



Battle Town Council



Minutes of the **PLANNING & TRANSPORT COMMITTEE** held on
TUESDAY, 13 February 2024 at 7.30pm. The Almonry, High Street, Battle

Present: Cllr D Wheeler (Chairman), D Russell, D Silk.

In attendance: Four members of the public, B Rieu (Deputy Town Clerk)

PUBLIC QUESTION TIME

A member of the public raised concern regarding the Blackfriars site and the application of the CIL percentage. A response from Councillor Field, had been received confirming a fixed 15% CIL based on the outline which pre-dated the neighborhood plan. The speaker expressed disappointment, citing a financial morality issue due to significant differences between the current planning application and the 2021 outline plan. They urged a reconsideration of the CIL rate, advocating for at least 25% to address the substantial changes, and recommended district councillors raise the matter with the local planning authority during the upcoming planning application on Thursday.

1. **Apologies for absence:** Cllrs A Barton, V Cook and A Ratcliffe.
2. **Disclosure of Interest:** None.
3. **Minutes of the previous meeting held on 12 December 2023** were approved and duly signed by Cllr Wheeler.
4. **Clerk's report**
 - There has not been a call for the feasibility appraisal fee for the Shared Use Path project.
 - There are no restrictions to road types that may be assigned to 20mph limits.
 - Asprey Homes continue to raise concern that British Gypsum and ES Highways remain unhelpful in moving forward with the White House Farm development.
5. **Planning applications received to date**

[RR/2023/2507/P](#) Orchard Yard, Canadia Road, Battle

Removal of yard and construction of bungalow

Comments: Members object to this application as contrary to the Battle Civil Parish Neighbourhood Plan:

HD1: Contrary to HD1, the site is outside of the Battle Civil Parish Neighbourhood Plan development boundaries.

IN1: Contrary to IN1, any potential increase in traffic movement can be considered "detrimental to existing safety measures" on a road with a difficult junction with the A2100.

IN4: Contrary to IN4, the proposed development would not provide "safe pedestrian access to link up with existing footway networks", despite the Policy saying it "must" do so.

EN2: Contrary to EN2, the proposals offer no "net gains for biodiversity", nor does it "incorporate swift bricks or install swift boxes" into the building design.

EN3: Contrary to EN3, the proposed development fails to "conserves and enhances the natural beauty of the parish.

Rother District Council's reasons for refusing the proposed development at the adjacent property, covered under RR/2015/468/P should also be similarly relevant in this instance. The proposed development is in contrast to policies RA2(iii), EN1(vii), EN3(h) of the RDC Local Plan Core Strategy, and paragraphs 55 and 115 of the National Planning Policy Framework. Further, Canadia Road is narrow, poorly aligned and has a substandard junction with the A2100. The proposed development would likely increase the traffic using the road to the detriment of highway safety, contrary to Policies CO6(i) and (ii) of the RDC Local Plan.



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[RR/2023/2629/P](#)

Quarter Mile Farm, Marley Lane, Battle

Proposed replacement dwelling with detached double garage and proposed extension of existing domestic curtilage

Comments: Members object to this application as contrary to the Battle Civil Parish Neighbourhood Plan. (In addition, there is no detail as to how applicant proposes to limit light pollution. Planning Statement suggests new home will be more energy efficient but supplies no information as to how the efficiency is to be realised).

HD1: The site is not within Battle Civil Parish Neighbourhood Plan development boundary.

HD4: Contrary to HD4, the proposed house design and layout does not conserve "the aesthetic qualities of traditional rural settlements". The proposal does not offer a "sympathetic design... with regard to the existing ... scale". It is disingenuous to state that "The materials used for the house are put forward to be sensitive to and blend with the local vernacular architectural forms and materials (in particular in relation to the retained stable block)", which offers shallow-pitched roofs, and no clay tiling, rendering or brickwork.

HD5: Contrary to HD5, the proposals include the extension of the existing domestic curtilage into the adjacent open countryside, currently used for grazing. It would appear that the proposed dwelling, which is much larger in scale and floor plan than the existing can be constructed whilst the existing dwelling can remain occupied. This is an insufficient reason for the domestic encroachment into the adjacent countryside.

HD6: Contrary to HD6, the size of the proposed development is not "visually integrated" with the surroundings.

HD7: The site is within the Battle Civil Parish Neighbourhood Plan Green Gap designation.

IN4: Contrary to IN4, the proposed development does not "provide safe pedestrian access to link up with existing footway networks".

