

From: Katherine White <Katherine.White@rother.gov.uk>

Sent: 29 May 2025 15:50

To: Dominic Manning

Subject: RE: your ref: PE/00101/2024 Rye Community Garden, Love Lane, Rye TN31 7NE

Good afternoon

Thank you for your email.

I have now been able to seek advice from Matthew Worsley with regards to your query and wish to provide the following response –

It is correct that Part 12 of the GDPO affords permitted development rights which can be used by town and parish councils. However, the town/parish council would need to demonstrate how the shelter and log burner together with the outdoor pizza oven meet the requirements of the legislation, and specifically, how the development is required for the purposes of any function exercised by them.

In this case, it is suggested that the council apply for a Lawful Development Certificate – Proposed Use in order to obtain a formal determination as to whether planning permission is required for the scheme.

Further information regarding application types and fees can be found at: [Application for a Lawful Development Certificate – Rother District Council](#)

Kind regards

Katherine White B.A. (Hons)

Assistant Planning Officer

Strategy & Planning

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From: Dominic Manning

Sent: 07 May 2025 09:58

To: 'Katherine White' <Katherine.White@rother.gov.uk>

Subject: your ref: PE/00101/2024 Rye Community Garden, Love Lane, Rye TN31 7NE

Re:PRE-APPLICATION ADVICE – Erection of new shelter with wood burner (5.4m x 4.2m), erection of bread/pizza oven for Rye Food and Wildlife Community Garden group.

Dear Katherine White

You kindly provided me with pre-application advice regarding the above matter on 22.5.2024. Since then, the land has been transferred into the ownership of Rye Town Council.

I had a meeting with the Town Clerk yesterday, to see if the Town Council is amenable to supporting the proposal on their land. It is very likely it will be supported and furthermore the Council would be willing to be the applicant if an application is required. On page 3 of your letter, under the chapter 'Appraisal' you stated *'With regards to the proposal, development proposed for the benefit/ use of outdoor community spaces that are not submitted by a local authority do not benefit from permitted development rights as outlined in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).'* Is it therefore correct to infer that the proposed work is permitted development and a planning application is not needed, or would the local authority still need to submit a planning application to Rother DC for the proposal? And if so, what would the fee be?

I would be most grateful to hear back from you to clarify this matter.

Kind regards

Dominic Manning