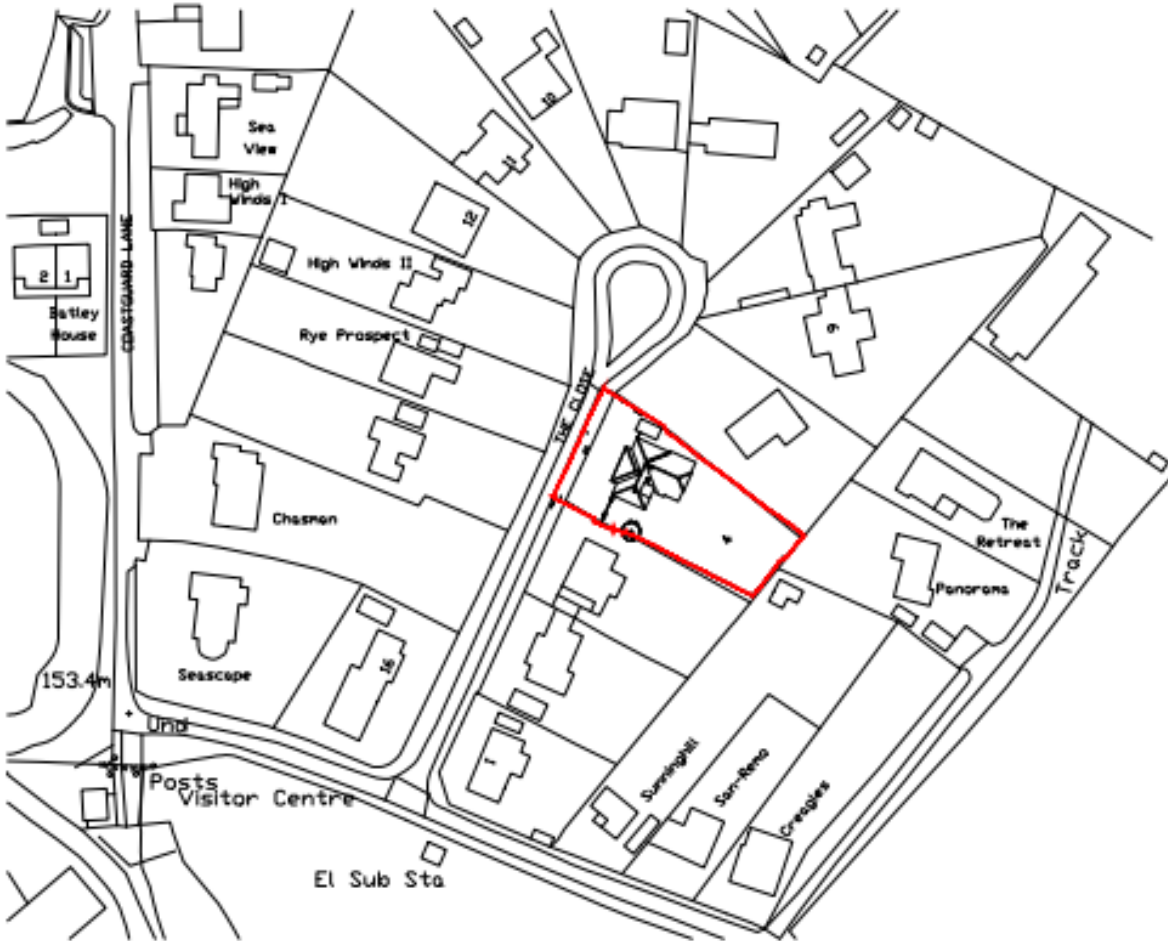


SITE PLAN

RR/2022/925/P

FAIRLIGHT

4 The Close, Roseways



Rother District Council

Report to - Planning Committee
Date - 1 September 2022
Report of the - Director – Place and Climate Change
Subject - Application RR/2022/925/P
Address - 4 The Close, Roseways, Fairlight
Proposal - Demolition of existing roof to allow for new first floor to be constructed. Erection of new garage to replace the existing. New driveway and boundary treatments and general improvements to the landscaping.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mr D. Michailovs
Agent: Miss M. Mujakachi – RX Architects
Case Officer: Mrs M. Taylor
(Email: maria.taylor@rother.gov.uk)

Parish: FAIRLIGHT
Ward Member(s): Councillors R.K. Bird and A.S.Mier

Reason for Committee consideration: Referred by Councillor Mier

Statutory 8 week date: 22 June 2022
Extension of Time Requested: 6 September 2022

This application is included in the Committee site inspection list.

