

SITE PLAN

RR/2022/1072/P

BATTLE

WEST BROW  
TELHAM LANE



## Rother District Council

Report to - Planning Committee  
Date - 21 July 2022  
Report of the - Director - Place and Climate Change  
Subject - Application RR/2022/1072/P  
Address - West Brow, Telham Lane, Battle, TN33 0SW  
Proposal - Proposed replacement garage building with accommodation in roof.

[View application/correspondence](#)

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

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**Director: Ben Hook**

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**Applicant:** Mr & Mrs G. Sadighi  
**Agent:** Pump House Designs  
**Case Officer:** Mr Sam Koper  
(Email: [sam.koper@rother.gov.uk](mailto:sam.koper@rother.gov.uk))

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

**Reason for Committee consideration:** Director - Place and Climate Change referral: Applicant is a member of staff at Rother District Council

**Statutory 8-week date:** 21 June 2022  
**Extension of time agreed to:** 28 July 2022

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### 1.0 SUMMARY

1.1 The proposal is for a replacement garage building with accommodation in roof. The main considerations are the effects of the proposal on the character and appearance of the locality and Area of Outstanding Natural Beauty (AONB) and impact on neighbouring properties. The application is recommended for approval subject to conditions.

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### 2.0 SITE

2.1 The application site contains a large detached dwelling located to the north of Telham Lane. The existing garage is located in the northern corner of the site. The site lies within the High Weald AONB.

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### **3.0 PROPOSAL**

- 3.1 This application seeks approval for the demolition of the existing detached garage and erection of a new detached garage building with accommodation in the roof space.
- 3.2 The proposed garage would occupy a similar footprint as the existing building and be located slightly further away from the eastern boundary.
- 3.3 It would feature two open car port spaces with double garage doors on the bays each side for additional storage. The entrance on the front elevation would contain a stairway leading up to the roof space accommodation, which is stated to be used as a games room area.
- 3.4 The building would be oak framed with a pitched roof above and barn hips on each side. The external materials proposed are timber weatherboarding for the walls and clay tiles for the roof.
- 3.5 There are a row of mature trees located behind the existing garage, which provide a large amount of natural screening from the northern boundary, these are not proposed to be removed.
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### **4.0 HISTORY**

- 4.1 RR/2004/3326/P Erection of oak framed two bay garage and store room. – Approved Conditional
- 4.2 RR/2005/49/P Erection of conservatory – Approved Conditional
- 4.3 RR/2005/273/P Erection of ground floor front entrance / study extension and loft conversion with roof alterations – Approved Conditional
- 4.4 RR/2017/2332/P Demolition of existing conservatory with replacement single storey extension. Amendments to existing roof to form new Bedroom, En-Suite and Dressing rooms, including new glazed gable structure as a replacement for existing terrace. Amendments to existing east facing dormers to form one larger dormer. – Approved Conditional
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### **5.0 POLICIES**

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- OSS4: General Development Considerations
  - EN1: Landscape Stewardship
  - EN3: Design Quality
  - RA3: Development in the Countryside
- 5.2 The following policies of the [Development and Site Allocations Local Plan \(DaSA\)](#) are relevant to the proposal:

- DHG9: Extensions, Alterations and Outbuildings
  - DEN1: Maintaining Landscape Character
  - DEN2: High Weald AONB
- 5.3 The following policies of the adopted [Battle Civil Parish Neighbourhood Plan](#) are relevant to the proposal:
- HD4: Quality of Design
- 5.4 The National Planning Policy Framework, High Weald Management Plan and Housing Design Guide are also material considerations.
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## 6.0 CONSULTATIONS

6.1 Battle Town Council have no objections to this application

### 6.2 Planning Notice

6.2.1 No comments received.

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## 7.0 APPRAISAL

7.1 There are two issues for consideration in this application:

- The effect of the proposal on the character and appearance of the locality and the High Weald AONB.
- The effect of the proposal neighbouring properties.

### 7.2 ***The effect of the proposal on the character and appearance of the locality and the High Weald AONB***

7.3 Policy OSS4 (iii) of the Rother Local Plan Core Strategy states all development should respect and not detract from the character and appearance of the locality.

