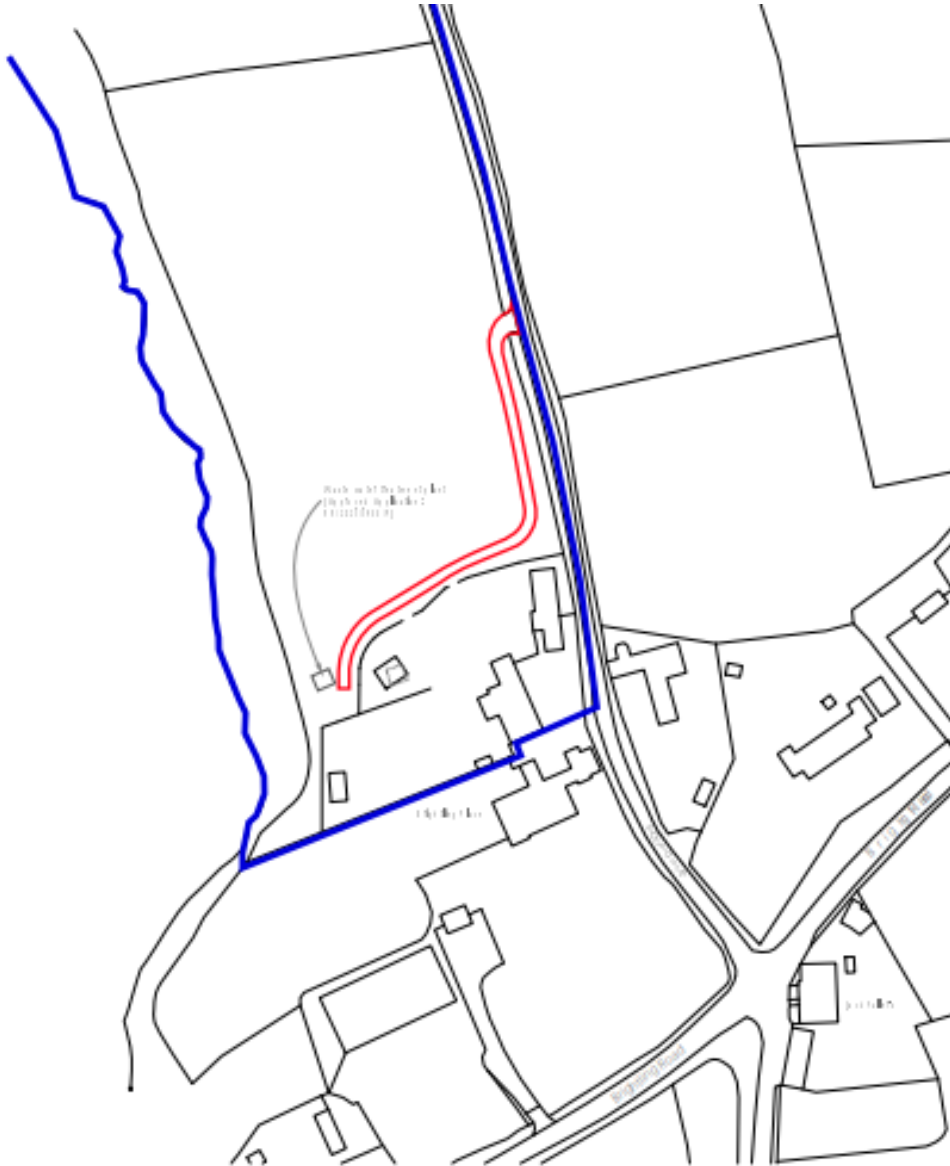


SITE PLAN

RR/2021/1982/P

BRIGHTLING

The Oast  
Brickyard Lane



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made.  
Rother District Council Licence No. 100018643 2013

Not to Scale

## Rother District Council

Report to - Planning Committee  
Date - 13 October 2022  
Report of the - Director – Place and Climate Change  
Subject - Application RR/2021/1982/P  
Address - The Oast, Brickyard Lane, Oxley’s Green, Brightling,  
TN32 5HD  
Proposal - Creation of field track and widened field access opening.  
(Retrospective)

