an 'all in one' wendy house, climbing frame/swing, is also primarily of timber. The manège and deck are fenced and situated against the backdrop of trees on the western side boundary. There are also trees to the eastern side boundary of the adjacent field(s). As such the appearance of the site would not change. In visual terms there would be no harmful impact on the landscape of the AONB.
- 8.3.8 The concern in respect of the AONB is in relation to character, having regard to its generally quiet rural location in an area of dark skies. The council's planning department has received some complaints over the preceding four years from local residents in respect of incidences when noise and traffic issues have been reported when there have been large group gatherings at the site. As highlighted by the Environmental Health comments, these incidents have been limited and have not occurred on a regular basis. This is not to diminish their impacts particularly on the immediate neighbours or those further afield who could hear the disturbances at otherwise quiet times of the evening/night. However, contrary to the objections received, many of these incidences are in respect of the external use of the site and at present there are no restrictions in place to control such incidents.
- 8.3.9 In general principle, the use of the site for holiday accommodation, retreats and limited business group gatherings should not result in undue noise or disturbance to the area. The site already has planning permission for seven holiday lets and as previously explained above, there is no requirement for planning permission where a house is subject to short term lets on its own. Equally the council cannot control any noise or disturbance that may arise from occupiers of the farmhouse as a family dwelling. However, incidents have occurred as a result of the commercial use of the site and in order to mitigate and preclude as far as possible such impacts from the commercial use at the site, a number of conditions are now recommended, having had discussion with Environmental Health and also having regard to the six tests for conditions. Those tests set the following criteria that conditions must be:

- Necessary
- Relevant to planning
- Relevant to the development to be permitted
- Enforceable
- Precise
- Reasonable in all other respects

8.3.10 The conditions are set out in detail in the recommendation at the end of this report. In summary they relate to:

- Noise limits for the barn – where a limiter has been installed
- No amplified music shall be played in any external areas or in any guest sleeping accommodation
- Activities/events for use by resident guests only
- There shall be no activity in the pool area (zone G) before 09:00 or after 20:00
- There shall be no activity in the quiet zone (zone A) before 08:00 or after 23:00
- The hot tub (zone F) shall not be used before 09:00 or after 21:00
- Men's health activities shall only be permitted between the hours of 09:00 to 17:00 Monday to Friday and shall only be conducted in zones D and E
- The manager shall be on site 24/7 during the stay of guests. The manager's contact details shall be provided to all neighbours within 500m of New House Farm and they shall be contactable 24/7 during the period that guests are on site
- No live bands, soloists, music groups or DJs shall be permitted to perform on site
- All external caterers must use the kitchen facilities provided on site. External caterers must not bring generators onto site. Catering vans are not permitted.
- The use of Public Address systems to amplify speech are not permitted on site
- Wedding ceremonies and wedding receptions are not permitted on site
- No stereos or sound systems can be brought onto site. Only small portable stereos provided by the owner can be used by guests for background music. Background music is defined as music at a level of sound which doesn't interfere with speech or conversation and doesn't cause conversation sound levels to increase above normal speaking. Background music levels means there is no requirement to raise voices or shout above the volume of music external areas only to be used as stated in the application in respect of the commercial users
- Provision of parking within the site (but the Council cannot preclude parking outside the site as this is outside its control)
- Use of managers flat for that purpose only and not as a separate dwelling unit
- Use of the curtilage listed barn to preclude non-specified events, weddings or stag/hen parties
- No external lighting
- No additional structures or buildings without planning permission

8.3.11 Having regard to the nature of the use and the recommended conditions, the commercial use of the site should not result in harm to the character or appearance of the site or wider landscape of the AONB.

