



Lewes District Council

Planning Services

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Ian Fitzpatrick - Director of Regeneration and Planning

Mr N Avery
c/o M Jarvis
Weald Designs
Ranelagh
St Johns Road
Crowborough
TN6 1RT

Application Number:

LW/18/0259

Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England)
Order 2015**

Town and Country Planning General Regulations 1992

Notice of Refusal

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that it **Refuses Outline Permission** for the following development.

Outline Planning Application for Development of 12 No Dwellings (6no two bedroom Bungalow, 4 two bedroom flats and 2no one bedroom flats) for Occupation by Older People over 55

At Site Adjoining 4 Strawlands Plumpton Green East Sussex

Parish: Plumpton

as shown on Plan and Application Number LW/18/0259 submitted to the Council on 26 March 2018.

The reasons for the Council's decision to refuse the above works are specified hereunder.

1. The outline planning applications seeks to establish the general principle of development and the parameters of a housing development that would be acceptable in principle. Notwithstanding that the site benefits from an allocation within the Plumpton Neighbourhood Plan, there are a number of factors which suggest the proposals put forward will not be acceptable in principle, such as deficiencies in the assessment of flood risk and surface water drainage including diversion of an existing watercourse, inadequate parking provision, the diversion of a public footpath, and the indicative scale of the development. These concerns

REOUTZ (May 18)
471600

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are fundamental to the acceptability of the scheme in principle, and in this instance the proposals are recommended for refusal, having regard to Policy 5 of the Plumpton Neighbourhood Plan, retained policies CT1 and ST3 and Core Policies 10, 11, 12 and 13 of the Lewes District Local Plan Part One: Joint Core Strategy, and having regard to the National Planning Policy Framework.

Informative(s)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. 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. The Local Planning Authority is willing to provide pre-application advice and advise on the best course of action in respect of any future application for a revised development.

This decision is based on the following submitted plans/documents:

<u>Plan Type</u>	<u>Date Received</u>	<u>Reference</u>
Proposed Elevation(s)	16 April 2018	05
Proposed Floor Plan(s)	16 April 2018	05
Location Plan	26 March 2018	1:1250
Proposed Block Plan	26 March 2018	NA WC 02
Proposed Elevation(s)	26 March 2018	NA WC 03
Proposed Floor Plan(s)	26 March 2018	NA WC 03
Proposed Roof Plan	26 March 2018	NA WC 03
Proposed Elevation(s)	26 March 2018	NA WC 04
Proposed Floor Plan(s)	26 March 2018	NA WC 04
Proposed Roof Plan	26 March 2018	NA WC 04
Design & Access Statement	26 March 2018	

I. Fitzpatrick

Ian Fitzpatrick
Director of Regeneration and Planning
Lewes District Council and Eastbourne Borough Council

Date: 3 August 2018

Please read the attached notes.

Note

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 minor commercial development, and 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. For all other types of development you must appeal within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land 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 Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

East Sussex Act 1981

Your attention is drawn to the provisions of Section 35 of this Act concerning access for the Fire Brigade, as follows,

- (1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a District Council in accordance with Building Regulations, the District Council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

- (a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and
 - (b) that the building or, as the case may be, the extension of the building, will not render inadequate any existing means of access for the fire brigade to a neighbouring building.
- (2) no requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990 unless notice of the provisions of this section is endorsed on or accompanies the planning permission.
- (3) Section 64 (2) and section 65 (2) to (5) of the Act of 1936, (Notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the Act of 1936.
- (4) Any person aggrieved by the action of the District Council in rejecting plans under this section may appeal to a Magistrates' Court.
- (5) In this section references to the adequacy of means for the fire brigade shall be construed as references to a means of access adequate, or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.