EN1: The proposed extension of the existing domestic curtilage is contrary to Battle Civil Parish Neighbourhood Plan Objective 5, which states "Plans must restrict the use of land for development which is primarily already outside of the development boundaries and has been designated as AONB",

EN2: The "nominal increase in the recognised domestic curtilage", as per the Planning Statement, is actually an intrusion of roughly 500m² into the adjacent grazing land and, contrary to EN2, which states "Planning proposals will not be supported where development would result in unacceptable loss, or damage to... green spaces".

EN3: Contrary to EN3, the proposals fail to "conserves and enhances the natural beauty of the parish", and also fails point 5: "conserve and enhance the ecology and productivity of fields".

[RR/2023/2632/P](#)

170 Hastings Road, Camellias, Battle

Proposed increased rear dormer and replacement to front porch.

Comments: Members object to this application as contrary to the Battle Civil Parish Neighbourhood Plan:

HD4: The proposals include an unnecessary excessive amount of additional glazing and doors to what is already a largely glazed western elevation. The additional glazing is contrary to Battle Civil Parish Design Guidelines, page 33, which states "consistent window styles and shapes must be used across a given facade to avoid visual clutter and dissonance".

EN2: No details have been submitted as to how any resultant light pollution will be dealt with in an area which is not densely populated.

[RR/2024/7/P](#)

Caldbec House, Caldbeck Hill, Battle

Proposed demolition of the existing 'apple shed' outbuilding and erection of new garage building including ancillary living accommodation.

Comments: Members support this application with the following recommended conditions:

1. The external lighting scheme shall comply with the Institution of Lighting Professionals Guidance Note GN01/21 for the reduction of obtrusive light and its recommendations for Environmental Zone E1 in Table 2 of the document. It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage. The scheme shall be implemented and maintained for the lifetime of the approved development and shall not be altered without the prior written approval of the local planning authority.

2. Being a development within the AONB, as part of the scheme to control light pollution any Velux roof lights should be provided with blinds to enable the control of light spill from these at night.



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3. No fossil fuel heating shall be permitted.
4. Must include rainwater harvesting, bat and/or swift boxes.
5. Retain established vegetation fronting the road.
6. No permanent residential occupancy.

RR/2024/46/T **8 Bowmans Drive, Battle**

T1 Oak - reduce by up to 2.5 metres.

Comments: Members Object

Relevant tree is subject to a TPO. Is the applicant the owner of the tree? Applicant's comments describe the tree as "very large for the area" without sufficient supporting evidence or report from unconnected arboriculturist. Application does not include "Application for Tree Works: Works to Trees Subject to a Tree Preservation Order" form, as required.

RR/2024/93/P **Branshill Cottage, 123 Hastings Road, Battle**

Single storey side extension, associated landscaping and installation of PV solar array.

Comments: Members object to this application as contrary to the Battle Civil Parish Neighbourhood Plan.

HD1: The site is outside the Battle Civil Parish Neighbourhood Plan development boundary.

HD4: Contrary to Battle Civil Parish Design Guidelines, the proposed oak framed, fully glazed extension does not comply with the Household Extensions requirement that "Extensions should demonstrate an intelligent understanding of the materials, architectural features, window sizes and proportions of the existing building in order to match and complement the build environment", page 34.

EN2: No details submitted as to conservation of the natural environment, eco-systems or biodiversity. No details as to how to prevent potential light pollution.

RR/2024/106/P **The Presbytery, 14 Mount Street, Battle**

Removal of modern garden wall and laying of new surface to provide permeable off-road parking space

Comments: Members support with requested conditions that colour samples to be approved prior to commencement of works. The property lies within the Battle Conservation Area.

RR/2024/105/P & **Shop 58, High Street, Battle**
RR/2024/113/L

Installation of two kitchen extract fans within the property and vented externally to the rear of the property.

Comments: Members neither object nor consent on the basis that whilst the Noise Impact Assessment deals with noise, members question whether there may be an issue with vibration of the extract fans which may adversely impact the residents and with an extract being directly below a window to 58A High Street, there could be a potential problem will odour impacting the resident during summer months when their windows may be open.

6. Comments published to comply with Planning Authority's time deadline were noted as below:

RR/2023/2500/P **West View, Kane Hythe Road, Netherfield, Battle**

Change of use of stables to ancillary accommodation to main dwelling house

Response: (object) Policy HD1 - Outside of the development boundary.

Policy HD2 - The site is not within Battle Civil Parish Neighbour Plan's Sites Allocations for the Netherfield area.