[View application/correspondence](#)

---

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

---

**Director: Ben Hook**

---

**Applicant:** Mrs A. French  
**Agent:** Mr Edward Youngson  
**Case Officer:** Mr Michael Vladeanu  
(Email: [Michael.vladeanu@rother.gov.uk](mailto:Michael.vladeanu@rother.gov.uk))

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

**Reason for Committee consideration:** Councillors call-in J. Barnes and Mrs Kirby-Green

**Statutory 8-week date: 24 October 2021**  
**Extension of time agreed to: 20 October 2022**

---

This application is included in the Committee site inspection list.

---

### 1.0 SUMMARY

- 1.1 The proposal seeks retrospective planning permission for the creation of a new access track and widening of the field access located off Brightling Road.
  - 1.2 It is considered that the proposed widened access with a twin track would allow the Applicant to empty and maintain the new below ground sewage treatment tank and to provide better access to help ensure ease of management of the land holding, to support the good condition of the land and would not adversely impact on the character and appearance of the locality or highway safety. The application is supported, and planning permission should be granted subject to conditions.
-

## **2.0 SITE**

- 2.1 The application site forms part of the land holding of “The Oast” property, which is located within the nucleated settlement of Oxley’s Green and was originally part of a farmstead set on the northern side of Brightling Road.
- 2.2 The Oast was Grade II listed on 13 May 1987 and is described in the list description as follows,
- ‘Granary and two oasthouses, all in one building and now converted into a house. C18. Two storeys. Five windows. Red brick. Tiled roof. Casement windows. The south end forms the two oasthouses with partly separate rectangular roofs, joined by a small ridged section. Cowls missing.’*
- 2.3 The Oast is accessed along a shared tarmacked driveway off of Brickyard Lane. The property consists of the converted and extended former Oast, a detached outbuilding used as a garage, a log store building, log cabin, workshop and surrounding garden and neighbouring fields. Land to the west of the property is covered by the woodland of Great Wood.
- 2.4 The northern boundary of the garden of The Oast is defined by a post and rail fence and hedgerow, with fields beyond sloping down the valley to the north toward Great Hoaths Wood. The application site is located close to the northern boundary of the garden of The Oast and within the existing field, which forms part of the Applicant’s land holding.
- 2.5 The application site is located within the High Weald Area of Outstanding Natural Beauty (AONB) and Rother District Boundary. There are no other designations to note.

---

## **3.0 PROPOSAL**

- 3.1 This application seeks retrospective planning permission for the creation of a new access track and widening of the field access located off Brightling Road.
- 3.2 The field track is approximately 120m long and 4m wide and comprises of two 0.6m wide tracks with grass in between. The two tracks are finished with 80mm compacted hardcore and 80mm compacted crushed rock gravel.
- 3.3 The Applicant has outlined in the Planning Statement that the field track and widened access was needed to empty and maintain the new below ground sewage treatment tank and to provide better access, help ensure ease of management of the land holding and to support the good condition of the land.

---

## **4.0 HISTORY**

- 4.1 RR/2007/2657/P Installation of domestic oil storage tank in garden. Approved conditional.

- 4.2 RR/2007/1028/L Convert existing oil store into bedroom and connect to existing study with new door opening and wardrobe. LBC granted.
- 4.3 RR/2008/17/L Creation of en-suite shower room at first floor level from existing bedroom. LBC granted.
- 4.4 RR/2013/1063/L Construction of black coloured single metal flue to serve new wood burning stove with metal restraint straps. LBC granted.
- 4.5 RR/2013/1062/P Construction of black coloured single metal flue to serve new wood burning stove with metal restraint straps. Approved conditional.
- 4.6 RR/2014/1899/P Retention of log store outbuilding. Approved conditional.
- 4.7 RR/2021/1955/P Installation of below ground domestic sewage treatment plant (retrospective). Approved.
- 4.8 RR/2021/1945/P Erection of Workshop Shed (retrospective). Approved conditional.
- 4.9 RR/2021/1969/P Demolition of existing outbuilding and erection of log cabin. Extension of existing residential curtilage. (Retrospective) Refused.
- 