#### 8.4 Listed building and curtilage listed building

8.4.1 Policy EN2 requires development affecting the historic environment 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 The proposals do not result in any overt changes to the external elevations or existing setting of the listed farmhouse or curtilage listed barn. Additional parking spaces are identified but these are in areas previously surfaced and utilised as part of the farmyard and its surroundings, prior to the holiday/commercial use. Proposals to use day rooms as bedrooms within the dwelling house do not result in changes to the listed building. As set out in the accompanying listed building application, RR/2021/1574/L, also reported on this agenda, the proposals do not represent harm to the listed building and with regard to its setting this is maintained.

#### 8.5 Highway and pedestrian safety

8.5.1 Policy CO6 (ii) requires all development to avoid prejudice to road and/or pedestrian safety.

8.5.2 The access track is an unmade single track with no formal passing places. Field gates along the track offer informal places for traffic to pass. Objections have been received that the proposals represent an increase in traffic and that the track is unsuitable. The track is narrow and winding and slopes downwards towards the south meaning that users cannot see from one end to the other.

8.5.3 As previously there are some concerns over the suitability of the track to accommodate the increased traffic that would be created by the proposed use. However, the Highway Authority previously raised no objection to the increased use of the access track or the extra traffic that would be generated on Sheepstreet Lane. The Highway Authority advised that the access has sufficient width (4.5m+) for the initial 5.5m – 6m back from the edge of the carriageway and with this in mind two vehicles are able to pass. While they advised that an adequately sized passing bay located further into the site would be beneficial, this was not possible due to ownership of the track by others.

8.5.4 There have been no reports of problems with the access in terms of use by traveling vehicles. The proposal is unlikely to create an unacceptable increased risk to road or pedestrian safety.

#### 8.6 Parking

8.6.1 Policy TR4 (i) requires proposals to meet the residual needs of the development for off-street parking taking into consideration localised circumstances and having full regard to the potential for access by means other than the car, and to any safety, congestion or amenity impacts of a reliance on parking off-site whether on-street or off-street.

8.6.2 The application for conversion of the outbuildings to provide seven holiday lets proposed 10 parking spaces. Only six of the holiday lets have been

created providing a total of eight bedrooms, with 24 bed spaces identified if sofa beds in each unit are also used. In general one parking space per holiday let would normally be required, having regard to the units being one or two bedroom units for family occupation. In this instance it is noted that there could be potential for more than one vehicle where there are two bedrooms/sofa bed provided and hence more parking could be required thus potentially utilising the 10 spaces previously identified. In terms of the dwelling house, a family house with four or more bedrooms could in general be expected to provide four parking spaces. The application for use as a holiday let identifies eight bedrooms (16 bedspaces). If assumed that each bedroom is occupied by a different family, then potentially eight cars could attend. This would give rise to an overall requirement for 18 parking spaces. The plan for the site identifies 19 parking spaces, which could include one for the site manager.

8.6.3 While the parking provision should be provided as identified and guests requested to use those spaces, parking outside the application site is not a matter within the Council's control and as such it could not enforce a condition that precluded parking elsewhere. Parking on a private access road is a civil matter.

8.6.4 As such subject to use of the commercial site being restricted to resident guests only, the parking provision of 19 spaces is acceptable.

#### 8.7 Impacts on nearby properties

8.7.1 Policy OSS4 (ii) requires all development to not unreasonably harm the amenities of adjoining properties.

8.7.2 As noted within the objections, and acknowledged at paragraphs 8.3.8 and 8.3.9 above, there have been a number of incidents over the preceding four years where activity at the site has resulted in noise and disturbance to the adjacent and other local residential properties. The site is located in a tranquil rural area, as used in advertising the site as a country retreat. Where the background noise level is relatively low, especially in the evenings/night noise is noted to carry further. The use of the site for holiday accommodation and as a retreat or for business groups staying at the site has the potential to operate without detriment to neighbours, which is indeed the case for many other sites around the district and beyond.