7.4 Policy EN3 of the Rother Local Plan Core Strategy states new development should contribute positively to the character of the site and surroundings and demonstrate robust design solutions tested against key design principles.

7.5 Policy DHG9 (ii)(iii) of the DaSA states that outbuildings will be permitted where they respect and respond positively to the scale, form, proportions, materials, details and the overall design, character and appearance of the dwelling and they do not detract from the character and appearance of the wider street-scene.

7.6 Policy DEN2 states that development within the High Weald AONB should be small-scale, in keeping with the landscape and settlement pattern.

7.7 Policy HD4 of the Battle Civil Parish Neighbourhood Plan states that proposals for all development must plan positively for the achievement of high quality and inclusive design.

7.8 The location of the garage would be to the rear of the application site behind the main dwelling. Given the level of screening on the southern boundary and

the proximity of the proposed garage to the road, it would not be visible from the public view and as such would not have any impact on the existing street scene.

- 7.9 An existing garage would be removed in the same location to make way for the new outbuilding. The new outbuilding is considerably larger than the existing shed however the design and materials are considered to be complementary to the rural location. The external materials are traditional with timber weatherboarding with a plain clay tiled roof. This is considered to be in keeping with the host dwelling and the countryside location.
- 7.10 There are wide countryside views from the rear garden of the application site. There is currently a row of mature trees in the north eastern corner of the site, behind the existing garage. These are to be retained. As such, the proposed garage would be well screened and would not have a detrimental impact on the landscape character of the AONB.
- 7.11 The proposed garage building would also contain accommodation in the roof space. This would be fully contained within the roof and the building would read as a single storey outbuilding. A modest dormer window is proposed on the north elevation as well as roof light windows. The amount of glazing is not considered to be excessive.
- 7.12 Overall, it is not considered that the proposal would detract from the character of the existing dwelling, nor will it have a negative effect on the character and appearance of the locality within the AONB.
- 7.13 ***The effect of the proposal neighbouring properties***
- 7.14 Policy OSS4 (ii) of the Rother Local Plan Core Strategy states that new development should not unreasonably harm the amenities of adjoining properties.
- 7.15 Policy DHG9 (i) of the DaSA states that extensions and outbuildings will be permitted where they do not unreasonably harm the amenities of adjoining properties in terms of loss of light, massing or overlooking.
- 7.16 The only neighbour for consideration in this application is Oakwood House, to the east of the application site.
- 7.17 The location of the proposed garage would replace the existing garage. The scale and height would be increased, however the proximity to the eastern boundary would be increased too. The presence of mature hedges along the eastern boundary would provide natural screening from the proposed building. As such it is not considered that the proposed garage would cause any detrimental harm with regards to overshadowing or loss of light.
- 7.18 New high-level roof light windows are also proposed within the roof slope on the northern elevation. By the nature of the orientation and height, these would not result in any unacceptable overlooking into the neighbouring garden.

## **8.0 PLANNING BALANCE AND CONCLUSION**

- 8.1 The proposed development not would detract from the character and appearance of the locality and AONB, nor would it have a detrimental impact on neighbouring properties. The proposed development complies with Policies OSS4, EN1, EN3 and RA3 of the Rother Local Plan Core Strategy, Policies DHG9, DEN1 and DEN2 of the DaSA and Policy HD4 of the adopted Battle Civil Parish Neighbourhood Plan.

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

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#### **CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Location Block Plan, Drawing No. 7275 LBP dated April 2022  
Existing Plans, Drawing No. 7275 / EX dated April 2022  
Proposed Plans, Drawing No. 7275 / 1 / A dated April 2022  
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match be as stated on the application form and approved plans unless an alternative finish is first submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure that the development is in character with its surroundings in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy and Policy DHG9(ii) of the Rother Development and Site Allocations Plan.
4. The outbuilding hereby permitted shall only be used for ancillary residential accommodation in association with the existing dwelling and shall not be used as a separate dwelling unit.  
Reason: In the interests of protecting the character of the area and in the interests of protecting the residential amenities of neighbouring properties and to preclude the creation of a new dwelling within the countryside in accordance with Policies OSS4 and RA3 of the Rother Local Plan Core Strategy.

**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 assessing the proposal against all material considerations, including planning policies and any representations that have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.