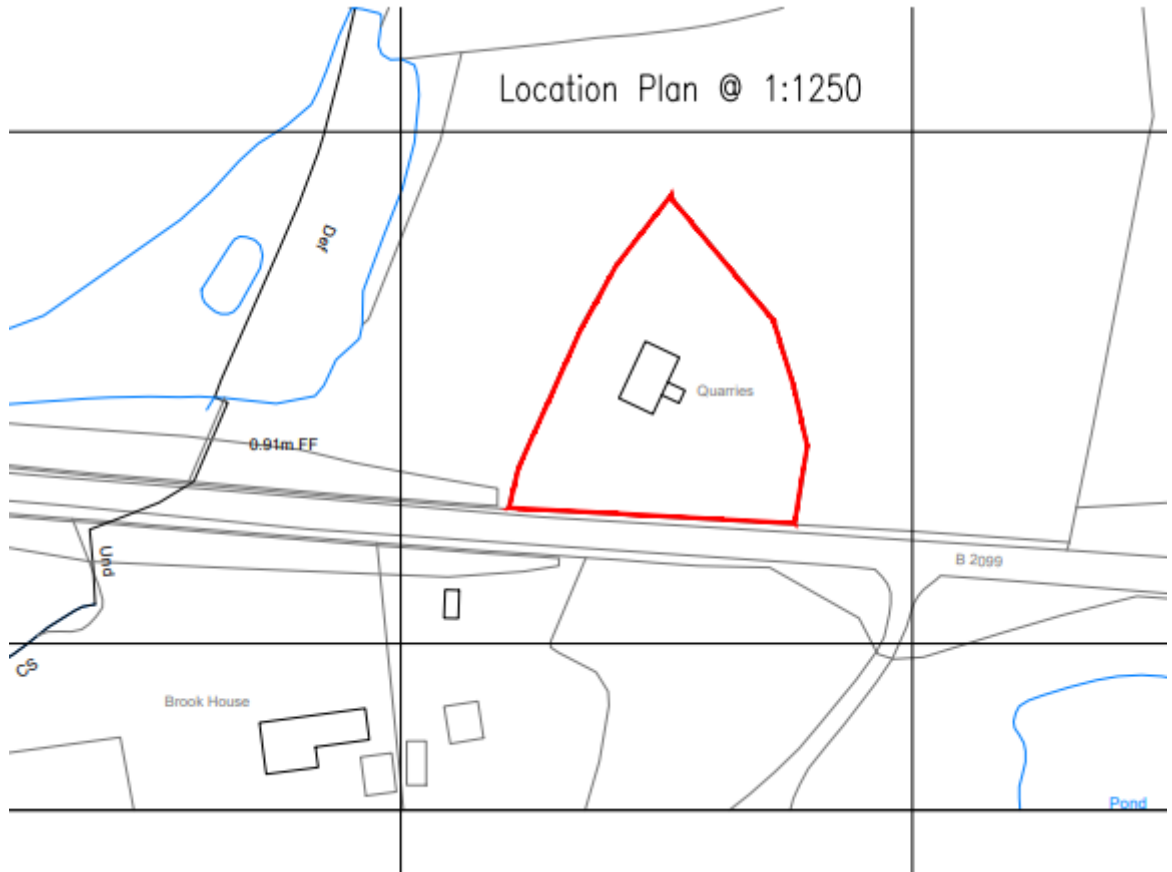


SITE PLAN

RR/2022/2230/P

HURST GREEN

Quarries, -
Ticehurst Road



Rother District Council

Report to - Planning Committee
Date - 10 November 2022
Report of the - Director – Place and Climate Change
Subject - Application RR/2022/2230/P
Address - Quarries, Ticehurst Road, Hurst Green
Proposal - Demolition of existing agricultural dwelling and construction of replacement agricultural dwelling

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Mr C. Ellis
Agent: Julian Bluck Design LTD
Case Officer: Matthew Jenner
(Email: matthew.jenner@rother.gov.uk)

Parish: HURST GREEN
Ward Members: Councillors Mrs M.L. Barnes and G.S. Browne

Reason for Committee consideration: Director - Place and Climate Change referral: The Applicant is related to a member of the Council

Extension of time agreed to: 18 November 2022

1.0 SUMMARY

1.1 The proposal is for the demolition of an existing agricultural dwelling and the construction of a replacement dwelling. It is a resubmission of the previously refused application RR/2022/728/P. Other than the removal of a previously proposed garage, the plans for the new dwelling remain identical. The main issues for consideration are the principle of the development, the impact of the proposal on the character and appearance of the locality and the Area of Outstanding Natural Beauty (AONB), the impact of the proposal on neighbouring amenities and highway safety. The reasons for refusing the previous application have been overcome and it is therefore recommended to approve this application.

