



Executive Director for Regeneration - Malcolm J Smith

**Planning Service**

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London SE6 4SW

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Date 6 October 2009

Your Ref 496500/ANF/100001  
8765

Our Ref LE/69/15/TP  
Contact Connor Corrigan

DX: 139501 Lewisham 4  
Email: [planning@lewisham.gov.uk](mailto:planning@lewisham.gov.uk)

Dear Mr Frost

**REFUSAL OF PERMISSION TO DEVELOP ON AN OUTLINE APPLICATION  
Town and Country Planning Act 1990**

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**

Date of Application 6 July 2009

Plan Registered No. DC/09/71953

Applicant's Plan Nos. 287.001.DR.PL.100-111 & 200-208, PS.FH.DR01 REV. C, DR02 REV. C, DR03 REV. C, DR04 REV. D, DR05 REV. D, DR06 REV. B & DR07 REV. C, PS.FH.SK02-SK07, 278.001.DR.EL.300-314, 278,001.DR.SEC.01- 04, 278-001.DR.SP.400, 401, 278-BWA-DR-X-SEC-05, PS.FH.L01, (90)100 Rev B, Planning Statement,

Development The demolition of the existing buildings on land to the rear of 39-53 Honor Oak Road and 15-17A Tyson Road SE23, and construction of 9 blocks (variation proposed) comprising from 67 and up to a maximum of 71 units, together with associated landscaping and infrastructure. (Outline Planning Application)

Mr A Frost  
Jones Lang LaSalle Limited  
Chancery Place  
50 Brown Street  
Manchester M2 4WQ

Applicant's Plan Nos.  
(continued)

Design & Access Statement, General Lighting Design, PPS 25 Flood Risk Assessment, Water Utilities, Landscape Visual Impact Assessment, Protected Species Survey, Site Management Plan for Nature Conservation including addendum letter 1/7/09, Sustainability Strategy, Energy Assessment, Arboricultural and Planning Integration Report, Air Quality Assessment, Noise Impact Assessment, Daylight and Sunlight Assessment, Landscape Proposal Report & Economic Viability Appraisal Report.

## **Reasons for Refusal**

The outline proposal, for which scale, appearance, layout and access fall to be determined would, by reason of the layout, height, design, fail to complement or, moreover, be compatible with the scale and character of the surrounding environment, resulting in an un-neighbourly form of development contrary to URB 3 Urban Design, HSG 5 Layout and Design of New Residential Development and HSG 8 Backland and Infill Development in the Councils adopted Unitary Development Plan (July 2004).

Yours sincerely

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 development, then you can appeal to the Planning Inspectorate under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel No. 0117 372 6372, Fax No. 0117 372 8181 or <http://www.planning-inspectorate.gov.uk/pins/forms/index.htm>
- The Planning Inspectorate 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 Planning Inspectorate need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the development, 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 Planning Inspectorate 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 SPlanning Inspectorate refuses planning 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 London Borough of Lewisham. This notice will require the London Borough of Lewisham to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.