



Town and Country Planning Act 1990

PLANNING PERMISSION

AGENT/APPLICANT

Theis And Khan
11-13 Lonsdale Gardens
Tunbridge Wells

TN11NU

APPLICANT

Ms Marie Miauton
Witherenden Hill House
Witherenden Hill
Burwash
East Sussex
TN19 7JL

DESCRIPTION:

Demolition of existing extensions and construction of new single storey side extension to Grade II listed house and changes to parking area.

LOCATION:

Witherenden Hill House, Witherenden Hill, Witherenden, Burwash

The Rother District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Acts that permission has been granted for the carrying out of the development referred to above in accordance with the application and 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 details set out in the application form and accompanying Design & Access Statement, and in accordance with the following approved plans/drawings:

·Location Plan, drawing no. 001 revision p3, dated 18.02.20;

- Site Plan, drawing no. 102 revision p4, dated 18.02.20;
- Ground floor demolition plan, drawing no. 010 revision p2, dated 10.01.20;
- First floor demolition plan, drawing no. 011 revision p2, dated 10.01.20;
- Ground floor plan, drawing no. 110 revision p3, dated 10.01.20;
- First floor plan, drawing no. 111 revision p2, dated 10.01.20;
- Second floor plan, drawing no. 112 revision p2, dated 10.01.20;
- Roof plan, drawing no. 113 revision p2, dated 10.01.20;
- South and east elevation, drawing no. 120 revision p3, dated 25.06.20;
- North and west elevation, drawing no. 121 revision p2, dated 10.01.20;
- Section aa, drawing no. 130 revision p2, dated 10.01.20;
- Section, drawing no. 131 revision p2, dated 10.01.20;
- Site section, drawing no. 133 revision p1, dated 10.01.20;

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

- 3 No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: A pre-commencement condition is required as the site is within an archaeological notification area and there is a need to ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and in accordance with Policy EN2 (vi) of the Rother Local Plan Core Strategy.

- 4 The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and in accordance with Policy EN2 (vi) of the Rother Local Plan Core Strategy.

- 5 The relevant part of the works shall not be carried out until the following details - either drawings or photographs as relevant (unless otherwise specified below), have been submitted to and approved in writing by the local planning authority. The works thereafter shall be carried out in accordance with the approved details:

a) Details of the proposed cladding materials/system including manufacturer's details and finish and finish colour

b) 1:1 to 1:20 scale details as appropriate to show elevations of the proposed windows, doors and frames, in relation to the wall behind, and horizontal and vertical cross-sections for each type of window and door opening. Details shall include the relationship between the frame, subframe and wall, the top rail and the bottom of the lintel, relationship between any opening and closing casements, sliding sashes or bifold elements, relationship between the cill, bottom rail and wall, the relationship of the cladding to the frame details, overhang soffit detail, and brick plinth to cladding detail.

c) Manufacturer's details for the proposed window and doors including finishes, lustre level if anodised or ppc, a RAL number for the finish colour, ironmongery details, and spacer bar colour.

d) Sections and elevations at a scale of 1:1 to 1:20 as appropriate showing the relationship between the top of the wall and roof/eaves, and details of how cladding will be detailed at the wall corners

e) Brick bond, brick (manufacturer's details) and pointing detail (mix and profile) for the brick plinth

f) Sections and elevations at scale of 1:1 to 1:10 as relevant of the relationship of the roof overhang to gable end

g) Canopy details (design, materials and finish) and how this will be affixed to the building

h) Manufacturer's details of clay tile to the roof, and details of the size, overlap, and gauge of the proposed tiles.

i) Details of the fascia board/ top of wall finish detail between the flat roof and the wall

Reason: To ensure that special regard is paid to protecting the special architectural and historic character, and detailing of the listed building in accordance with Policies EN2 and EN3 of the Rother Local Plan Core Strategy

6 Unless otherwise submitted to and agreed in writing by Local Planning Authority:

a) No tile and a half tiles shall be used to the roof

b) Low iron glass with no green tints shall be used for the fenestration

c) Timber shall be hand painted and not factory finished.

Reason: To ensure that special regard is paid to protecting the special architectural and historic character, and detailing of the listed building in accordance with Policies EN2 and EN3 of the Rother Local Plan Core Strategy.

- 7 Notwithstanding the approved plan, no top-hung or bottom hung windows are hereby approved.

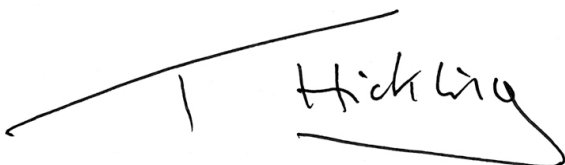
Reason: To ensure that special regard is paid to protecting the special architectural and historic character, and detailing of the listed building in accordance with Policies EN2 and EN3 of the Rother Local Plan Core Strategy.

NATIONAL PLANNING POLICY FRAMEWORK:

In accordance with the requirements of the Framework (paragraphs 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 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.

NOTES:

1. Your attention is drawn to the associated Listed Building consent RR/2020/97/L and the attached conditions.
2. Grey is not considered an appropriate colour for window and door frames in the historic environment unless a very pale grey with a natural wood cladding left to weather to silvery grey.
3. This permission may include condition(s) requiring the submission of details prior to the commencement of development. Following close consideration in the courts, it is now well established that if the permission contains conditions requiring further details to be submitted to the Council or other matters to take place prior to development commencing and these conditions have not been complied with, the development may be unlawful and not have planning permission. You are therefore strongly advised to ensure that all such conditions have been complied with before the development is commenced. A fee is payable for written requests for compliance with conditions; the current fee is £34.00 for each request for householder developments and £116.00 for each request for all other categories of development. The appropriate 1APP form can be downloaded from the Council's Planning website www.rother.gov.uk/planning.

A handwritten signature in black ink, appearing to read "Hickling", is written over a horizontal line that has been drawn across the page.

Head of Service - Strategy & Planning

Application No: RR/2020/96/P
Decision Date: 17th September 2020

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>