1.0 SUMMARY

- 1.1 This application seeks permission to remodel the existing detached chalet style property into a contemporary designed family home with a new detached garage/workshop and driveway, boundary treatments and landscaping.
- 1.2 The remodelling involves a roof extension to create additional first floor accommodation and the flat roofed modernistic design. The first floor would be finished in natural timber cladding with painted brickwork at ground floor level (indicated as white within the Design and Access Statement submitted by RX Architects dated May 2022 but referred to as matching).

- 1.3 The view is taken that the proposal is unacceptable due to the flat roofed modernistic box design which is considered not to be in keeping with the context of surrounding properties within The Close which comprise detached bungalows and chalet bungalows with hipped roofs and dormer windows.
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2.0 SITE

- 2.1 A detached property situated on the east side of the road close to the Hastings Country Park. The property occupies a sloping plot which falls away from north west to south east which results in the property being set lower than the street level and having a garden that drops away to the rear.
- 2.2 The site is outside any development boundary and the High Weald Area of Outstanding Natural Beauty but is within a Strategic Gap as defined in the Development and Site Allocations Local Plan 2019 (DaSA).
- 2.3 The site is also identified by East Sussex as being within a Red Impact Zone for protected species.
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3.0 PROPOSAL

- 3.1 This application seeks permission to remodel and refurbish the existing 1930's chalet style property into a contemporary family home. The remodel and refurbishment involves a roof extension to create the contemporary design and additional first floor accommodation proposed in a sustainable timber frame construction to improve the thermal efficiency of the building. In addition solar panels on the roof and air source heat pumps are proposed for sustainability and green roof areas to reduce water runoff and create habitat for biodiversity.

The proposal also includes:

- A new garage to replace the existing which would house a small workshop, provide general storage and a garden machinery store.
 - A new driveway and boundary treatments and general improvements to the landscaping including terracing within the rear garden.
- 3.2 The proposed materials consist of painted brickwork, natural timber cladding and powder coated capping details. The existing brickwork is proposed to be painted to match.
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4.0 HISTORY

- 4.1 RR/2010/1660/P Demolition of garage, covered way and conservatory, erection of new garage and entrance lobby beneath pitched roof together with rear extension on two storeys including upper storey within pitched roof – 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:
- OSS3: Location of Development
 - OSS4: General Development Considerations
 - RA1: Villages
 - RA2: General Strategy for the Countryside
 - RA3: Development in the Countryside
 - EN1: Landscape Stewardship
 - EN3: Design Quality
 - EN5: Biodiversity and Green Space
- 5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:
- DHG9: Extensions, Alterations and Outbuildings
 - DEN1: Maintaining Landscape Character
 - DEN3: Strategic Gaps
 - DEN4: Biodiversity and Green Space
- 5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations. Of particular relevance in this instance are paragraphs 130 and 134 contained within Chapter 12 – Achieving well-designed places and paragraph 174 within Section 15 – Conserving and enhancing the natural environment.
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6.0 CONSULTATIONS

6.1 Planning Notice

- 6.1.1 Seven emails and one letter received objecting to the application summarised as follows:
- Not merely an extension but a major redevelopment.
 - Design too assertive and the style, materials and finishes inappropriate - Totally at odds with general architecture of The Close, not in keeping with the current architecture which is bungalows and chalet bungalows with pitched roofs – completely out of place - new build proposed (RR/2020/503/P) is much more in keeping.
 - Radical design insensitive and incongruent to area - lacking sympathy for the setting in terms of design and materials – rectangular block design totally out of character and in stark contrast to neighbouring properties – to imply surrounding buildings do not have a single architectural style is disingenuous.
 - Ruin character of the street, design would negatively impact the character of the street and not in keeping with rural charm of the area of outstanding natural beauty of the Hastings Country Park area.
 - Overwhelms the site and will dominate the general appearance of this small enclave – would be conspicuous by its extreme difference to the surrounding properties and to the general visual harmony of the street scene.
 - Architect asserts that “the proposed design reduces height and impact of the existing roof form” may be narrowly true in respect of height but does

not reduce impact of the new design – existing building sits relatively unobtrusively in its site the proposal will be in stark contrast to other properties.

