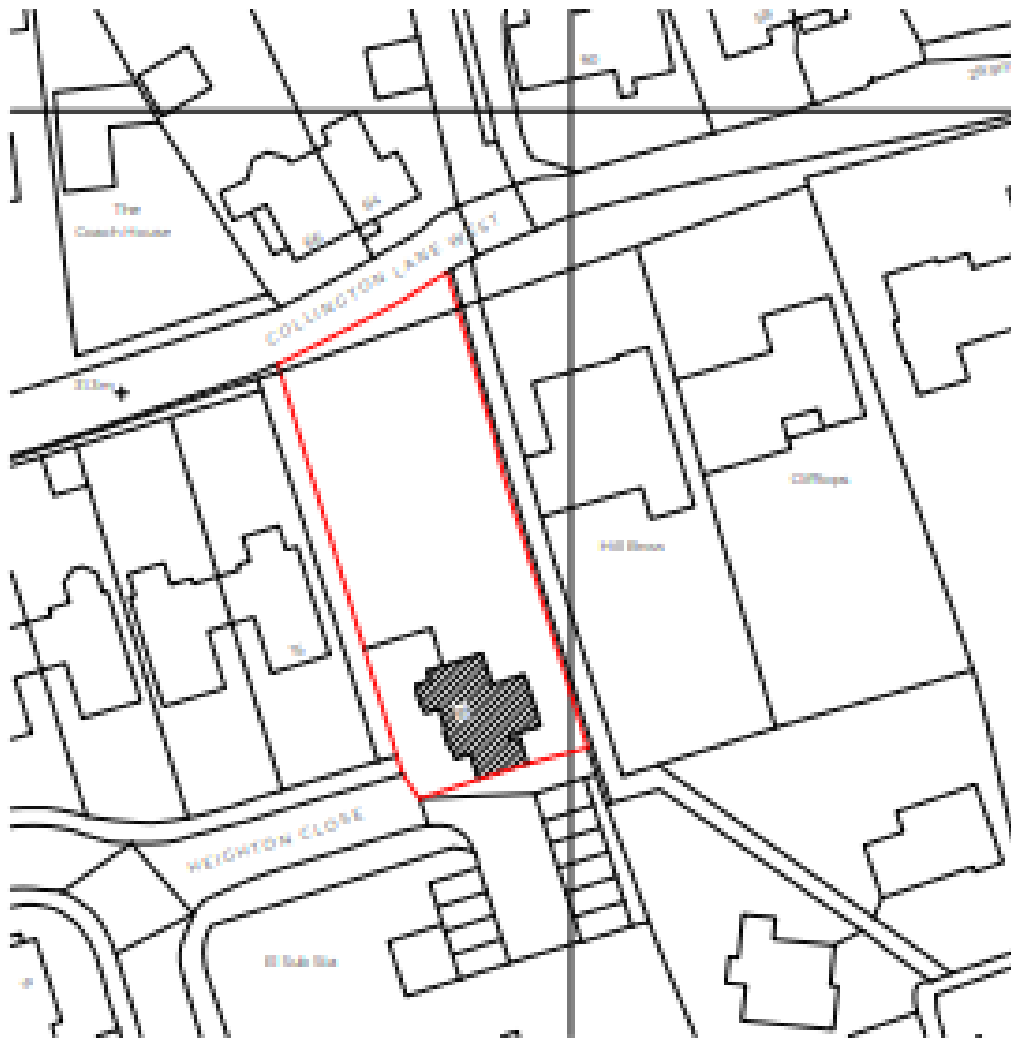


SITE PLAN

BEXHILL

RR/2023/627/P

16 Heighton Close
Bexhill



Rother District Council

Report to - Planning Committee
Date - 18 April 2024
Report of the - Director – Place and Climate Change
Subject - Application RR/2023/627/P
Address - 16 Heighton Close,
BEXHILL, TN39 3UP
Proposal - Erection of new two storey chalet bungalow with access onto Collington Lane West and erection of extension to the existing dwelling.