2.0 SITE

2.1 The application site is on the north side of Ticehurst Road. The existing dwelling within the site is a 1960's pre-fabricated bungalow which is currently unoccupied and appears in a bad state of repair. The site forms part of Little

Boarzell Farms. It is within the High Weald AONB and it not within a defined development boundary. It is therefore within the countryside for policy purposes.

3.0 PROPOSAL

3.1 This application is a resubmission of a previous application that was refused for the following reasons;

“1. It has not been demonstrated that there is justification for a new replacement agricultural dwelling with regards to a clearly established functional need, relating to a full-time worker or why the functional need cannot be fulfilled by other existing accommodation as well as demonstrating the unit and the agricultural activity concerned are financially sound and have a clear prospect of remaining so. As such, the proposal would result in an unjustified new dwelling in the countryside, in conflict with Policy RA3 (iii) (a) of the Rother Local Plan Core Strategy and paragraph 80 of the National Planning Policy Framework.

2. In the absence of justification for a replacement dwelling, the proposal would have a harmful impact on the landscape and scenic beauty of the High Weald AONB. The dwelling and double garage would be significantly larger in floorspace, height and overall scale, and would be more than double the size of the existing modest agricultural workers dwelling. As such the proposal would be in conflict policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan and Policies RA3 (iii) (c) and EN1 of the Rother Local Plan Core Strategy.”

3.2 The current proposal is for a replacement agricultural workers dwelling. The previous application included a double garage which has now been excluded. The replacement dwelling would have three bedrooms and would be built in the style of a chalet bungalow.

3.3 The dwelling would have a pitched roof with each of its gable ends on the side elevations. There would be a pitched roof dormer in the centre of the rear elevation. The front elevation would mirror this design with the addition of two dormer windows on either side.

3.4 The proposed materials would consist of plain clay tiles to be hung at first floor level and across all of the roofs. Stock brickwork would be used at ground floor level. White uPVC is proposed for the doors and windows throughout.

4.0 HISTORY

4.1 A/58/127- Outline Application: Agricultural Workers Bungalow. (Approved Conditional)

4.2 RR/2022/728/P Demolition of existing agricultural workers dwelling and construction of replacement agricultural dwelling and detached garage. (Refused)

5.0 POLICIES

- 5.1 The following policies of the adopted Rother Local Plan Core Strategy are relevant to the proposal:
- PC1: Presumption in Favour of Sustainable Development
 - OSS2: Use of Development Boundaries
 - OSS3: Location of Development
 - OSS4: General Development Considerations
 - RA2: General Strategy for the Countryside
 - RA3: Development in the Countryside
 - SRM1: Towards a Low Carbon Future
 - SRM2: Water Supply and Wastewater Management
 - CO6: Community Safety
 - EN1: Landscape Stewardship
 - EN3: Design Quality
 - EN5: Biodiversity and Greenspace
 - TR3: Access and New Development
 - TR4: Car Parking
- 5.2 The following policies of the adopted Development and Site Allocations Local Plan (DaSA) are relevant to the proposal:
- DRM1: Water Efficiency
 - DHG3: Residential Internal Space Standards
 - DGH4: Accessible and Adaptable Homes
 - DGH7: External Residential Areas
 - DHG11: Boundary Treatments
 - DHG12: Accesses and Drives
 - DEN1: Maintaining Landscape Character
 - DEN2: The High Weald Area of Outstanding Natural beauty (AONB)
 - DEN4: Biodiversity and Green Space
 - DEN7: Environmental Pollution
 - DIM2: Development Boundaries
- 5.3 Paragraphs 11, 12, 80 and 176 of the National Planning Policy Framework are relevant to this proposal.
- 5.4 Planning Practice Guidance, The High Weald Management Plan and The High Weald Design Guide are also material considerations.
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6.0 CONSULTATIONS

