



Town and Country Planning Act 1990

## REFUSAL OF RESERVED MATTERS

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### AGENT/APPLICANT

Town & Country Planning Solutions  
Attn: M Pickup  
Sandhills Farmhouse  
Bodle Street Green  
Hailsham  
BN27 4QU

### APPLICANT

Park Lane Homes (Se) Ltd.  
Park Lane House  
141 - 145 Bohemia Road  
St. Leonards-On-Sea  
TN37 6RL

### DESCRIPTION:

Reserved matters relating to residential development of 30 dwellings (outline permission RR/2017/582/P), conditions 1,2 and 3 together with the discharge of conditions 7 (foul and surface water drainage), 8 (parking and turning of vehicles), 9 and 10 (archaeology), 13 (levels) and 19 (landscaping).

### LOCATION:

Strand Meadow - Land to the south west of, Burwash

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- 1 The proposed development by reason of its close-knit layout and the height, scale and mass of the dwellinghouses has taken the wrong design cues reflecting a High Street, Burwash vernacular rather than that of an edge of village location. This design approach is inappropriate in this edge of village location and fails to respect its rural location. In addition, the development will result in a significant degree of earth movement and excavations, which would result in unnatural landforms. These issues combine to create a hard urban edge to the village that would be an intrusion into the landscape and would fail to respect its rural location, neither conserving or enhancing the landscape character and scenic beauty of the High Weald Area of Outstanding Natural Beauty (AONB). As such the proposal would be contrary to Policies RA1, EN3, OSS4 and EN1 of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan and paragraphs 127 and 172 of the NPPF.
- 2 The proposed parking along the western boundary of the site by reason of its almost continuous layout, close proximity to the boundary and degree of build-up using retaining

structures in order to achieve adequate levels, would result in a poor street scene, unnatural landforms and would create a visually poor edge to the development. This would not conserve or enhance the surrounding landscape character and scenic beauty of the High Weald AONB. As such the proposal conflicts with Policies RA1, EN3, OSS4 and EN1 of the Rother Local Plan Core Strategy, Policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan and paragraphs 127 and 172 of the NPPF.

#### NATIONAL PLANNING POLICY FRAMEWORK:

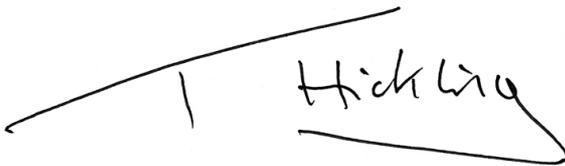
In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) 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

This refusal relates to the following submitted plans and documents:

DR A 0020 P02, dated Jan 2020, site location plan  
DR A 0022 P11, dated Jan 2020 - roof plan/layout  
DR A 0023 P10, dated Jan 2020, proposed site plan 1 of 4  
DR A 0024 P10, dated Jan 2020, proposed site plan 2 of 4  
DR A 0025 P09, dated Jan 2020, proposed site plan 3 of 4  
DR A 0026 P09, dated Jan 2020, proposed site plan 4 of 4  
DR A 0027 P07, dated Jan 2020, plots 1-4  
DR A 0028 P06, dated Jan 2020, plots 5-6  
DR A 0029 P06, dated Jan 2020, plots 7-8  
DR A 0030 P07, dated Jan 2020, plots 9-10  
DR A 0031 P06, dated Jan 2020, plots 11-12  
DR A 0032 P07, dated Jan 2020, plots 13-14  
DR A 0033 P07, dated Jan 2020, plots 15-16  
DR A 0034 P06, dated Jan 2020, plots 17-18  
DR A 0035 P06, dated Jan 2020, plots 19-20  
DR A 0036 P06, dated Jan 2020, plots 21-25  
DR A 0037 P06, dated Jan 2020, plots 21-25  
DR A 0038 P06, dated Jan 2020, plots 26-27  
DR A 0039 P06, dated Jan 2020, plots 28-29  
DR A 0040 P06, dated Jan 2020, plot 30  
DR A 0042 P04, dated May 2020, street scenes  
DR A 0043 P03, dated Jul 2020, site sections  
PLG/1640/20 B, dated Aug 2020, landscape proposals (excluding the use of cotoneaster)

PLG/1641/20 B, dated Aug 2020, landscape proposals (excluding the use of cotoneaster)  
DR-D-0250-S4-P01, dated Sept 2020, Common Parts Maintenance  
2018/4357/002D, dated 24/08/20, swept path analysis  
Arboricultural Assessment Report by The Ash Partnership (September 2020)  
Ecological Appraisal Update by The Ash Partnership (September 2020)  
Written Scheme of Investigation for an Archaeological Evaluation by Chris Butler  
Archaeological Services Ltd (February 2018).  
An Archaeological Evaluation Excavation by Chris Butler Archaeological Services Ltd (August 2018).

A handwritten signature in black ink, appearing to read "Hickling". The signature is written in a cursive style and is enclosed within a simple, hand-drawn rectangular box.

**Head of Service - Strategy & Planning**

**Application No:** RR/2020/1822/P

**Decision Date:** 23rd February 2021

## **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](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 <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>