## 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
  - RA2: General Strategy for the Countryside
  - RA3: Development in the Countryside
  - CO6: Community Safety
  - EN1: Landscape Stewardship
  - EN2: Stewardship of the Historic Built Environment
  - TR3: Access and New Development
- 5.2 The following policies of the [Development and Site Allocations Local Plan \(DaSA\)](#) are relevant to the proposal:
- DHG12: Accesses and Drives
  - DEN1: Maintaining Landscape Character
  - DEN2: The High Weald AONB
  - DIM2: Development Boundaries
- 5.3 The National Planning Policy Framework, High Weald AONB Management Plan 2019-2024 and Planning Practice Guidance are also material considerations.
-

## **6.0 CONSULTATIONS**

### **6.1 ESCC Highways – NO COMMENT**

### **6.2 Planning Notice**

6.2.1 Four letters of objection have been received (from four representatives). The concerns raised are summarised as follows:

- Objection to another entrance on Brickyard Lane
- Will be used by the cabin as a separate dwelling
- Unnecessary for the purposes stated
- Access is unnecessary and is a further encroachment on a hitherto unspoilt part of the AONB.
- The driveway has resulted in the loss of further field and hedgerow habitat in the AONB

### **6.3 Brightling Parish Council – OBJECTION**

6.3.1 Brightling Parish Council feels strongly that this application should be considered alongside RR/2021/1350/P. The track in this application which originally appeared to be aimed at providing the unapproved log cabin with its own independent entrance, is now claimed to be required for the purposes of emptying the new sewage treatment plant (septic tank) (RR/2021/1955/P, approved). The track is unnecessary for this purpose. The septic tank should not need emptying more than once a year and will be perfectly accessible without any track during the summer months. In an emergency they could park in the road and use suction hoses, as the Applicant admits in the planning statement.

---

## **7.0 APPRAISAL**

7.1 It is noted that there is no new access proposed for this development which will make use of an existing entrance located on the northern side of Brightling Road albeit slightly widened.

7.2 The track which is of twin track design with a central grass section would follow the field edge to minimise any visual impact that may occur. The track has been reduced in length and given the proposed design of the track as a twin wheel with central grass strip, it is not considered to have an unacceptable impact on the character and appearance of the locality within AONB. Indeed, the use of a twin wheel track has been accepted by the Planning Inspectorate for use on other landholdings within the AONB.

7.3 The closest neighbouring property is that of Filands and Brightling Place located to the west. It is considered that due to the nature of the development and the existing use of the access point that no adverse harm would be caused to the residential amenities of this or any nearby properties.

---

## **8.0 PLANNING BALANCE AND CONCLUSION**

8.1 The proposed widened access with a twin track would allow the Applicant to empty and maintain the new below ground sewage treatment tank and to

provide better access to help ensure ease of management of the land holding and to support the good condition of the land and would not adversely impact on the character and appearance of the locality or highway safety. The application is supported, and planning permission should be granted subject to conditions.

---

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

---

### **CONDITIONS:**

1. Within two months of the date of approval the field track shall be reduced in length and be constructed as a two-wheel track as shown on Drawing Nos. 041RP5-03, 56041RP6-03 and 56041RP10-03 and shall be maintained in that state thereafter.  
Reason: To maintain and enhance the landscape character and scenic beauty of the High Weald Area of Outstanding Natural Beauty, in accordance with Policy EN1 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
Site Location Plan, Drawing No. 56041RP5-03 dated 19/04/2022  
Site Block Plan, Drawing No. 56041RP6-03, dated 19/04/2022  
Proposed Track Sections, Drawing No. 56041RP10-03, dated 19/04/2022  
Reason: For the avoidance of doubt and in the interests of proper planning
3. The track hereby approved shall only be used for agricultural purposes and for the maintenance of the below ground sewage treatment tank and shall not be used as a new access to the residential property.  
Reason: To safeguard the amenities of the locality and ensure it is used in association with maintenance of the land holding, in accordance with Policy 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 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.