8.7.3 In this instance it is noted that there have been activities on an irregular basis at the site which have created harm to the residential amenities of the area. However, those instances in general have related to external activities by groups that are not currently controlled and which have led to this application. It is considered that in order to control and limit activities at the site a number of new conditions should be imposed on this application. The conditions as summarised at paragraph 8.3.10 above, would set limits to the type of activities, the hours of use, no external amplified music and limit activities to resident guests only, with noise limits set for the barn. Many of these elements are already set out in the site terms and conditions of rental and other controls set out by the Applicant. The conditions are set out in full at the end of the report.

- 8.7.4 If the conditions were imposed on any grant of permission, then it is considered that use of the site could proceed without undue detriment to the amenities of local residents.
- 

## **9.0 PLANNING BALANCE AND CONCLUSION**

- 9.1 The use of the site per se for tourism and commercial related activities is considered to accord with policies that seek to promote the rural economy.
- 9.2 The proposals would not result in harm to the preservation of the listed buildings or their setting.
- 9.3 Subject to commercial use of the site being restricted to resident guests only, the proposals would not impact highway safety and adequate onsite parking is provided.
- 9.4 It is acknowledged that to date there have been some incidents at the site that have resulted in harm to neighbours. A number of conditions are proposed in response to the identified harm and subject to those conditions, it is considered that the proposals would not result in harm to residential amenity of the locality or to the rural character and scenic beauty of the High Weald AONB.
- 

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

---

### **CONDITIONS:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
  - a) DGC-22062-09, dated 09/03/2022
  - b) Written schedule of internal and external activities submitted by the agent and uploaded 18 March 2022, in accordance with the limitations of the conditions set out below.
  - c) DGC-22062-07, dated 13/12/2021
  - d) DGC-22062-08, dated 13/12/2021
  - e) DGC-22062-02 Rev.A, dated 21.12.2021
  - f) DGC-22062-03 Rev.A, dated 21.12.2021
  - g) DGC-22062-05 Rev.B, dated 21.12.2021
  - h) DGC-22062-06, dated 27/05/2021
  - i) DGC-22062/CU/100 Rev.A, dated 21.12.2021Reason: For the avoidance of doubt and in the interests of proper planning.
2. The use of the site for holiday lets and activities as listed within the application, namely yoga/wellbeing retreats and business groups (training and team building), as hereby permitted, shall only be for the use of resident guests.  
Reason: To preclude excessive numbers of vehicles at the site, and to limit the number visitors to the site to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii), EN1

and TR4 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

3. The external areas of the site shall be used only for those purposes detailed on approved drawing DGC-22062-09, dated 09/03/2022 and as listed within the written schedule of information provided by the agent and uploaded on 18 March 2022 and for no other purpose. Use by 'retreats' or 'business groups', shall not occur more than once in any calendar month.  
Reason: To protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
4. The curtilage listed barn as hereby permitted shall not be used for or in connection with any activity not listed within the written schedule of information provided by the agent and uploaded on 18 March 2022 and specifically not for any wedding events (including ceremonies and receptions), stag or hen parties.  
Reason: To protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
5. No amplified music shall be played in any external areas or in any guest sleeping accommodation and no live bands, soloists, music groups or DJs shall be permitted to perform on site. The use of Public Address system to amplify speech is not permitted on site.  
Reason: To protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
6. The only use of amplified music on site shall be played within the curtilage listed barn through the limiter installed in the barn. The following sound levels and details apply to use of amplified music here:
  - a) Sound levels of amplified music played through the limiter in the barn, measured 3m directly in front of the entrance to the barn and 1.5m above ground level, with all doors and windows closed, shall not exceed background sound levels ( $LA_{90,15min}$ ) measured at the same location, within the same hour, when the music is turned off and the doors and windows of the long barn are closed.
  - b) Sound levels (dB) of the Octave Band Centre Frequencies 63Hz to 500Hz, of music played through the limiter in the Long Barn, when measured 3m directly in front of the entrance to the long barn and 1.5m above ground level, with doors and windows closed, shall match or be lower than the levels measured at the same location, within the same hour, when the music is turned off and the doors and windows of the long barn are closed. Measurements of Octave Band Centre Frequencies shall be undertaken over a 15 minute period.
  - c) The door to the long barn shall be kept closed at all times except for access and egress

