



Lewes District Council

Planning Services

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LW/17/0885

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 Outline planning application for 45 new dwellings, including 40% affordable units, the demolition of two existing dwellings and outbuildings. Provision of a new vehicular and pedestrian access via Station Road. Provision of open space, associated infrastructure and landscaping. Demolition of 2 no. existing houses - Saxon Gate & Chestnut House - and miscellaneous farm structures

At Land At Nolands Farm Station Road Plumpton Green East Sussex

Parish: Plumpton

as shown on Plan and Application Number LW/17/0885 submitted to the Council on 12 October 2017.

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

1. The proposed development is not acceptable in principle because the site lies outside of the adopted planning boundary as defined in both the Joint Core Strategy and the adopted Plumpton Parish

Neighbourhood Plan, which allocates housing sites to meet identified growth through a democratic and plan-led process. In view of this the proposals are contrary to the Council's key countryside policy CT1, which is up to date and retained within the Lewes District Local Plan Part One: Joint Core Strategy; policy SP2 of the Joint Core Strategy; and policies 1, 5 and 6 of the Plumpton Parish Neighbourhood Plan; along with the National Planning Policy Framework.

2. The proposed development will, by reason of the siting and location of the application site, represent an incursion of development and urbanisation of open countryside, resulting in harm to the rural and natural character of the landscape around Plumpton village, contrary to the aims and objectives of retained policy CT1 and policies CP10 and CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

3. Notwithstanding the revisions and amendments submitted, the proposed development, by reason of the position of the access road, does not provide sufficient visibility splays for vehicles entering and leaving Station Road, thereby increasing the hazards faced by existing highway users and negatively affecting highway safety and adversely affecting the amenity of existing residents. As such the proposed development is contrary to the requirements of policies CP11 and CP13 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 discussing those with the Applicant. However, it has not been possible to resolve them. The Local Planning Authority is willing to provide pre-application advice 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>
Design & Access Statement	12 October 2017	
Additional Documents	12 October 2017	ARCHAEOLOGY AND HERITAGE

Additional Documents	12 October 2017	ECOLOGY MITIGATION
Additional Documents	12 October 2017	ECOLOGY PHASE 1
Additional Documents	12 October 2017	LANDSCAPE AND VISUAL IMPACT
Additional Documents	12 October 2017	PHASE 1 ENVIRONMENTAL
Existing Floor Plan(s)	12 October 2017	100
Flood Risk Assessment	12 October 2017	
Tree Statement/Survey	12 October 2017	
Planning Statement/Brief	12 October 2017	
Transport Assessment	12 October 2017	
Existing Roof Plan	12 October 2017	101
Existing Elevation(s)	12 October 2017	105
Photographs	12 October 2017	105
Existing Elevation(s)	12 October 2017	106
Photographs	12 October 2017	106
Proposed Layout Plan	12 October 2017	11D
Existing Floor Plan(s)	12 October 2017	110
Existing Roof Plan	12 October 2017	111
Existing Elevation(s)	12 October 2017	115
Photographs	12 October 2017	115
Existing Elevation(s)	12 October 2017	116
Photographs	12 October 2017	116
Existing Floor Plan(s)	12 October 2017	120
Existing Elevation(s)	12 October 2017	120
Street Scene	12 October 2017	20
Proposed Elevation(s)	12 October 2017	21SK

Proposed Elevation(s)	12 October 2017	22SK
Proposed Elevation(s)	12 October 2017	23SK
Proposed Elevation(s)	12 October 2017	24SK
Location Plan	12 October 2017	50 A
Other Plan(s)	12 October 2017	51
Proposed Layout Plan	12 October 2017	60
Proposed Layout Plan	12 October 2017	61
Proposed Layout Plan	12 October 2017	62
Proposed Layout Plan	12 October 2017	63
Planning Statement/Brief	12 October 2017	AFFORDABLE HOUSING
Planning Statement/Brief	12 October 2017	COMMUNITY INVOLVEMENT
Other Plan(s)	28 June 2018	SK21614-18
Technical Report	28 June 2018	Highway Technical Note
Other Plan(s)	28 June 2018	SK21614-13A
Other Plan(s)	28 June 2018	SK21614-14A

I. Fitzpatrick

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

Date: 26 February 2019

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.