



Town and Country Planning Act 1990

PLANNING PERMISSION

AGENT/APPLICANT

Battle Town Council
The Almonry
High Street
Battle
TN33 0EA

APPLICANT

Battle Town Council
The Almonry
High Street
Battle
TN33 0EA

DESCRIPTION:

Larger replacement Pavilion incorporating cafe and club room with basement store and solar panels to roof space.

LOCATION:

The Pavilion - Battle Recreation Ground, North Trade Road, Battle

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 following approved plans and details:

5744/2019/LBP (Location Block Plan) dated November 2019
5744/2019/4 (Typical Section Through Pavilion) dated Mar 2020
5744/2019/2/E (Proposed Elevations - Pavilion) dated Mar 20

5744/2023/1/E (Proposed Floor Plan - Pavilion) dated Mar 20

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The materials to be used in the construction of the external surfaces of the building hereby permitted shall match in materials those utilised on the adjacent guide building, unless an alternative finish is first submitted to and approved in writing by the local planning authority.

Reason: To protect the character and appearance of the locality and to protect the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty in accordance with Policies OSS4 (iii) and EN1 (i) (vii) of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan and Policy HD4 of the Battle Neighbourhood Plan.

- 4 Prior to the construction of the external walls of the building hereby approved, full details for the glazing to be utilised within the full height windows to the club room/refreshment area/kitchenette hereby permitted shall be submitted to and approved in writing by the local planning authority. The details shall include treatment to reduce external light emissions together with external glare and reflection from the glazing. The development shall be completed in accordance with the approved details and thereafter maintained in accordance with the approved details.

Reason: To protect the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty, including the dark skies, in accordance with Policies OSS4 (iii), BA1 (i) and EN1 (i) (vii) of the Rother Local Plan Core Strategy and Policies DEN1, DEN2 and DEN7 of the Rother Development and Site Allocations Local Plan and Policy EN3 of the Battle Neighbourhood Plan.

- 5 Prior to the construction of the external walls of the building hereby approved, full details for the external electric security shutters, including attachment, material and colour, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details and thereafter maintained in accordance with the approved details.

Reason: To ensure a satisfactory design and appearance to the development having regard to the design of buildings in the locality and the character of the area, to protect the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty, in accordance with Policies OSS4 (iii), BA1 (i), EN1 (i) and EN3 of the Rother Local Plan Core Strategy and Policies DEN1 and DEN2 of the Rother Development and Site Allocations Local Plan and Policies HD4 and EN3 of the Battle Neighbourhood Plan.

NATIONAL PLANNING POLICY FRAMEWORK:

In accordance with the requirements of the 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 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.

NOTE(S):

1. 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.

Kemi Erifevisme

**Development Manager
Strategy and Planning
Directorate of Place and Climate Change**

Application No: RR/2023/685/P

Decision Date: 29th June 2023

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>