[View application/correspondence](#)

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

Director: Ben Hook

Applicant: Ms Farnham
Agent: HOUSE – Design & Architecture
Case Officer: Mr Ruben Hayward
(Email: ruben.hayward@rother.gov.uk)

Ward: BEXHILL KEWHURST
Ward Members: Councillors B.J. Drayson and A.P Hayward

Reason for Committee consideration: Member call in – impact on highway safety and character of Collington Lane West.

Statutory 8-week date: 16 June 2023
Extension of time agreed to: 25 April 2024

This application is included in the Committee site inspection list.

1.0 SUMMARY

1.1 The application consists of an extension to the existing dwelling, 16 Heighton Close, and the erection of a detached dwelling within the rear garden of No. 16, with access on to Collington Lane West. The proposed extension is considered to have an acceptable impact on the character and appearance of the area and the amenities of neighbouring properties. The proposed new dwelling would contribute to the housing stock within the district in light of the Council's shortfall of a 5-year housing land supply. The proposed dwelling would be situated in a sustainable location, and is considered to accord with planning policy, subject to the imposition of appropriate conditions.

2.0 SITE

- 2.1 16 Heighton Close is a detached dwelling situated within a comparatively large plot at the western end of the cul-de-sac. The existing rear garden extends to approximately 30m in length in a northerly direction (from the side elevation) and backs on to Collington Lane West. Public footpaths connecting Collington Lane West with Heighton Close and Carmel Close run down either side of the plot.
- 2.2 Collington Lane West (the Lane) is an unclassified road measuring over 1 km in length, bypassing Birkdale between Little Common and Collington. The Lane predominantly features detached dwellings along most of the road frontage including developments which are not accessed directly from the Lane. The Lane is semi-rural in nature due to the lack of footpaths along most of its length and the interspersing of mature trees and hedgerows towards the western half.

3.0 PROPOSAL

- 3.1 The first part of the proposal seeks to construct a first-floor extension to the existing dwelling, projecting from the rear elevation towards the east atop an existing ground floor rear projection. The extension would create an additional bedroom and en-suite bathroom at first floor level. This extension would be constructed from materials that would match the existing dwelling.
- 3.2 The second part of the proposal seeks to construct a detached chalet-bungalow dwelling in the northern part of the site. The dwelling would be a chalet-bungalow style featuring four bedrooms, two of which are within the roof with dormers to the front and rooflights to the rear.
- 3.3 The materials to be used in the construction of the dwelling have been listed as facing brickwork, cladding and concrete tiles.
- 3.4 During the application process, amendments have been received in order to reduce the scale of the front dormers and removing dormers at the rear to be replaced by several rooflights. In addition to this, a preliminary ecological appraisal and further landscaping details have been submitted for consideration.
- 3.5 The application also seeks to create an access on to Collington Lane West to serve the proposed dwelling. A hard standing area to the front of the dwelling would allow for the parking and turning of two vehicles to serve the new dwelling.

3.6 SCHEME DETAILS

Dwelling details		
Dwellings	Number	Percentage
Market	1	100%
Affordable		
Self-build		
Total	1	

Tenure Details / Property Size							
Type	Tenure	1 bed	2 bed	3 bed	4 bed	5+ bed	Total
					1		1
Total					1		1

Access and Space Standards			
Standard	Compliant	Non-compliant	% Compliant
Internal Space	X		100%
Access M4(2)	X		100%
External Space		X	90%

Use Classes Floorspace (sqm)			
Use Class	Lost	Gained	Total
C3	0	182	182

4.0 HISTORY

16 Heighton Close

- 4.1 RR/78/1690/BR Extension to form dining room – BUILDING REGS APPROVED
- 4.2 RR/76/2038 Erection of 26 dwellings with garage and nine garages for existing flats – APPROVED CONDITIONAL

Other local applications

- 4.3 *39 Collington Lane West – to the east of this site*
- 4.3.1 RR/94/1992/P Renewal of outline planning permission B/73/0710 for erection of 3-bedroom dwelling and garage in relation to a new unit in the rear garden – APPROVED CONDITIONAL
- 4.3.2 RR/91/2035/P Outline: Renewal of permission for erection of 3-bedroom dwelling and garage – APPROVED CONDITIONAL
- 4.4 *Lake House – to the west of this site*
- 4.4.1 RR/94/1185/P Erection of three chalet bungalows with garages pursuant to outline permission RR/92/0567/P – APPROVED CONDITIONAL
- 4.4.2 RR/92/0567/P Outline – Erection of seven dwellings with garages served by new private road – APPROVED CONDITIONAL