- Design of roof elevations incorrect – proposed solar panels would rise over the top of the roof line which would further impede our view to the sea and would be unsightly – what else is incorrect or misleading? Missing solar panels on the elevations seem disingenuous as though to hide what will clearly be a higher roofline.
- Applicant asserting that the proposed design is the only design possible which will not require a substantial increase in roof height, the alternative a building 1.5m higher than the existing however others have converted roof space successfully without increase in height.
- Front elevation drawing inaccurate in impact terms in that it omits the solar panels.
- Proposed development would markedly reduce the limited views properties the other side of The Close enjoy - Would significantly block our view to the sea and reduce our enjoyment of our property – negatively impact neighbours views.
- Would create a permanent precedent for further development of this kind
- Noise/disruption – the proposed design would be a significant source of noise and disruption to the community – this is a quiet residential street.
- Huge impact on the mental health and wellbeing of those affected by development.
- Sustainability and improved thermal efficiency important but could be obtained from general upgrading in a more traditional building envelope – Air source heat pumps are noisy and could cause noise nuisance to those closer.

6.1.2 Six emails received in support of the application summarised as follows:

- Application an exemplar of how individual developments can support Rother District Council's pledge to become carbon neutral by 2030.
- Planners should aspire to encourage and embrace innovative design and technology within appropriate planning law, and not reject submissions simply because they are not the same as buildings around them.
- Most of the buildings on the street have been altered, extended or rebuilt creating a road that is different and unique.
- Architecturally exciting yet balanced creating functional family home that complements other recent developments in The Close.
- Aesthetically pleasing external appearance would be a substantial improvement over current property improving overall street scene.
- Having reviewed the proposed design this property would be a wonderful addition to The Close, bringing a more modern and fitting design to the general direction of Fairlight and The Close.
- Created a design sympathetic to how it would impact the view of the sea – roof line lower than the original structure and minimal disturbance of the view.
- The house sits naturally lower in the landscape and will be lower than the current building means no overbearing impact.
- Design more appealing to look at than the existing structure and would enhance condition of property.
- Appears that large part of the construction activities will leverage the existing footprint, thus minimising construction activities and disruption.

- Architect also given consideration to sustainable development in the design.

6.2 Town/Parish Council

6.2.1 “*Object* – Following discussions, the Planning Committee agreed the following comments:

- Fairlight Parish Council objects to this application.
- The proposed changes to the existing roof etc., will alter the appearance of the property and would not maintain the local distinctive character and features of surrounding properties.
- The new appearance of the property would be detrimental to the setting and landscape character of this rural area within the strategic gap.
- A construction traffic management plan should be required which demonstrates:
 - How, due to the narrow nature of The Close, access for residents and emergency vehicles will be maintained at all times.
 - How deliveries and storage of materials, storage of plant and contractors' vehicles will be controlled to prevent access being blocked. This should include contractors' personal vehicles.
- Any comments from neighbours should be taken into account.

7.0 **APPRAISAL**

7.1 The main issues for consideration are:

- Character and appearance within the street scene and the wider locality.
- Impacts upon neighbouring and nearby properties.

7.2 Character and appearance within the street scene and the wider locality

7.2.1 Policy OSS3 (vi) of the Rother Local Plan Core Strategy focuses on the development in context with the location, Policy OSS4 (iii) of the Rother Local Plan Core Strategy and Policy DHG9 (ii, iii & vi) of the DaSA together, amongst other things, state that extensions to dwellings will only be permitted where they are in keeping with the character of the existing dwelling, and where they would respect and not detract from the character and appearance of the locality. Policy EN3 (i & ii) of the Rother Local Plan Core Strategy focuses on design contributing positively to the character of the site and surroundings and demonstrating robust design solutions tested against key design principles. These policies are further supported by the National Planning Policy Framework and specifically paragraphs 130 and 134 in respect of design, appearance and local character.