- 6.1 Rural Estates Surveyor (Reading Agricultural) – **NO OBJECTION meets the tests for the** provision of an agricultural worker's dwelling.
- 6.2 Sussex Newt Officer – **NO COMMENTS**
- 6.2.1 Comments from the Sussex Newt Officer were received in relation to the previous application at this site (RR/2022/728/P). These comments advised conditions that will be taken into consideration in respect of this application.
- 6.3 Planning Notice – **NO COMMENTS**

7.0 LOCAL FINANCE CONSIDERATIONS

- 7.1 The proposal is for a type of development that is Community Infrastructure Levy (CIL) liable. The total amount of CIL money to be received is subject to change, including a possible exemption, but the development could generate approximately £13,400.
- 7.2 The proposal is one that would provide New Homes Bonus (subject to review by the Government). If New Homes Bonus were paid it could, assuming a Band D property, be approximately £6,684 over four years.
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8.0 APPRAISAL

- 8.1 The main issues to consider in the determination of this application include:
- the Policy and Principle of Development;
 - the impact of the proposal on the character and appearance of the locality and the AONB;
 - the impact of the proposal on neighbouring amenities; and
 - highway safety.

8.2 Principle of Development

- 8.2.1 At the national level, paragraph 80 of the National Planning Policy Framework says planning decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- “(a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- (c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- (d) the development would involve the subdivision of an existing residential building; or
- (e) the design is of exceptional quality, in that it:
is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”

- 8.2.2 The site lies outside of a development boundary and is in a countryside location. Policy RA3 (iii) of the Rother Core Strategy Local Plan states that the creation of new dwellings would be allowed in extremely limited circumstances including;

- (a) Dwellings to support farming and other land-based industries. Normally, accommodation will initially be provided on a temporary basis for a period of three years. Both temporary and permanent dwellings will be

subject to appropriate occupancy conditions, and all applications should comply with the following criteria:

- i. demonstrate a clearly established functional need, relating to a full-time worker primarily employed in the farming and other land-based businesses;
- ii. demonstrate the functional need cannot be fulfilled by other existing accommodation in the area;
- iii. demonstrate the unit and the agricultural activity concerned are financially sound and have a clear prospect of remaining so; and
- iv. dwellings are of appropriate size, siting and design.

(c) The one-to-one replacement of an existing dwelling of similar landscape impact.

8.2.3 The Design and Access Statement that accompanies this application states that;

'The current farm manager who has work on the farm for decades and lives in another tied cottage on the farm. He is due for retirement soon and has expressed a wish to remain in his current dwelling after this time, which has been agreed in principle. Therefore, in the near future a new younger farm manager will be required to run the farms and suitable accommodation will be required to attract the right candidate and provide accommodation for his/her family or future family. It is expected that the same agricultural occupancy clause will be applied to the replacement dwelling'.

8.2.4 Having regard to Policy RA3 (iii) (a) it is acknowledged that the site forms part of an agricultural holding. An appraisal has been carried out by the rural estates surveyor that notes that the new dwelling would;

- provide modern, appropriate accommodation for an agricultural worker;
- the scale of the sheep business (taken from the farm accounts) will require the input of a full-time worker; and
- the accounts are indicative of a viable and sustainable agricultural business, capable of financing the cost of construction.

It concludes that the application does meet the National Planning Policy Framework and Local Plan tests for the provision of an agricultural workers dwelling.

8.2.5 It is therefore considered that, in principal the replacement of an agricultural workers dwelling at this site is justified.

8.3 The impact of the proposal on the character and appearance of the locality and the AONB

8.3.1 Policy DEN2 says that all development within or affecting the setting of the High Weald AONB shall conserve and seek to enhance its landscape and scenic beauty, having particular regard to the impacts on its character components, as set out in the High Weald AONB Management Plan. Development within the High Weald AONB should be small-scale, in keeping with the landscape and settlement pattern. Policy EN1 of the Rother Core Strategy states that; Management of the high quality historic, built and natural landscape character is to be achieved by ensuring the protection, and wherever possible enhancement, of the district's nationally designated and

locally distinctive landscapes and landscape features; including (i) The distinctive identified landscape character, ecological features and settlement pattern of the High Weald AONB.