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
- OSS1: Overall Spatial Development Strategy
- OSS2: Use of Development Boundaries
- OSS3: Location of development
- OSS4: General Development Considerations
- CO6: Community Safety
- LHN1: Achieving Mixed and Balanced Communities
- EN3: Design Quality
- EN5: Biodiversity and Green Space
- EN7: Flood Risk and Development
- 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:

- DRM1: Water Efficiency
- DHG3: Residential Internal Space Standards
- DHG4: Accessible and Adaptable Homes
- DHG7: External Residential Areas
- DHG9: Extensions, Alterations and Outbuildings
- DHG11: Boundary Treatments
- DHG12: Accesses and Drives
- DEN1: Maintaining Landscape Character
- DEN4: Biodiversity and Green Space
- DEN5: Sustainable Drainage
- DIM2: Development Boundaries

5.3 The National Planning Policy Framework and Planning Practice Guidance are also material considerations.

6.0 CONSULTATIONS

6.1 Planning Notice

6.1.1 48 letters of objection for the application have been received. Their comments are summarised as follows:

- Access on to the narrowest part of the lane is dangerous.
- Dwelling would overlook neighbouring garden.
- Front elevation of the dwelling out of character.
- Disruption caused during construction.
- Overdevelopment of the site.
- Extends beyond the building line.
- Wildflower verge should be retained.
- Flank westerly elevation would be harmful.
- Previous conditions prevented access on to the lane.
- Rear garden is a haven for wildlife.
- More vehicles would be parked on the road.
- Insufficient distance from properties opposite.
- Grass bank is used as a pedestrian refuge.
- Would disrupt the unspoilt nature of the lane.
- Sets a precedent for other properties to open access on the lane.

6.2 Bexhill-on-Sea Town Council – **NO RESPONSE**

6.3 RDC Waste & Recycling – **NO OBJECTION**

6.3.1 *“There are no issues here, bins will be presented at the curtilage on Collington Lane West.”*

6.4 East Sussex County Council (ESCC) Highways – **NO OBJECTION**

6.4.1 *“I therefore do not wish to object to this application subject to the imposition of the following conditions:”*

6.5 Pevensey & Cuckmere WLMB

6.5.1 *“Unfortunately, the Lead Local Flood Authority is unable to respond to minor applications at this time unless the Planning Officer deems there to be a significant flood risk arising from this proposal. If this is the case, please set out your concerns and we will endeavour to provide a response within the deadline set.”*

6.6 County Ecologist

6.6.1 Initial response – 22 September 2023:

*“**Recommend for refusal due to insufficient information.** Insufficient information has been provided to assess the potential impacts on biodiversity and to inform appropriate mitigation, compensation and enhancement. Further advice will be provided upon receipt of additional information.”*

6.6.2 Re-consultation – 4 March 2024:

*“**Recommended for approval in principle subject to the imposition of conditions.** Whilst the application documentation has not met best practice standards and/or the requirements of the NERC Act and National Planning Policy Framework, it is possible that the risk is capable of being mitigated to acceptable levels by the application of planning conditions which are outlined in this response.”*

7.0 LOCAL FINANCE CONSIDERATIONS

7.1 The application with regard to the new dwelling 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 £12,607.

8.0 APPRAISAL

The main issues to be considered are:

- Principle of the dwelling
- Impact on the character and appearance of the dwelling and locality
- Impact on the amenities of neighbouring properties
- Living conditions of future occupiers