7.2.2 Policy OSS3 of the Rother Local Plan Core Strategy (2014) states that when determining planning applications, proposals should accord with the relevant policies of the Rother Local Plan Core Strategy and be considered in the context of

- (i) the spatial strategy for the particular settlement or area, and its distinct character;
- (vi) the character and qualities of the landscape; and
- (vii) making effective use of land within the main built-up confines of towns and villages, especially previously developed land, consistent with maintaining their character.

- 7.2.3 Policy OSS4 of the Rother Local Plan Core Strategy states “.... all development should meet the following criteria: ...
(ii) it respects and does not detract from the character and appearance of the locality; ...”
- 7.2.4 Policy DHG9 of the DaSA states that extensions, alterations and outbuildings will be permitted where:
(ii) they respect and respond positively to the scale, form, proportions, materials, details and overall design, character and appearance of the dwelling;
(iii) they do not detract from the character and appearance of the wider street-scene, settlement or countryside location, as appropriate, in terms of building density, form and scale; and
(vi) in the case of extensions and alterations, they are physically and visually subservient to the building, including its roof form, taking into account its original form.
- 7.2.5 Policy EN3 states that new development will be required to be of high design quality by:
(i) contributing positively to the character of the site and surroundings; and
(ii) demonstrating robust design solutions tested against the following Key Design Principles as appropriate tailored to a thorough and empathetic understanding of the particular site and context: ...”

Para 130 of the National Planning Policy Framework states “Planning policies and decisions should ensure that developments: ...

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting; and*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; ...”*

Paragraph 134 states “Development that is not well designed should be refused, ... Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; ...”*

- 7.2.6 The Close at Fairlight comprises principally detached bungalows and chalet style bungalows set in good sized plots. Many of the properties have first floor accommodation with small dormer windows set within the roof slopes and some with extensions and remodelling giving a more modern appearance but retaining the principle hipped roofs with dormer window design features.
- 7.2.7 This application seeks to create a more contemporary style property by extending the roof. The design and access statement explains the proposal would principally retain the ground floor accommodation with a revised layout creating open plan living and a first floor roof extension. The statement claims the proposed design reduces the height and overall visual impact of the existing built form. Within the section headed “Scale & Mass”

it is noted that the height of the proposed roof form in relation to the ridge height of the existing roof is reduced by 550mm. The whole first floor would be finished in natural timber cladding.

- 7.2.8 Whilst the proposal would not enlarge the existing footprint and would involve remodelling the ground floor level internally, the first floor level would be totally reworked. The existing roof would be demolished and a whole new first floor built in a contemporary box style over the ground floor accommodation of the original bungalow and to the rear over the 2010 extension but with a maximum roof height set lower and stepped in from the north side elevation. It is acknowledged that the new roof form would be set lower than the existing ridge height but disputed that this would make the development greatly reduced in the street scene as the proposed roof form would be an increased mass and bulk as would no longer be a hipped design but a more solid square box style totally altering the character and appearance of the existing property.
- 7.2.9 It is acknowledged that some contemporary proposals have been supported within Rother District and some within Fairlight itself but each application is policies and taking into account the specific characteristics of the area in which the development is proposed. Para. 4.89 within the DaSA in relation to Policy DHG9 outlines that contemporary design approaches can be appropriate in a particular context. In addition, the National Planning Policy Framework (paragraph 134) gives weight to outstanding or innovative design. However, in both, the positive approach to contemporary and/or innovative design is qualified by the need to ensure that proposals are still compatible with the character and appearance of the surrounding area. This is acknowledged and supported by The Planning Inspectorate within paragraphs 16 and 17 of an appeal decision notice for The Haven, Primrose Hill, Fairlight – APP/U1430/D/19/3225306 (RR/2018/2947/P). In this instance although the neighbouring properties surrounding the site are different they are all principally bungalows or chalet style bungalows having hipped roofs with dormer windows.
- 7.2.10 Whilst some have taken a more modern approach with slate roofs and rendered or clad elevations they have retained the hipped roof and dormer design which are typical features for the properties within The Close. It is considered that the proposed contemporary design for 4 The Close would be at odds with the surrounding properties in the immediate vicinity and would therefore not preserve the existing character of this small cul-de-sac location which is set within a strategic gap. The agent has provided a Context Study, received 28-06-22, as supporting documentation which lists each individual property within The Close and any relevant planning permission for extensions where virtually all the proposals include dormer windows, it should be noted the development description for Jesmond Dene, 8 The Close is incorrect and should read “Certificate of lawfulness for the use of the land for siting a mobile home for use ancillary to the main dwelling.
- 7.2.11 With regard to the developments 17-19 which are not within The Close it is commented that The Bale House is a visitor centre which sits in isolation within the Hastings Country Park and is not read in conjunction with any immediate surrounding properties, as is Warrenders, Commanders Walk which is acknowledged within paragraph 12 of the aforementioned appeal

