



Planning Service
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1 Catford Road
London SE6 4RU

Mr Stengel
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London
SE10 9QJ

Direct Line: 020 8314 7400
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Email: Planning@lewisham.gov.uk
Date: 03 August 2017
Property Ref: LE/462/50/TP
Our Ref: DC/17/100897

Dear Mr Stengel,

**REFUSAL OF PERMISSION TO DEVELOP
Town and Country Planning Act 1990 (as amended)**

Notice is hereby given that the London Borough of Lewisham, in pursuance of its powers as local planning authority under the above Act, Regulations, Rules & Orders made thereunder, refuses to permit the development referred to in the Schedule below as shown on the plans submitted.

Your attention is drawn to the Statement of Applicant's Rights endorsed overleaf.

SCHEDULE

Application Valid Date: 21 April 2017

Application No: **DC/17/100897**

Plan Nos: 1629/01; EX.01; P.51; Proposed Site Plan and Cross Sections; P.52; P.53; P.54; P.55; Tree Protection Plan; Tree Survey Plan; General Maintenance Details; Biodiverse Green Roof Specifications; Site Location Plan; Planning Statement; Design & Access Statement, Arboricultural Report; Archaeological Assessment; Conditions Survey; incl. Asbestos Report; Land Contamination Assessment; Marketing Report; Sustainability Statement; Transport Statement Received 28 March 2017

T105 Track 3A; Fire Tender Plan; Street Dimensions Received 7 July 2017

Development: The demolition of the building at 50 Ashgrove Road BR1 and the construction of 2 two bedroom maisonettes and 2 four bedroom houses, together with associated landscaping and the provision of refuse stores, car parking and cycle spaces.

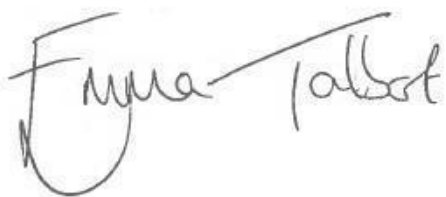
REASON(S) FOR REFUSAL

1. The principle of residential use cannot be determined as the application fails to sufficiently justify the loss of the established employment site, contrary to Core Strategy Policy 5: Other employment locations (2011), and DM Policy 11 Other employment locations of the Development Management Local Plan (November 2014).
2. The accessway into the site, by reason of its length and limited width would fail to provide sufficient space for two vehicles to pass, whilst the width of the pedestrian footpath would be inadequate. Subsequently, the proposal would create potential pedestrian and vehicular conflict, and would fail to provide sufficient access for a fire emergency vehicle, contrary to Policy 3.5 Quality and Design of Housing Development of the London Plan (adopted March 2015, incorporating March 2016 Minor Alterations), Policy 14 Sustainable movement and transport of the Core Strategy (2011), and DM Policy 29 Car parking, DM Policy 30 Urban design and local character, and DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).
3. The proposed waste and refuse storage provision for the 6 proposed dwellings, by reason of its design and location is likely have a detrimental impact on the amenities of the occupiers No. 48 Ashgrove Road though noise and disturbance contrary to DM Policy 32 Housing design, layout and space standards, of the Development Management Local Plan 2014.

INFORMATIVES

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, pre-application advice was sought before the application was submitted. Further discussions have taken place regarding the application, but no solution was possible. These discussions involved access to and from the site via the existing accessway and other highways matters.

Yours sincerely



Emma Talbot
Head of Planning

Statement of Applicant's Rights arising from Refusal of Planning Permission:-

Appeals to the Secretary of State

- If you are aggrieved by the decision of the London Borough of Lewisham to refuse planning 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 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 must be made using a form which you can get from the Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel No. 0303 444 5000, Email: enquiries@pins.gsi.gov.uk or fill in a form online via <https://www.gov.uk/appeal-planning-decision>
- 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 Planning Inspectorate that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions 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 the Planning Inspectorate.

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 they 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 London Borough of Lewisham. This notice will require the London Borough of Lewisham to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 Part VI of the Town and Country Planning Act 1990.