- Highway safety
- Ecological impacts

8.1 *Principle of development*

- 8.1.1 At present, the Council is only able to demonstrate 3.09 years of housing land supply, below the required threshold of five years. In this scenario, paragraph 11d of the National Planning Policy Framework is triggered which requires that a presumption in favour of sustainable development should be applied and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 8.1.2 The location of the proposal is within the development boundary for Bexhill where there is a presumption in favour of development subject to other policy considerations. In addition, the site in all respects can be considered a sustainable location. Collington railway station is within 20 minutes walking distance, whilst Little Common village is a similar distance with a variety of amenities including convenience shopping, GP surgery and school. Little Common village can be accessed via the footpath by Lakelands Drive on to Birkdale and would not require walking along the highway.
- 8.1.3 Paragraph 7.60 within the subtexts of the DaSA states that - *Within development boundaries there is a presumption that infilling, redevelopment and changes of use will be acceptable subject to other policies of the plan.*
- 8.1.4 Policy LHN1 of the Rother Local Plan Core Strategy - *In order to support mixed, balanced and sustainable communities, housing developments should: (iii) In Bexhill, contribute to increased provision of family dwellings, unless site circumstances make this inappropriate.* The proposed dwelling would be a 4-bedroom family dwelling and would therefore contribute to the desired housing provision within Bexhill.
- 8.1.5 The principle of the erection of a dwelling in this location is therefore accepted, subject to other considerations which will be assessed below.

8.2 *Impact on the character and appearance of the dwelling and locality*

Proposed dwelling

- 8.2.1 Collington Lane West lies within a development boundary and can be considered an urban location, exemplified by the number of dwellings that front the Lane along most of its length. A semi-rural character as alluded to within objections is appreciated to some extent, due to a lack of footpaths and stretches without residential development.
- 8.2.2 Between Lake House Close and the junction with Birkdale to the east, the Lane is continuously developed along both frontages, the application site lying within this stretch. The section of the lane between Lake House Close towards Drayton Rise in the west is much more rural in character with a lower density of dwellings along this section and more trees and developed hedgerows along the highway.
- 8.2.3 References within objections have been made to a condition imposed on a permission granted in the 1990s, relating to the development at Lake House

Close. Condition 2 of RR/94/1185/P states - *No vehicle or pedestrian access shall be permitted directly onto Collington Lane West.* This relates to Nos. 1, 2 and 3 Lake House Close which are accessed within the cul-de-sac. Further accesses here would have eroded the semi-rural qualities of the road towards the west but are not considered comparable to the stretch of road upon which this application relates, where there are already several established accesses on to the Lane.

- 8.2.4 It is therefore considered that the positioning of a dwelling and new access in the location proposed would not significantly harm the semi-rural character of the Lane because it is situated at a position where the density of built frontages is higher. It would therefore be considered to maintain and reinforce the built landscape character of the area in accordance with DaSA Policy DEN1.
- 8.2.5 The proposed form and scale of the dwelling is considered to be in keeping with dwellings immediately east of the site, such as Nos. 41 (Clifftops) and 43 (Hill Brow) Collington Lane West (to the east side of the plot). The chalet bungalow would have a low overall height that would not appear significantly intrusive or out of place within the locality and would be in keeping with the built character of the area. Due to the sloping topography of the site, the dwelling would be marginally lower in height than No. 43.
- 8.2.6 Whilst the proposed materiality of the dwelling may differ through the use of cladding, this would not significantly detract from the character and appearance of the area, given the mixture of dwellings and designs along the Lane. Notwithstanding this, a condition would be imposed to specify further details of materials.
- 8.2.7 The overall design of the proposed dwelling is considered an appropriate modern interpretation of a chalet bungalow with glazed porch and would provide an amenable appearance from the street-scene. Amendments brought forward to reduce the scale of the dormers at the front would ensure that the dwelling does not appear top heavy and unbalanced. The proposal is therefore considered to contribute positively to the character of the site and surroundings, in accordance with Policy EN3 of the Rother Local Plan Core Strategy.
- 8.2.8 In relation to its impact on the setting of 16 Heighton Close, given the distance from the side elevation of the host dwelling and its proposed position fronting the Lane, the dwelling would more closely relate to the pattern of development along the Lane and would not be considered to significantly detract from the existing character of No. 16.
- 8.2.9 Landscaping details have been submitted including detailed plans, mixed native species, planting plans and schedules and an implementation plan. These details are considered sufficient to ensure an appropriate scheme of landscaping is achieved having regard to the character and appearance of the locality. An indicative elevation of the boundary treatment to the rear has also been submitted, proposing a 1.8m closeboard fence. At the frontage of the dwelling, traditional post and rail fencing is proposed which is reflective of the boundary treatment used at 41 Collington Lane West and provides a semi-rural edge to the frontage.

