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Mr Corcoran  
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NORTHWOOD  
HA6 1NW

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Email: [Planning@lewisham.gov.uk](mailto:Planning@lewisham.gov.uk)  
Date: 22 December 2017  
Property Ref: LE/264/13/TP  
Our Ref: DC/17/103830

Dear Mr Corcoran,

**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: 31 October 2017

Application No: **DC/17/103830**

Plan Nos: 100 rev P1; 109 rev P1; 110 rev P1; 111 revP1; 112 rev P1; 113 rev P1; Site location plan; Transport Statement

Development: The construction of a single storey building on land at Ambleside (rear of 13 Calmont Road BR1), to provide a children's nursery.

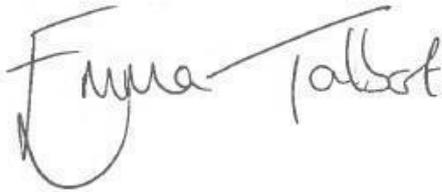
**REASON(S) FOR REFUSAL**

1. The proposed development of the back garden of a house in perimeter block typology is unacceptable in principle and harmful to the character and appearance of the local area, contrary to the NPPF, Spatial Policy 5 Areas of Stability and Managed Change, Policy 15: High Quality Design for Lewisham in the Core Strategy (2011) and DM Policy 30 Urban design and local character, and, particularly, DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (2014).
2. By reason of the insufficient information provided within the submitted transport plan, the lack of any information regarding potential noise impacts, together with the disparities between the submitted reports regarding the use of the building during weekends, it is not possible to comprehensively assess the impact of the proposal on neighbouring amenity in accordance with requirements set out in Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 26 Noise and Vibration, DM Policy 30 Urban design and local character, DM Policy 41 Innovative

## INFORMATIVES

- A. 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, no pre-application advice was sought before the application was submitted. As the proposal was clearly contrary to the provisions of the Development Plan, it was considered that further discussions would be unnecessary and costly for all parties.

Yours sincerely

A handwritten signature in black ink that reads "Emma Talbot". The signature is written in a cursive style with a large initial 'E' and a long horizontal stroke extending to the right.

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](mailto: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.