



Lewes District Council

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Application Number:

LW/16/0695

Mr K Benning
London Fine Foods Group
c/o Mr D Campion
David Campion
Albion House
Albion Street
Lewes
East Sussex
BN7 2NF

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 Permission** for the following development.

Planning Application for The creation of ponds (part retrospective) and the provision of associated buildings with a supervisory dwelling to service a fish farm producing caviar. Planning permission for the dwelling (only) sought initially for three years in order to demonstrate enterprise viability

At Land South Of Chiltington House Chiltington Lane East Chiltington East Sussex

Parish: East Chiltington

as shown on Plan and Application Number LW/16/0695 submitted to the Council on 15 August 2016.

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

1. The applicant has failed to clearly demonstrate that it is essential for the proper running of the enterprise for a worker to live on the site and be readily available at most times, or that the enterprise would be viable and sustainable in the short to medium term and as such the proposal conflicts with the requirements of paragraph 55 of the National Planning Policy Framework and retained policy CT1 of the Lewes District Local Plan.

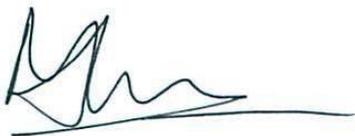
2. It is considered that the proposed development would have an unacceptable impact on the character and appearance of the site and the surrounding countryside, being harmful to the intrinsic character of the immediate area, and failing to conserve or enhance the natural environment, and as such would be in conflict with paragraph 17 and 109 of the National Planning Policy Framework and Policy CP10 and CP11 of the Lewes District Local Plan Joint Core Strategy.

3. The development would fail to enhance and maintain the vitality of the existing community and would therefore be contrary to the objective of paragraph 55 of the National Planning Policy Framework and Policy CP11 of the Lewes District Local Plan Joint Core Strategy.

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

<u>Plan Type</u>	<u>Date Received</u>	<u>Reference</u>
Biodiversity Checklist	15 August 2016	
Flood Risk Assessment	11 October 2016	
Proposed Floor Plan(s)	24 October 2016	1548 2.07 POLY TUNNEL
Proposed Elevation(s)	24 October 2016	1548 2.07 POLY TUNNEL
Location Plan	21 October 2016	2.02 H
Proposed Floor Plan(s)	21 October 2016	2.04 F
Proposed Elevation(s)	21 October 2016	2.05 F
Proposed Elevation(s)	21 October 2016	2.06 E
Transport Assessment	15 August 2016	5567A/2.3
Planning Statement/Brief	15 August 2016	AGRICULTURAL SUPPORTING STATEMEN
Tree Statement/Survey	15 August 2016	ARBORICULTURAL IMPACT ASSESSMENT
Tree Statement/Survey	15 August 2016	ARBORICULTURAL METHOD STATEMENT
Tree Statement/Survey	15 August 2016	ARBRICULTURAL SURVEY
Planning Statement/Brief	15 August 2016	BIOSECURITY PLAN
Landscaping	24 October 2016	DCA-CHI-LV-001 AERIAL
Noise Detail	22 August 2016	ENVIRONMENTAL NOISE ASSESSMENT
Planning Statement/Brief	15 August 2016	FEASIBILITY OF COMMERCIALITY

Technical Report	15 August 2016	GEOPHYSICAL SURVEY
Technical Report	15 August 2016	GEOTECHNICAL ASSESSMENT REPORT
Technical Report	15 August 2016	HYDROLOGY & HYDROGEOLOGY
Additional Documents	24 October 2016	HYDROLOGY ADDENDUM
Justification / Heritage Statement	4 October 2016	INC. LANDSCAPE ASSESSMENT
Technical Report	22 August 2016	ODOUR ASSESSMENT
Landscaping	24 October 2016	PJC-0620-001 M
Proposed Section(s)	15 August 2016	PJC-0620-002 B
Proposed Section(s)	15 August 2016	PJC-0620-003 B
Proposed Section(s)	15 August 2016	PJC-0620-004 B
Proposed Section(s)	15 August 2016	PJC-0620-005 A
Proposed Elevation(s)	21 October 2016	POLYTUNNEL 2.07
Technical Report	15 August 2016	PRELIMINARY ECOLOGICAL APPRAISAL
Additional Documents	15 August 2016	STURGEON DRUG STATEMENT
Survey Plan	5 September 2016	TOPOGRAPHY & SURFACE WATER
Proposed Layout Plan	1 November 2016	VEHICLE TRACKING
Additional Documents	24 October 2016	WATER ADDENDUM



Nazeya Hussain
 Director of Regeneration and Planning
 Lewes District Council and Eastbourne Borough Council
 2016

Date: 25 November

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 householder or 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.