



**Application No.** RR/2019/1784/P

**Decision Date:** 14 October 2019

**Town and Country Planning Act 1990**

## **REFUSAL OF OUTLINE PLANNING PERMISSION**

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### **AGENT/APPLICANT:**

Michael D Hall Building Design Services  
339 London Road  
Studio A  
Bexhill-On-Sea  
East Sussex  
TN39 4AJ

### **APPLICANT**

Mr J May  
C/O Michael D Hall Building Design Services  
339 London Road  
Studio A, Bexhill-On-Sea  
East Sussex  
TN39 4AJ

### **DESCRIPTION:**

Outline application for a new dwelling with all matters reserved except access.

### **LOCATION:**

Pentwood Place - Land Adjacent, London Road, Hurst Green

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The Rother District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Acts that permission has been refused for the carrying out of the development referred to above for the following reasons:

- 1 The site is located outside of the development boundary and within the High Weald Area of Outstanding Natural Beauty (AONB) where all new development is carefully controlled to protect the quality of the AONB landscape, which has the highest status of protection in relation to landscape and scenic beauty. The proposed dwelling on this undeveloped site would result in an unjustified intrusion and harmful encroachment into the countryside and would have an urbanising impact, which would detract from the defining rural characteristics of the surrounding area. The residential development of the land would also encourage similar proposals for ribbon development on this predominantly undeveloped side of the road to the north of the village, which would further erode and be detrimental to the rural character and appearance of the area and would amount to unacceptable development within the countryside and High Weald AONB. The development would fail to conserve or enhance the landscape and scenic beauty of the AONB. The proposal would not accord with Policy DC3 of the Rother District Local Plan 2006, Policies OSS2, OSS4, RA2, RA3, and EN1 of the Core Strategy, emerging Policy DIM2 of the Development and Site Allocations Local Plan or paragraph 172 of the National Planning Policy Framework.

**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 with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme.

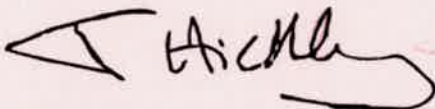
**NOTE:**

1. The refusal of outline planning permission relates to the following plans:

Drawing no. 4654.LP, dated July 2018

Drawing no. 4654.2A, dated 22 08 19

**STATUTORY NOTICE TO THE APPLICANT:** If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant it subject to conditions, then you can appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990 within SIX MONTHS of the date of this notice. Please see overleaf for details.



Head of Service - Strategy and Planning

## TOWN AND COUNTRY PLANNING ACT 1990

### **NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.\*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.\*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.\*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.\*
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority ([planningappeals@rother.gov.uk](mailto:planningappeals@rother.gov.uk)) and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

\* delete where inappropriate