Proposed extension

8.2.10 The proposed extension would be situated above the existing ground floor rear extension of No. 16. The extension would utilise similar materials and vernacular design found within the dwelling, responding positively to the appearance and arguably forming an improvement on the flat roofed extension it would supersede. Although the extension would not be technically subservient in height due to the corresponding ridge heights, in all other respects the extension would be subservient in terms of its size and mass. Due to its position on the rear elevation, facing east, the extension is unlikely to have a material impact in the context of street-scene views. As a result of these considerations, the proposed extension is considered to accord with Rother Local Plan Core Strategy Policy EN3 and DaSA Policy DHG9.

8.3 *Impact on the amenities of neighbouring properties*

8.3.1 Rother Local Plan Core Strategy Policy OSS4 and DaSA Policy DHG9 collectively seek to ensure that development would not unreasonably harm the amenities of adjoining properties in terms of loss of light, massing or overlooking.

8.3.2 The proposed extension is not considered to generate any significant negative impacts on any neighbouring properties, due to its siting above an existing extension, positioning of windows and consolidation of built form. Indeed, arguably the removal of a rear facing bedroom window to a side facing window would improve privacy within the nearby rear garden of 43 Collington Road West.

Proposed dwelling impacts

8.3.3 *16 Heighton Close* is a two-storey detached dwelling that is the subject of this application. The proposal would result in the plot effectively being split in half with the new dwelling lying to the north of No.16. Given the distance that would be between the two properties and the relationship of the proposed rear to existing side elevations, the new dwelling is unlikely to be a significantly overbearing presence on this property. Due to the array of rooflights proposed at the rear of the new dwelling (rather than initially proposed dormers), which could be obscure glazed, there is unlikely to be any harmful overlooking into the newly defined boundaries of No. 16.

8.3.4 *15 Heighton Close* is a link-detached chalet bungalow located south-west of the dwelling site. The proposed dwelling would introduce massing that would be obvious from the dwelling, however given the chalet-bungalow style of the new dwelling and the lower level outshot proposed on the west side, this level of massing is not considered to be detrimental to amenities. The proposed front dormers, particularly the western most dormer, may be able to afford some oblique views into the very northern part of the rear garden, but these are not considered detrimental. In any case, No. 15 has a large side dormer which could afford views into both No.16 and the new dwelling's garden and any new overlooking would not be over or above this.

8.3.5 *Hillbrow, 43 Collington Lane West* is a detached chalet bungalow located immediately east of the dwelling site. Overlooking would not be possible into the private amenity areas of the dwelling. Significant massing impacts are

also unlikely due to the lower topography of the proposal site. Some loss of light may be experienced to the western most room of No. 43, specifically to the north facing window on the recessed portion, however this room would still receive a plentiful amount of light from its southern windows, and therefore amenity here cannot be considered to be detrimentally impacted.

8.3.6 *64 and 66 Collington Lane West* are a pair of semi-detached cottage style dwellings, positioned closer to the frontage than other dwellings along this stretch of the Lane and opposite the plot. Concerns have been raised by neighbours that the position of the new dwelling would be overbearing on these properties and would impact amenities. The proposed dwelling would be situated between 16-20m from the frontage of the cottages and separated by the road. This separation would be enough to ensure that impacts of overlooking are not detrimental to these properties, which are already overlooked from the highway.

8.3.7 In summary, the proposed developments are not considered to have a detrimental impact on the amenities of neighbouring properties and would accord with Rother Local Plan Core Strategy Policy OSS4 and DaSA Policy DHG9.

8.4 *Living conditions of future occupiers*

8.4.1 Policy DHG7 of the DaSA states - *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.*

8.4.2 The plans submitted would indicate rear/side gardens for both properties that measure just over 9m in depth. No. 16 would have a good amenity space to its side compensating for a narrower space to its rear. Paragraph 4.71 of the DaSA states that - *In a limited number of cases, a rear garden of slightly less than 10m in depth may be accepted where either an appropriate and proportionate level of private amenity space is provided to the side or front of the dwelling or there are particular reasons why the future occupiers of the dwelling(s) will have a lesser requirement for amenity space. In such cases, the overall layout of the site and separation distances between dwellings must be acceptable and not result in a cramped form of development.*

8.4.3 It is therefore considered that a shortfall of 1m in garden depth could be acceptable, because the width of the plot would still allow for appropriate and useable amenity areas for both dwellings.

