

# Town and Country Planning Act 1990

Notice of Decision  
Application No. **WD/2015/0247/F**



Mr Philip Hiscocks  
Seven Bishops,  
Catts Hill  
Mark Cross  
East Sussex  
TN6 3NQ

Council Offices  
Vicarage Lane  
Hailsham  
East Sussex  
BN27 2AX

## **DESCRIPTION AND LOCATION OF DEVELOPMENT**

**TWO STOREY EXTENSION AND NEW TRIPLE GARAGES TO REPLACE EXISTING PARTIALLY IMPLEMENTED PLANNING CONSENT WD/2010/1900/F SEVEN BISHOPS, CATTS HILL, MARK CROSS TN6 3NQ**

With reference to the proposals set out in the application numbered as above and shown on the plans submitted therewith, Wealden District Council, in pursuance of powers under the Town and Country Planning Act 1990 (as amended), hereby **GRANTS PLANNING PERMISSION** for the said proposals, subject to the conditions stated below imposed for the reasons stated thereunder:-

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date on which this permission is granted. STD4A

REASON: To meet the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless otherwise specified within the approved application details, all external materials, including windows, used in the construction of the development hereby approved shall match the type, texture, tone, colour, size and profile of those used on the existing building and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation. MA03

REASON : To safeguard the appearance of the premises and the character of the area generally having regard to Saved Policy EN27 of the adopted Wealden Local Plan coupled with the requirements of paragraph 56, 57, 59, 60 and 64 of the National Planning Policy Framework 2012.

3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-D inclusive of that Order, shall be erected or undertaken on the site otherwise than in accordance with a planning permission granted by the Local Planning Authority. PD01

REASON: To enable the Local Planning Authority to regulate and control the development of land having regard to Saved Policy EN27 of the adopted Wealden Local Plan coupled with the requirements of paragraphs 17 and 56 of the National Planning Policy Framework 2012.

4. This planning decision relates solely to the information contained within the application form, the following plan(s) and (where appropriate) documents:

Ref.	Date Stamped. STN4
P021-001	10 February 2015
P021-101	10 February 2015
P021-002	10 February 2015
P021-003	10 February 2015
P021-303	10 February 2015
P021-301	10 February 2015
P021-501	10 February 2015
P021-302	10 February 2015
P021-701	10 February 2015
11260/003 P/01	10 February 2015
Design and access statement	10 February 2015

REASON: For the avoidance of doubt.

NOTE: Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations or Section 73 of the Act for minor material alterations. An application must be made using the standard application forms and you should consult with us, to establish the correct type of application to be made.

NOTE: Your attention is drawn to the requirements of the Building Act 1984 for the deposit of Plans under the Building Regulations and associated legislation.  
ACCESS FOR FIRE BRIGADE: Your attention is hereby drawn to the provisions of Section 35 of the East Sussex Act 1981.

DISCHARGE OF CONDITIONS: It is advised that under The Town and Country Planning Act 1990, the Council has up to 8 weeks from the date of an application to discharge any condition(s) and advise the applicant of the Council's decision. This information should be submitted using the 'Approval of Details Reserved by Condition' Form which can be downloaded from the Council's website. Please note there is also a fee payable for this type of application.

**IMPORTANT: See Notes overleaf**

**DATE OF ISSUE: 8 April 2015**



**Kelvin Williams**  
**Head of Planning & Environmental Services**

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## NOTES

### Appeals to the Secretary of State

- If the Applicant is aggrieved by the decision of the Local Planning Authority (LPA) to refuse permission for the proposed development or to grant it subject to conditions, then an appeal may be lodged with The Planning Inspectorate (PINS) under Section 78 of the Town and Country Planning Act 1990.
- Appeals must be made on a form which is obtainable from:  
The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN  
Tel. No. 0303 444 5000  
[www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)

### Appeal Timescales

- Householder planning application or minor commercial application:

**12 weeks** from the date on the decision notice

However, if an enforcement notice has been served for the same or very similar development the time limit is:

- **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 12 weeks).

NB – if the LPA have failed to determine the householder planning application, or for an appeal against the grant of permission subject to conditions, please follow the time limits under “Planning application” below.

- Planning application:

**6 months** from the date on the decision notice, or

**6 months** from the expiry of the period which the LPA had to determine the application.

However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

NB – the LPA determination period is usually 8 weeks (13 weeks for major developments and 28 days for non-material amendment applications). If a longer period has been agreed with the LPA, the time limit runs from that date.

### Further information

- The Planning Inspectorate has discretionary power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice to appeal.
- The Planning Inspectorate is not required to entertain an appeal if it appears 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.
- The Planning Inspectorate does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction issued by the Secretary of State.

### Purchase Notices

- If either the LPA or Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the land has become incapable of reasonably beneficial use in its existing state nor rendered 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. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.