statement APP/U1430/D/19/3225306 as *“in a large, open plot, without the same close relationship to neighbouring properties as the appeal site. As such, the scale and mass are not so closely juxtaposed to neighbouring properties”*. The appeal site relates to a proposal for a contemporary development in Primrose Hill within the Cove at Fairlight. This proposal was in similar context to this current application in that the application was to remodel a chalet style property into a modern contemporary home, in addition the road is very similar in that it is a small unmade dead end road where the surrounding properties to the proposed development site were principally bungalows.

- 7.2.12 This appeal was dismissed by The Inspectorate whom acknowledged that the *“proposed alterations would not significantly increase the overall height or width of the dwelling, and that the distances to the front and side boundaries would not change, ... the increase in scale and mass, and the change to the external materials would make the dwelling more visible from the public domain, highlighting the differences between the appeal property and those surrounding it.”* It was concluded the proposal would not be in keeping with the character and appearance of the surrounding area and would not be sympathetic to it by virtue of its overall scale, mass and external appearance. *“.... The proposal would be incongruous to such a degree that in this location it would cause unacceptable harm to the character and appearance of the area. ... It conflicts with Policies OSS3, OSS4 and EN3 of the Rother Local Plan Core Strategy and Policy DHG9 of the Development and Site Allocations Local Plan.”* The appeal was subsequently dismissed.
- 7.2.13 The proposal includes a replacement garage matching the design concept of the remodelled dwelling. Whilst the proposed replacement garage would be slightly larger it would still be inset from the boundary and the increase in height just above the existing eaves line of the dwelling. With this in mind the size and positioning is considered acceptable and not detrimental to neighbouring amenity. The new driveways either side would provide off street parking for several vehicles and with the natural topography of the site sloping down towards the dwelling there would be no surface water run-off into the highway.
- 7.2.14 To the rear of the property the proposed plans detail a concrete terrace area with steps down to the garden. Currently there is timber decking immediately to the rear of the property with steps down to the garden but the proposal details the terraced area enlarged to stretch over to abut the boundary with the neighbouring property to the south west side. Given the drop in levels to the rear of the property, the increase in both width and depth is considered excessive and could be harmful to the existing boundary hedge and trees due to the close proximity of the proposed concrete terrace, which would require appropriate foundations for the construction that could have an adverse detrimental effect on the root system of the hedge and trees situated along the boundary line which currently provide a dense boundary giving good screening to both application site and neighbouring property. It is considered that the proposed terrace should be reduced in size to provide terracing immediately to the rear of the property. The new proposed stepped garden terrace area to the north east side following the existing topography again should ensure sufficient distance from the

boundary hedge for any foundation works to ensure there is no adverse detrimental impact to the boundary hedge.

7.3 Impacts upon neighbouring and nearby properties

7.3.1 Policy OSS4(ii) of the Rother Local Plan Core Strategy and DHG9(i) of the DaSA seek to protect the amenities of neighbouring properties. The proposal would create additional first floor accommodation and additional windows at this level and therefore impact on overlooking and loss of privacy needs to be taken into account when considering impact as well as the increased mass and bulk of the proposed development. At the rear all boundaries benefit from mature high hedging limiting views from and into the site.

7.3.2 *5 The Close*: Is a detached chalet style property to the north east side of the application site set slightly lower and deeper into the plot so that the front elevation is principally set behind the rear elevation of the application site. In addition this property sits at an angle with the principle front elevation angled away from the application site.