8.4.4 DaSA Policy DHG3 requires that all new dwellings comply with the Government's national space standards. The proposed dwelling would be broadly compliant with these standards, although it should be noted that only one area of built in storage would be provided but additional storage space could be available.

8.4.5 DaSA Policy DHG4 requires that all dwellings meet M4(2) Building Regulations standards for accessible and adaptable homes. There is insufficient information at planning stage to determine compliance and therefore a condition should be attached to ensure this standard is met.

8.4.6 Based on the above considerations, the proposed dwelling would result in acceptable living conditions for future occupiers.

8.5 *Highway safety*

8.5.1 ESCC Highways have been consulted on the proposed dwelling development for detailed comments regarding the access and other highway related issues. Their comments are incorporated into the sections below.

8.5.2 Visibility splays of 2.4 x 43m would be required in this particular context. The Highways officer was satisfied during a site visit that these splays would be achievable, subject to the removal of the boundary fence (which would be a formality should the development be approved). It is therefore considered that vehicles exiting the driveway would be able to access the carriageway safely.

8.5.3 Significant objections have been raised with regard to the suitability of the access due to the width of the Lane and the lack of pedestrian footpaths on the carriageway.

8.5.4 Particular concerns were raised by objectors around pedestrian users using the public footpaths either side of the plot and onwards towards Lakelands Drive. The proposed dwelling would require the removal of the fencing fronting the lane, and some fencing either side by the footpaths which in practice would provide an element of intervisibility for pedestrians across the Lane before they reach the junction with the highway.

8.5.5 It is considered that the intensification in use of Collington Lane West by one dwelling would be negligible in a capacity sense regardless and would not significantly harm safety of other road users.

8.5.6 The width of the Lane was found by ESCC Highways officers to be 4.5m wide at the access point which is sufficient for two vehicles to pass each other. The width of the Lane varies but is wider towards the west and narrower to the east, narrowing to 4.2m between Nos. 41 and 60.

8.5.7 The access is considered acceptable in terms of highway impacts, based on the current context, similar accesses nearby and the frequency of vehicular movements that may be generated by one additional dwelling. In some respects, it is considered pedestrian safety for those using the public footpaths may be improved due to the potential open frontage of the dwelling.

8.5.8 ESCC Highways have suggested the imposition of conditions to ensure the following:

- That the development shall not be occupied prior to the access being constructed.
- That the access is not used until visibility splays are provided.
- The development shall not be occupied until a parking area is approved in consultation with the Highway Authority.
- The parking spaces measure at least 2.5m x 5m.
- The development shall not be occupied until a cycle parking area is approved in consultation with the Highway Authority.

8.6 *Ecological Impacts*

- 8.6.1 During the application process, neighbours raised concerns that badgers may have been present on the site. Given these concerns and the highly vegetated state of the garden, it was considered reasonable to request that a preliminary ecological appraisal (PEA) was undertaken.
- 8.6.2 Prior to the PEA being undertaken, it was noted that the vegetated garden was heavily cleared with a number of shrubs and greenery being removed. This was brought to the attention of the County Ecologist and was taken into account in their consultation response.
- 8.6.3 The PEA found that the existing building was unlikely to support bat roosts. Although badgers were not found during the survey, the survey did find evidence of animal burrows.
- 8.6.4 The County Ecologist initially raised an objection on the basis of the biodiversity net-loss that would arise from the development when compared to the pre-clearance baseline of the site and that opportunities for ecological enhancement within the site had not been fully explored.
- 8.6.5 Shortly after this objection was raised, further evidence of badger activity was discovered on the site. As a result, the Applicant's ecologist made a follow-up visit to the site and observed for any signs of badger activity. The follow up report recommended that the sett would need to be closed under licence in advance of development taking place.
- 8.6.6 An amended landscaping plan was also submitted in order to attempt to deliver measureable biodiversity net-gain on the site. The proposal includes the following elements:
- Grasscrete parking area with low growing wildflowers.
 - Native hedgerow planted on boundaries, including species rich hedgerow between 16 Heighton Close and new dwelling.
 - Climbing plants on eastern edge of the site.
- 8.6.7 Upon receipt of this information, the County Ecologist was reconsulted for additional comments. The submitted information was found to overcome the previous objection in relation to badgers and biodiversity net-gain, subject to conditions being imposed for compliance with existing plans, a biodiversity method statement and ecological design strategy.