Policy HD4 - Contrary to Battle Civil Parish Design Guidelines, which state "consistent window styles and shapes must be used across a given facade to avoid visual clutter and dissonance", there is a myriad of window shapes to what is presumed to be the north-west elevation (difficult to ascertain as plans are not orientated). Contrary to Battle Civil Parish Neighbour Plan Objective 1, no details as to addressing sustainability have been provided. Application form states no "materials to be used externally" but no details of the proposed external doors or fenestration have been provided.

Policy EN2 - Ensure there is net biodiversity gain (none is described in the plans). No details of how



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the building is to be heated. Suggest non-fossil fuel heating Contrary to EN2, the application does not "provide net gains for biodiversity". No details are provided to prevent light pollution from the proposals. Condition 5 of the earlier planning application, which stated "No floodlighting or other external means of illumination of the stable building hereby permitted shall be provided, installed or operated at the site", should be applicable to this application too, and for the same reasons previously given, i.e., "To protect the residential amenities of the locality and to protect the special character and dark night skies of the rural area within the High Weald AONB, in accordance with Policies OSS4 (ii and iii), RA2 (viii), RA3 (v) and EN1 (v and vii) of the Rother Local Plan Core Strategy and DaSA Policy DC02.

RR/2023/2501/P Telham Forge, Hastings Road, Battle

Change of use to allow office building to also be used as a dwelling

Response: (object) Policy HD1 - Outside of the development boundary.

Policy HD2, the site is not included within Battle Civil Parish Neighbourhood Plan site allocations.

Policy HD4 - The building is not of traditional materials. If approved then suggest restricting future residential use only to that which is related to the business on site. Permitting residential accommodation within the curtilage of an existing industrial site is contrary to Battle Civil Parish Neighbourhood Plan Objective 1, which states "The aim is for development sites within the defined Development Boundaries to reflect [...] AONB character of the locality". Contrary to Objective 1, no detail has been provided as to how the proposal is to "address sustainability

Policy HD5 Contrary to Battle Civil Parish Neighbourhood Plan Objective 3, the proposal does not "prevent urban sprawl through creative solutions". Further, this application seeks to set aside Condition 4 of the earlier planning application, which stated "The proposed detached office building hereby permitted shall only be used for office purposes in association with the existing business use of Telham Forge and existing buildings and shall not be used for habitable accommodation"

Policy HD6 Contrary to Battle Civil Parish Neighbourhood Plan Objective 4, the applicant has not provided "demonstrable needs", other than informing us that the business has been broken into. Alternative security arrangements may prevent such break-ins without the necessity of living on-site.

Policy EN2 - Ensure there is net biodiversity gain (none is described in the plans). Battle CP Design Guidelines - "For residential units, where there is no garage on plot, covered and secured cycle parking must be provided within the domestic curtilage."

Contrary to EN2, the proposals include a new driveway, which will necessitate the clearing of an area that appears to be rich in wildlife and planting

Contrary to EN3, point 2, the proposal does not "reflect the settlement pattern of the neighbourhood"

RR/2023/2609/P Oak View, Oakhurst Road, Battle

Demolition of existing single garage and erection of double garage with home office in roof.

Response: (object) Policy HD4 - Colour of roofing and wall materials is not defined. Recommend to match the main building and/or comply with the High Weald AONB Colour Study.

Contrary to HD4, the proposed design, having slate-covered steeply pitched roof, ashlar elevations with weatherboarded gables, does not "conserve local distinctiveness and [have] the aesthetic qualities of traditional rural settlements and buildings found in conservation areas and their

settings", especially considering the main property has mostly painted rendered elevations (with a narrow banding of ashlar), and interlocking concrete tiled shallow pitched roof, with no



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weatherboarding. The scale of the proposal appears to dominate the site unfavourably, and will negatively impact the view from the road (see image below), contrary to Battle Civil Parish Neighbourhood Plan Objective 1, which states "Where possible the proposed locations should minimise local impact"; and no details to "address sustainability" have been submitted

7. **Agenda items for Strengthening Local Relationship Meeting (SLR), 20 March 2024** – members agreed to suggest previously suggested items 'signs and curbs' in addition to 'Traffic Warden Presence', and 'the condition of Netherfield Road'. **It was suggested that Full Council are invited to add agenda items.**
8. **Report from the Neighbourhood Plan Implementation, Monitoring and Review Sub- Committee** – the next NP IMR Sub-Committee meeting is on 20 March, after which a report will be submitted.
9. **Report from Cycling and Walking Task and Finish Group** – A response from ESCC Highways regarding the Feasibility Appraisal for the Saxonwood Road to Battle Abbey shared use path is awaited.
10. **Footpaths Advisor's report** – the footpath advisor was thanked for his report.