d) Windows to the long barn shall always be kept closed

Reason: To protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

7. No stereos or sound systems can be brought onto site. Only small portable stereos provided by the owner can be used by guests for background music. Background music is defined as music at a level of sound which doesn't interfere with speech or conversation and doesn't cause conversation sound levels to increase above normal speaking. Background music levels means there is no requirement to raise voices or shout above the volume of music.  
Reason: To protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
8. With reference to the external areas as identified on Drawing No. DGC-22062-09, dated 09/03/2022, the following time limits will be applied:
  - a) There shall be no activity in the pool area (zone G) before 09:00 or after 20:00 hours
  - b) There shall be no activity in the quiet zone (zone A) or on the farmhouse lawns (zone B) before 08:00 and after 20:00 hours
  - c) The hot tub (zone F) shall not be used before 09:00 or after 21:00 hours
  - d) Men's health activities shall only be permitted between the hours of 09:00 to 17:00 Monday to Friday and shall only be conducted in zones D and EReason: To protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
9. All external caterers must use the kitchen facilities provided on site. External caterers must not bring generators onto site. Catering vans are not permitted.  
Reason: To control external activity, noise and general disturbance to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
10. Wedding ceremonies and wedding receptions are not permitted on site.  
Reason: To control external activity, noise and general disturbance to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty and having regard to the limited space for the parking and turning of vehicles, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.
11. The parking and turning areas within the site and as set out on approved Drawing No. DGC-22062-09, dated 09/03/2022 shall be used by the



occupiers of the site and the area[s] shall thereafter be retained for that use and shall not be used other than for the parking and turning of motor vehicles.

Reason: To provide on-site parking and turning areas to ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the highway in accordance with Policy TR4 of the Rother Local Plan Core Strategy.

12. The managers' flat hereby permitted within the main dwelling, shall only be occupied as additional accommodation (an annexe) to the main dwelling, New House Farm, and shall not be occupied by any person who is not a manager of the holiday accommodation within the site or is a member of the family (as defined by section 186 of the Housing Act 1985 or in any provision equivalent to any re-enactment of that Act) residing in the family dwelling.

Reason: To ensure that the approved managers' flat is retained for the operation and management of the site and that it is not used for unauthorised permanent separate residential occupation in accordance with Policies OSS4 (iii) and RA3 of the Rother Local Plan Core Strategy.

13. The manager shall be on site 24/7 during the stay of guests. The manager's contact details shall be provided to all neighbours within 500m of New House Farm and they shall be contactable 24/7 during the period that guests are on site.

Reason – To ensure on-site presence of a manager to manage the site and to control external activity, noise and general disturbance to protect the residential amenities of the locality and the tranquility of the countryside within the High Weald Area of Outstanding Natural Beauty and having regard to the limited space for the parking and turning of vehicles, in accordance with Policies OSS4 (ii), (iii) and EN1 of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

14. No floodlighting or other external means of illumination of the site shall be provided, installed or operated at the site without a further planning permission.

Reason - To prevent light pollution and obtrusive lighting to safeguard the special landscape character, including dark skies and ecology of the countryside area within the High Weald Area of Outstanding Natural Beauty and in the interests of the amenities of adjoining residents, in accordance with Policies OSS4 (ii) (iii), RA3 (v) and EN1 of the Rother Local Plan core Strategy and Policies DEN1, DEN2 and DEN7 of the Development and Site Allocations Local Plan.

#### **NOTES:**

1. Your attention is drawn to the associated listed building consent RR/2021/1574/L and the attached conditions.
2. The developer is advised that any other structures or buildings proposed to be erected anywhere within the application site would require a specific planning permission.

**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.