8.7 *Arboricultural impacts*

- 8.7.1 An Arboricultural Impact Assessment has been submitted with the application. Four individual trees and two groups of trees are proposed to be removed to accommodate the proposals. None of these trees are considered exceptional in terms of their appearance and would not be prominent from public views.
- 8.7.2 The report recommends that two tree protection barriers and one area of temporary ground protection are provided during the construction period of the proposals. A condition would be attached to any permission to ensure these works are implemented.

8.8 *Other matters*

- 8.8.1 The proposed dwelling would provide two parking spaces for vehicles, which would accord with ESCC requirements for residential development. An additional space would be preferable to reduce overspilling on to the lane but is unlikely to be accommodated within the front garden area.
- 8.8.2 Enclosed storage for bicycles is mentioned within the Planning Statement but further details would be required at condition stage, as recommended by ESCC Highways.
- 8.8.3 Policy DEN5 of the DaSA requires that developments within the Pevensey Levels Hydrological Catchment Area, should incorporate at least two stages of suitable treatment for SuDS, unless demonstrably inappropriate. As there was no significant flood risk arising from this proposal, Pevensey & Cuckmere WLMB did not comment on the application, although part of the site lies within the catchment area. As a result, it is considered necessary to impose a condition requiring a detailed foul and surface water drainage plan.
- 8.8.4 Some concerns have been raised within objections that the construction period of the dwelling could cause disruption to residents and users of Collington Lane West. Given that this road is fairly narrow at the proposed access and that large vehicles would need to access the site, it is considered reasonable to require a Construction Management Plan prior to commencement on site to ensure that construction traffic is managed effectively. This can be conditioned should planning permission be granted.

9.0 **PLANNING BALANCE AND CONCLUSION**

- 9.1 The proposed extension to 16 Heighton Close is considered acceptable in terms of impacts on the character and appearance of the locality and in terms of impacts on the amenities of neighbouring properties.
- 9.2 The Council currently only demonstrates 3.09 years of housing land supply. In accordance with paragraph 11d of the National Planning Policy Framework, the development plan is considered out-of-date and therefore permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 9.3 The proposal would provide an additional dwelling to the housing supply, a small but notable contribution and contributes to the provision of family dwellings within Bexhill. The proposed dwelling would not significantly detract from the character and appearance of the locality, would not cause unreasonable impacts on the amenities of neighbouring properties and would be acceptable in terms of future living conditions, highway safety and ecological impacts subject to conditions. On balance, the shortfall in useable garden space provided is considered to be outweighed by the positive benefits of the proposal and 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 plans and documents:
Proposed Floor Plans, Elevations & Block Plan (extension) – 22.456/02, dated December 2022
Proposed Floor Plans, Elevations & Site Block Plan (new dwelling) – 22.456/03B, revised June 2023
Proposed Street Scene – 22.456/04B, revised June 2023
Preliminary Ecological Appraisal – dated August 2023
Preliminary Ecological Appraisal Addendum 1 – dated October 2023
Hard & Soft Landscaping Plan – 22.456/05A, revised February 2024
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 be as described within the application, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the development reflects the character and appearance of the existing building(s) and to preserve the visual amenities of the area in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy and Policy DHG9 (ii) of the Rother Development and Site Allocations Local Plan.
4. At the time of construction and prior to the first occupation or use of the new dwelling hereby approved, the rooflight windows at first floor level within the rear elevations, as indicated on the approved Drawing No. 22.456/03B, revised June 2023, shall be glazed with obscure glass of obscurity level equivalent to scale 5 on the Pilkington Glass Scale and shall thereafter be retained in that condition.
Reason: To avoid overlooking and preserve surrounding residential amenity in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy and Policy DHG9 (i) of the Development and Site Allocations Local Plan.
5. No development shall take place (including any demolition, ground works, site clearance and destructive enhancement/restoration measures) until a method statement for invasive plants (where their spread could be caused), reptiles and badgers has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:
 - a) purpose and objectives for the proposed works;
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
 - c) extent and location of proposed works shown on appropriate scale maps and plans;
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - e) persons responsible for implementing the works;
 - f) initial aftercare and long-term maintenance (where relevant); and
 - g) disposal of any wastes arising from the works.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Addendum 1 (Mayhew Consultancy Ltd, October 2023) and Hard and Soft Landscaping Plan (House Design and Architecture, October 2023 RevA, Ref: 22.456/05A) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017, as amended and in accordance with Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Development and Site Allocations Local Plan.

