



Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

AGENT/APPLICANT

Westridge Construction Ltd
Attn: Mr Charlie Farrow
Ruskin House
Warren Close
Catsfield
TN33 9DZ

APPLICANT

Woods Corner No.2 Ltd
Attn: David Oliver
Ruskin House
Warren Close
Catsfield
TN33 9DZ

DESCRIPTION:

Proposed new dwelling & associated parking.

LOCATION:

Prospect House - Land Opposite, Woods Corner, Dallington

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:

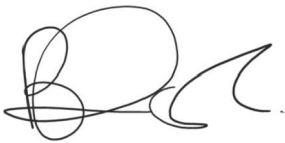
- 1 The proposal is located outside of any defined development boundary and within the High Weald AONB. The proposal for a single market dwelling fails to justify why a departure from the plan should be supported. The harm upon the character and landscape of this part of the high Weald would not be outweighed by the modest benefits of a single carbon neutral dwelling. The proposal is contrary to policy DIM2 of the DaSA as well as OSS1, OSS2, RA2 and RA3 of the Core Strategy
- 2 The proposal would erode the exiting boundary between the natural and the built landscape character of the area. The proposal would extend built residential form into the AONB having unacceptable character impacts. The proposal would therefore be contrary to policy DEN2 of the DaSA and objective 2 & 3 of the High Weald Management Plan.
- 3 The proposal would be out of keeping within the locality, resulting in having a harsh urbanising effect upon the existing countryside character of the area through its architectural form,

materials and its siting. The proposal would give rise to irreversible harmful impacts upon the high Weald AONB. The proposal is considered contrary to policies OOS4 and EN3 of the Core Strategy as well as DEN2 of the DaSA and Objectives 2 and 3 of the High Weald Management Plan

- 4 The applicant has failed to demonstrate that a suitable drainage strategy can be achieved. The proposal is considered contrary to policy DEN5 of the DaSA.

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 identifying matters of concern with the proposal. However, the issues are so fundamental to the proposal that it would not be possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.



Director of Place and Climate Change

Application No: RR/2022/461/P

Decision Date: 1st June 2022

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.

If 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, 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.

If 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.

If 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.

If 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) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>