8.3.2 The pitched roof form of the dwelling, the utilisation of rooms within the roof and the proposed materials are considered to be sympathetic to the AONB. It would be in keeping with the general guidelines that are set out within the High Weald AONB Design Guide. The dwelling would be reasonably well screened by trees and hedges along the southern and eastern boundaries of the site. The replacement dwelling would be sited slightly north of the footprint of the existing dwelling and views would be possible from the wider landscape to the north of the site.

8.3.3 It is acknowledged that the previous application was refused in part because of its impact on the landscape and scenic beauty of the AONB. The replacement dwelling would have a larger footprint and accommodation in the roof space that the existing pre-fab concrete bungalow does not have. However, the appearance of the proposed house would have more traditional elements that can be found in the AONB, including a steeply pitched roof with clay tiles. The previously proposed garage has now been excluded from the current proposal. This is considered to be a significant improvement and reduces the impact of the proposal on the landscape.

8.3.4 As it has now been demonstrated that a replacement agricultural workers dwelling is justified and a detached garage is no longer proposed, it is now considered that the current proposal would not have an unreasonable impact on the High Weald AONB or on the locality as a whole.

8.4 The impact of the proposal on neighbouring amenities

8.4.1 Policy OSS4 (ii) of the Rother Local Plan Core Strategy requires development to not unreasonably harm the amenities of adjoining properties in terms of loss of light, massing or overlooking.

8.4.2 There are no neighbouring properties within the locality that would be directly impacted by the proposal.

8.5 Highway safety

8.5.1 Policy CO6 (ii) of the Rother Local Plan Core Strategy requires all development not to prejudice road and/or pedestrian safety. Policy TR3 of the Rother Local Plan Core Strategy requires new development to have adequate, safe access arrangements and Policy TR4 (i) of the Rother Local Plan Core Strategy requires adequate on-site parking to be provided.

8.5.2 The existing driveway is accessed directly from Ticehurst Road which has previously been in used to serve the existing dwelling. It is therefore considered that the proposal is acceptable in terms of highway safety.

8.6 Other issues

8.6.1 The proposal would be required to meet the minimum standards for water efficiently that are set out in Policy DRM1 of the DaSA Local Plan and Policy SRM2 of the Rother Local Plan Core Strategy. This would be secured via a

planning condition to ensure that the proposal was compliant with these policies.

- 8.6.2 Policy DHG3 of the DaSA adopts the Government's "Technical Housing Standards" (2015) which set minimum standards for the sizes of rooms, floor to ceiling heights and the amount of built-in storage to be provided for new development.
- 8.6.3 Overall, the proposed dwelling would provide accommodation significantly above the required standard for a two storey three-bedroom house of 93m², having a floorspace of approximately 142m²
- 8.6.4 Policy DHG7 (i) of the DaSA states that appropriate and proportionate levels of private usable external space will be expected. For dwellings, private rear garden spaces of at least 10m in length will normally be required and sufficient bin storage and collection points must be provided on all new residential developments. Their siting and design should be considered at the outset, be integral to the development, respect the visual amenities and streetscape character of the dwelling and area and be fully accessible for collection.
- 8.6.5 The replacement dwelling would have a level of external space that is well in excess of the requirements set out in Policy DHG7.
- 8.6.6 Provisions for waste a recycling storage have not been indicated on the submitted plans. These details could however be secured by a condition upon approval of the application.
- 8.6.7 The application site falls within the amber impact risk zone for the protection of Great Crested Newts (GCN) and there are a number of ponds within the vicinity. The submitted ecological report states that although much of the terrestrial habitat on-site is bare earth or maintained grassland, the possibility of GCN on-site cannot be ruled out due to the ponds surrounding the development site. The Sussex Newt Officer advised on the previous application that approval should only be granted if it can be demonstrated that the development would not have an impact on the population of GCN. This could be secured by conditions upon approval of the application.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposal meets the policy requirements for the replacement of an agricultural workers dwelling, and as such would not have an unreasonable impact on the character of the locality or the AONB. The proposal is suitable in terms of highway safety, would not have an impact on the amenities of neighbouring properties and provides a good level of accommodation.
- 9.2 The application is therefore recommended for approval.