6. No development shall take place until an ecological design strategy (EDS) providing planting details of the green wall and grasscrete and specification for hedgehog holes and bird and bat bricks/boxes has been submitted to and approved in writing by the Local Planning Authority. The content of the EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures; and
- j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Addendum 1 (Mayhew Consultancy Ltd, October 2023) and Hard and Soft Landscaping Plan (House Design and Architecture, October 2023 RevA, Ref: 22.456/05A) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 180 and 186 of the National Planning Policy Framework and Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Development and Site Allocations Local Plan.

7. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire

construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- a) the anticipated number, frequency and types of vehicles used during construction;
- b) the method of access and egress and routing of vehicles during construction;
- c) the parking of vehicles by site operatives and visitors;
- d) the loading and unloading of plant, materials and waste; and
- e) the storage of plant and materials used in construction of the development,

Reason: These details are required prior to commencement of any works to ensure highway safety and to protect the amenities of adjoining residents during construction in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

8. No development shall take place, until full details of the proposed foul and surface water drainage system, which should incorporate at least two stages of suitable treatment, to prevent off-site flooding as a result of the development and preclude harmful impacts on the Pevensey Levels Hydrological Catchment Area, have been submitted to and approved in writing by the Local Planning Authority and the new dwelling shall not be occupied until drainage works to serve the development have been provided in accordance with the approved plans and details.

Reason: Drainage details are integral to the development to ensure the satisfactory drainage of the site to prevent water pollution or off-site flooding and to ensure the appropriate management of surface water on and adjacent to the highway, in accordance with Policy EN7 (iii) of the Rother Local Plan Core Strategy and Policy DEN5 of the Development and Site Allocations Local Plan.

9. 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 locality and to preserve the visual amenities of the area in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy and Policy DHG9 (ii) of the Rother Development and Site Allocations Local Plan.

10. The dwelling hereby permitted shall not be occupied until it has 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 in accordance with Policy OSS4 (i) of the Rother Local Plan Core Strategy and Policy DHG4 of the Development and Site Allocations Local Plan.

11. 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 Local Plan Core Strategy and Policy DRM1 of the Development and Site Allocations Local Plan.

12. The development shall not be occupied until the vehicular access serving the development has been constructed in accordance with the approved plans.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR3 of the Rother Local Plan Core Strategy.
13. The access shall not be used until visibility splays of 2.4m by 43m are provided in both directions and maintained thereafter.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR3 of the Rother Local Plan Core Strategy.
14. The development shall not be occupied until the parking area has been provided in accordance with the approved plans which have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the area shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR4 of the Rother Local Plan Core Strategy.
15. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).
Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR4 of the Rother Local Plan Core Strategy.
16. The development shall not be occupied until a cycle parking area has been provided in accordance with the approved plans which have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with Policy TR3 of the Rother Local Plan Core Strategy.
17. The development hereby permitted shall be carried out in accordance with the tree protection measures inscribed within the recommendations of section 11 of the Arboricultural Impact Assessment – AR/123122, dated December 2022 and the protective fencing so erected prior to any construction on site and shall remain in situ for the period of construction.
Reason: To ensure that the development would have regard to the protection of trees, and thereby maintain the landscape character of the locality in accordance with Policy EN1 of the Rother Local Plan Core Strategy and Policy DEN1 of the Development and Site Allocations Local Plan.

NOTES:

1. The Applicant will be required to enter into a Section 184 Licence with East Sussex Highways, for the provision of a new vehicular access. The Applicant is requested to contact East Sussex Highways (0345 60 80 193) to commence this process. The Applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.
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 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 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.