7.3.3 The new first floor addition over the rear 2010 extension is inset from the north east side elevation by just over 2m with a sedum roof having inset roof lights proposed over the ground floor kitchen area. A new first floor bedroom window set back in line with the original rear elevation of the bungalow is proposed overlooking the sedum roof. Partial oblique views obscured by existing mature vegetation, trees and hedging would be obtained towards the side elevation and principally the roof area of this neighbouring property and not considered excessive to warrant a refusal on this point. In addition this proposed bedroom would also have a window in the north east elevation directly facing the boundary with this neighbouring property. The Applicants have expressed that they would be willing to delete this window if necessary as this room would also be served by the rear window. However, views from this window would be towards the front of this neighbouring property and would not differ from those obtained from the street scene.

7.3.4 It is noted that the 2010 extension introduced a large first floor window to the rear in the gable end. The remodelling retains a window in the new element over this extension but moves it slightly further away from the boundary with this neighbouring property. From the existing window minimal partial views over the hedge line are obtained towards the rear decked area of this neighbouring property and it is considered the views from the proposed window would not be substantially different and would therefore not warrant a refusal.

7.3.5 In terms of the design and mass and bulk of the proposed development it is noted that there is a good degree of separation between these properties due to the positioning and orientation of each and is also noted that the detached garage of the application site further adds to this separation. Taking account of this and noting that the windows in the side elevation of this neighbouring property all appear to be secondary windows the mass and bulk of the development would not adversely affect the amenities of this neighbouring property.

- 7.3.6 *Gallards, 3 The Close*: Is a detached property to the south west side of the application site where the front and rear elevations of this property appear to sit in line with that of the application site. This property has a asymmetrical saltbox roof design with a shorter steep roof to the front and less steep slope to the rear with windows set within the roof lines. This property has no windows in the north side elevation directly facing the application site and an enclosed courtyard area abutting the boundary with the application site which has off street parking giving a good degree of separation between the sites.
- 7.3.7 The proposed development would introduce first floor windows in the south side elevation directly facing this boundary, two secondary windows in the first floor elevation of the rear protruding element serving the lounge area. This element is some considerable distance from the boundary and due to this these windows would not be an issue to the amenities of this neighbouring property. Two further windows are proposed in the main element of the side elevation of the property would serve an en-suite and secondary window for a bedroom. The en-suite window would be obscured and the secondary window for the bedroom would principally face the roof area of this neighbouring property. In addition a further window in the rear elevation is proposed serving this bedroom. Views from this window would be oblique towards the boundary which has high hedging and an Oak tree along the rear boundary. Also bearing in mind that the rear garden falls away similar to that of the application site it is envisaged that there would be no direct view down into the rear garden of this neighbouring property.
- 7.3.8 *Cobwebs, Warren Road*: Is a detached property to the rear of the application site set at a lower level. This property is approximately 49m distance from the rear elevation of the application site. From the existing decking at the rear of the application site only partial views of the ridgeline of the roof and gable end are visible and at first floor level where the hedge line is lower views towards one of the first floor windows. However, taking account of the existing situation and given the distance between the properties this is not considered to be an issue.

7.4 Ecology

- 7.4.1 Policy EN5 of the Rother Local Plan Core Strategy states: *“Biodiversity, geodiversity and green space will be protected and enhanced, by multi-agency working where appropriate to:*
- (viii) Ensure that development retains, protects and enhances habitats of ecological interest, including ancient woodland, water features and hedgerows, and provides for appropriate management of these features;*
 - (ix) Require developers to integrate biodiversity into development schemes by avoiding adverse impacts from development on biodiversity or habitat, or where wholly unavoidable, provide appropriate mitigation against or compensation for any losses. In the event, developers will also be expected to consider and promote opportunities for the creation and/or restoration or habitats appropriate to local context.”*
- 7.4.2 Policy DEN4 of the DaSA states that: *“Development proposals should support the conservation of biodiversity and multi-functional green spaces in*

accordance with Core Strategy Policy EN5 and the following criteria, as applicable:

- (ii) *development proposals should seek to conserve and enhance:*
 - (a) *The biodiversity value of international, national, regional and local designated sites of biodiversity and geological value, and irreplaceable habitats (including ancient woodland and ancient or veteran trees);*
 - (b) *Priority Habitats and Species; and Protected Species, both within and outside designated sites.*
Depending on the status of habitats and species concerned, this may require locating development on alternative sites that would cause less or no harm, incorporating measures for prevention, mitigation and (in the last resort) compensation.
- (iii) *in addition to (ii) above, all developments should retain and enhance biodiversity in a manner appropriate to the local context, having particular regard to locally present Priority Habitats and Species, defined 'Biodiversity Opportunity Areas', ecological networks, and further opportunities identified in the Council's Green Infrastructure Study Addendum.*

7.4.3 **Great Crested Newts:** The site is located within a red impact risk zone for great crested newts. No consultation has been undertaken with NatureSpace but noted there are ponds within the vicinity and that the consultee response in respect of development at 1 The Close was concluded that if approval was granted due to the scale of the development and the location of the ponds it was not expected newts to be a constraint for the development. Similarly the proposed development in this instance would not increase the existing footprint of either the house or garage and therefore not expected to impact any habitats and therefore be a constraint for the proposed development.

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 4 The Close although sits lower than street level it is set fairly close to the highway with little vegetation screening the front elevation and therefore the proposed development would still be prominently visible in the street scene. Whilst it is appreciated the Applicants have endeavoured to minimise any impact by choosing the modernistic design which enables the roof height to be reduced, the reduction in height is the upper section of the hipped roof with the least volume. The creation of the first floor in the modernistic design would give the property vertical first floor elevations to all sides increasing the volume and massing from the existing hipped roof design.
- 8.2 The application proposes the use of natural timber cladding for the upper elevations to create a softer appearance to the development than that of rendered elevations in a stark colour. This would be particularly relevant when viewing the proposal from a distance, such as the country park where currently the hipped roof of the property is read in conjunction with the hipped and pitched roofs of neighbouring properties. Whilst the use of the natural timber cladding would help reduce the visual impact, the square contemporary flat roofed design would be visible and at odds with the surrounding roof lines.

- 8.3 In conclusion it is considered that the reworking of the first floor creating the flat roofed contemporary design would be at odds with the character and design of the surrounding properties within The Close which principally comprise detached bungalows and chalet bungalows with hipped roofs and dormer windows. The development is therefore considered to undermine the integrity and distinctive built form and typologies of the surrounding properties having an unacceptable harmful impact on the character and appearance of the locality by virtue of the modernistic design approach. The application is therefore recommended for refusal.

RECOMMENDATION: REFUSE (FULL PLANNING)

REASON FOR REFUSAL:

1. The proposed development, by virtue of the proposed roof extension remodelling the original property to form a contemporary flat roofed two storey property would totally alter the design and appearance of the original property resulting in a development that would be out of character with neighbouring properties within the immediate vicinity of The Close which comprise detached bungalows and chalet bungalows with hipped roofs and dormer windows. The proposed development would therefore be at odds with the distinctive built form and typologies of the surrounding properties having an unacceptable harmful impact on the character and appearance of the locality and landscape setting in the wider aspect by virtue of the modernistic design approach contrary to Policy OSS3 (vi), OSS4 (iii), RA1 (i), RA3 (iv) and EN3 (i & ii) of the adopted Rother District Local Plan Core Strategy (2014) and Policies DHG9 (ii & iii & vi) and DEN1 of the adopted Development and Site Allocations Local Plan (2019) and paragraph 130 of the National Planning Policy Framework.

NOTE:

1. The development hereby refused is in respect of the following plans:
Site Location Plan, Drawing No. 0821-PL-50 received 12-04-22
Proposed Block Plan, Drawing No. 00821-PL-101 received 12-04-22
Proposed Northwest and Southeast Elevation Plan, Drawing No. 00821-PL-351 received 12-04-22
Proposed Southwest and Northeast Elevation Plan, Drawing No. 00821-PL-351 received 12-04-22
Proposed Ground Floor Plan, Drawing No. 00821-PL-225 received 12-04-22
Proposed First Floor Plan, Drawing No. 00821-PL-226 received 12-04-22
Proposed Roof Plan, Drawing No. 00821-PL-227 received 12-04-22

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 with the proposal, clearly setting out the reasons 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.