RECOMMENDATION: GRANT (FULL PLANNING)

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 plan:
Site and Location Plans- 03 Rev C, dated January 2022
Proposed Floor Plans and Elevations- 02 Rev B, dated January 2022
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure that the development reflects the character and/or appearance of the existing building and to preserve the visual amenities of the area in accordance with Policy OSS4(iii) of the Rother Local Plan Core Strategy and Policy HG9(ii) of the Rother Development and Site Allocations Local Plan.
4. No development above ground level of the site shall take place until hard and soft landscaping details have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.
Reason: To enhance the appearance of the development, and to ensure the conservation and enhancement of the characteristics of the area and the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (iii), EN1 and EN3 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan.
5. The dwelling hereby approved shall meet the requirement of no more than 110 litres/person/day water efficiency set out in Part 3 of Schedule 1 of the Building Regulations 2010 (as amended) for water usage. The dwelling hereby permitted shall not be occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the dwelling has been constructed to achieve water consumption of no more than 110 litres per person per day.
Reason: To ensure that the development is built to acceptable water efficiency standards in line with sustainability objectives and in accordance with Policy SRM2(v) of the Rother District Council Core Strategy 2014 and Policy DRM1 of the Rother Development and Site Allocations Local Plan.
6. Before occupation of the dwelling hereby approved, the siting and form of bins for the storage and recycling of refuse within the site (internally or externally), and a collection point, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented and thereafter continued, with all bins and containers available for use, maintained and replaced as need be.

Reason: To safeguard the visual amenities of the locality in accordance with Policies OSS4 (iii) and EN3 of the Rother Local Core Strategy and Policy DEN1 of the Rother Development and Site Allocations Local Plan.

7. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the area in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependents.

Reason: To reserve suitable residential accommodation for persons employed locally in agriculture and to ensure that the need which led to the grant of permission remains satisfied in accordance with Policy RA3 (iii) (a) of the Rother Local Plan Core Strategy.

8. Before any works commence on site, including demolition or vegetation clearance, either of the following shall be provided to the Local Planning Authority:

a) a Nature Space Report or Certificate to demonstrate that the impacts of the development can be addressed through Rother Councils District Licence; or

b) further information in the form of eDNA or population assessments for the ponds within 500m of the development site in line with Natural England's Standing Advice, to rule out impacts to great crested newts and demonstrate how any impacts can be addressed through appropriate mitigation/ compensation proposals. No development shall commence until these details have been approved and the development shall be undertaken in accordance with the approved details.

Reason: To ensure the protection of great crested newts and their habitats in line with Natural England Guidance, and in accordance with Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Development and Site Allocations Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting this Order with or without modification), no garages, building, structure or erection of any kind (including wall, fences or other means of enclosure) shall be erected and no caravan or mobile home shall be kept or stationed on the land.

Reason: To safeguard the visual character and appearance of the development and the area in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

10. The dwelling(s) hereby permitted shall not be occupied until it has/they have been constructed in accordance with Part M4(2) (accessible and adaptable dwellings) of Schedule 1 of the Building Regulations 2010 (as amended) for access to and use of buildings.

Reason: To ensure that an acceptable standard of access is provided to the dwelling(s) in accordance with Policy OSS4 (i) of the Rother Local Plan Core Strategy and Policy DHG4 of the Rother Development and Site Allocations Local Plan.

NOTES:

1. The development is subject to the Community Infrastructure Levy (CIL). Full details will be set out in the CIL Liability Notice which will be issued in conjunction with this decision. All interested parties are referred to

<http://www.rother.gov.uk/CIL> for further information and the charging schedule.

2. The Applicant is advised that it is their responsibility to notify their Building Control Body (Local Authority or Approved Inspector) that conditions triggering the optional technical standards for Water Efficiency and Accessibility are attached to this planning permission and that development should be built accordingly. Enforcement action may be taken without further notice if the relevant standards are not achieved.

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.