Standing orders were suspended to allow the footpath advisor further update regarding the flooding at Bowman's Drive:

The principal rights of way officer, has been dealing with immediate local neighbours complaining about their gardens being flooded. He is also in contact with Councillor Field, in her role as county councillor. The rights of way flood team are now involved with the highways team and they are working together for a potential solution. Currently there is no funding to deliver a solution beyond what has already been done. Once there is an agreed plan between the two parties funding bids can commence.

Regarding the Blackfriars site and the potential diversion order for a footpath into the woodland area: the route that was recently surveyed by the principal officer is now being adopted within the most recent planning application. However, there is actually a minor confusion as the old route is also in the existing application. It is highlighted that the new diagram is to be used in future considerations.

Standing orders were reinstated

11. **Finance**
 - a) The Budget Report at 31 December 2023 was noted, as attached.
 - b) Agreed budget for 2024-25 was noted, as attached.
12. **Six Month Committee report** – Cllr Wheeler thanked members for their input into the report which will be presented to Full Council, as attached.
13. **Vehicle speed matters**
 - a) Request to appoint co-ordinator to the new Battle Speedwatch group – no applications received. **Members requested it is considered by Full Council.**
 - b) Community Speedwatch report for December 2023 – noted.



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c) Community Speedwatch annual overview for January to December 2023 – noted.

14. Postcard issued to planning applicants – members agreed amendments, as attached.

15. Correspondence and Communications – were noted as below:

- a) report on Judicial Review;
- b) response to enquiry regarding completion of Queensway Gateway
- c) additional note submitted in relation to Appeal 2986 Winter Hill RR/2022/2922/P;
- d) Appeal to Secretary of State for refusal of planning consent in respect of RR/2023/1111/P, Black Cat Barn, Badgers Barn, Kane Hythe Road, Battle Change of use of existing holiday let 1no. bedroom dwelling (retrospective);
- e) that prior approval is not required in respect of installation of roof mounted solar panels at Marley Lane – Land off, Battle
- f) decision notices received (those in green reflect Council's comments; brown is against Council's comments):

Approved

RR/2023/2116/P 76 Hastings Road, St Marlow, Battle

Application for the creation of a vehicular access

RR/2023/2149/P 15 Coronation Gardens, Battle

Ground floor side extension and first floor rear extension

RR/2023/2214/P Doctors Cottage, Darwell Hill, Netherfield, Battle

Change of use of a building from converted garage to a holiday let

RR/2023/2301/P Littledown, Netherfield Hill, Netherfield, Battle

Proposed single storey rear extension, front hallway extension, part garage conversion, loft alterations including dormer extension and rooflights, external material improvements and addition of solar panels

RR/2023/2313/L 40 High Street, Battle

Replacement of single glazed timber windows. Replacement single glazed at front of property. Replacement slimline double glazed at side and rear.

RR/2023/2424/P 11 Asten Fields, Battle

Proposed loft conversion with pitch roof front dormer, rear dormers and rooflights.

RR/2023/2462/P Petley Cottage, Whatlington Road, Battle

Rear dormer extension and alterations to include repair and insulation of roof and replacement of all windows to match existing.

RR/2023/2487/P Forest View, Netherfield Hill, Netherfield, Battle

Proposed single storey infill extension and alterations to include extension previously approved under RR/2021/1147/P

RR/2023/2618/T Battle Delivery Office, 9 High Street, Battle

Ash x 5 - fell

Refused

RR/2023/2401/P Hemmingfold Farmhouse, Hastings Road, Battle

Erection of garage building within garden of a grade 2 listed building

Certificate of Lawful use or development

RR/2023/2534/O Ashwood House, Caldbec Hill, Battle

Certificate of lawfulness for the proposed erection of an extension

RR/2023/2573/O 23A Hastings Road, Battle

Certificate of lawfulness for the existing use of a building as a single dwelling



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g) Communications post agenda circulation – none received.

16. Action Plan for 2023-2027 – Cllr Wheeler will review, with the Town Clerk, **possible sources of income via applications for grants towards footpath maintenance.**

17. Matters for information / future agenda items

- 20 is Plenty presentation to Full Council
- Battle Road Crossing update
- Dark Skies

18. Date of next meeting: 12th March 2024

EXCLUSION OF THE PUBLIC AND PRESS

Members of the public left the meeting

19. The enforcement list as at 2 February 2024 was noted.

There being no further business the meeting closed at 20:42.

**Cllr D Wheeler
Chairman**

DRAFT