

**Town and Country Planning Act 1990**

**PLANNING PERMISSION**

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**AGENT/APPLICANT:**

Mr Peter Anson  
Durhamford  
Stream Lane  
Sedlescombe  
Battle, East Sussex  
TN33 0PB

**APPLICANT**

Mr Peter Anson  
Durhamford  
Stream Lane  
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Battle, East Sussex  
TN33 0PB

**DESCRIPTION:**

Single storey lakeside summer house for recreational use.

**LOCATION:**

Durhamford, Stream Lane, Sedlescombe

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The Rother District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act that permission has been granted for the carrying out of the development referred to above in accordance with the plans submitted subject to the following 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:

Proposed lakeside summerhouse, Plan 1, dated 15 November 2016;  
Block plan, Plan 2; and  
Location plan, Plan 3.

Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.

- 3 The summerhouse hereby approved shall not be used outside daylight hours.

Reason: In the interests of protecting the character of the area in accordance with Policies OSS4 (iii) and EN1 of the Rother Local Plan Core Strategy.

- 4 The summerhouse hereby permitted shall be used for private recreational use ancillary to the residential use of Durhamford, and the building shall not be used for habitable accommodation nor for any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.

Reason: In the interests of protecting the character of the area in accordance with Policies OSS4 (iii) and EN1 of the Rother Local Plan Core Strategy.

**NATIONAL PLANNING POLICY FRAMEWORK:**

In accordance with the requirements of the Framework (paragraphs 186 and 187) 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.

**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 **12 WEEKS** of the date of this notice. Please see overleaf for details.

  
Service Manager - Strategy and Planning

## **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.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

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.

## **PURCHASE NOTICES (Applications for planning permission, listed building consent and conservation area consent only)**

If either the local planning authority or the Secretary of State for Communities and Local Government refuses permission to develop land or grants it subject to conditions or if a listed building consent or conservation area consent is refused, or granted subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council, in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 or as the case may be Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **COMPENSATION (Applications for planning permission, listed building consent and conservation area consent only)**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Parts IV and V of the Town and Country Planning Act 1990 or as the case may be Section 27 of the planning (Listed Buildings and Conservation Areas Act) 1990.

## **GENERAL NOTES**

1. Attention is drawn to Section 35(2) of the East Sussex Act 1981 regarding means of access to a building for the fire brigade. The effect of which in relation to the erection or extension of a building is to require adequate means of access for the fire brigade and to ensure such works will not render inadequate any existing means of access for the fire brigade to a neighbouring building.
2. Attention is drawn to Sections 4, 7, 8 and 8a of the Chronically Sick and Disabled Persons Act 1970, to the Code of Practice for Access for the Disabled and to Design Note 18 – all of which relate to the provisions to be made for access for the disabled.
3. This permission does not grant any approval or consent which may be required under any enactment, byelaw, order or regulation other than the Town and Country Planning Act 1990 or the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **NOTES RELATING SPECIFICALLY TO APPLICATIONS FOR LISTED BUILDING CONSENT AND CONSERVATION AREA CONSENT**

Attention is drawn to Section 8 (2) (b) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the local planning authority) until notice of the proposal has been given to the National Monuments Record Centre, The Engine House Fire Fly Avenue, Swindon, Wiltshire SN2 2EH and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.