



NOTICE OF REFUSAL OF PLANNING PERMISSION
Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2010

Contact Name and Address:
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Application No: ST/0058/15/FUL
Date of Issue: 01/04/2015

In pursuance of their powers under the above mentioned Acts, South Tyneside Council as Local Planning Authority **REFUSE** planning permission for the following development:

PROPOSAL: New boundary wall to front elevation facing Central Gardens.
LOCATION: Site of Former, 2 Central Gardens, South Shields , NE34 6BA

In accordance with your application dated 23 January 2015

REASON(S) FOR REFUSAL:

- 1 The proposed front boundary wall, by virtue of its height and design relative to other front boundary walls to properties that front onto Central Gardens, would introduce a visually discordant and incongruous feature that would be out of keeping with the low front boundary walls along Central Gardens where properties front onto this street. As such the proposal would be materially detrimental to local visual amenity and would not convey sensitive consideration to its surroundings, in particular relative to the height and design of front walls where properties front Central Gardens, contrary to Local Development Framework Development Management Policy DM1 (A) and which is supported by Supplementary Planning Document (SPD) 9 'Householder Developments' (paragraphs 3.1 [A], and 16.1 to 16.5).
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NOTES TO APPLICANT:

For the avoidance of doubt this decision relates to the following plans and/or specifications:

Drwg No 4 Received 26/01/2015
Existing site/roof plan received 27/01/2015
Proposed site/roof plan Rev B Received 27/01/2015

- 1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework (paragraphs 186 & 187) to seek to approve applications for sustainable development where possible. However, the proposed development is contrary to the policies referred to in the reason(s) for refusal and it has not been possible to reach an agreed solution in this case.



Gordon Atkinson
Planning Manager

Your attention is drawn to the attached schedule of notes which form part of this notice

NOTES

APPEALS TO THE SECRETARY OF STATE

1 Only the applicant possesses the right of appeal

If you are aggrieved by the decision of the Local Planning Authority to refuse permission then you may appeal to the Secretary of State for Communities and Local Government in accordance of section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

Appeals can be made online using the Planning Inspectorates planning appeal service through the Planning Portal at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>. You must use a standard Planning Appeal Form when making your appeal. Please be aware that details of planning appeals are available on the internet and may include a copy of the original planning application form and relevant supporting documents supplied to ourselves, either by you, or your agent, together with the completed appeal form, and information that you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More information about data protection and privacy matters is available on the planning portal website.

Alternatively if you do not wish to submit your appeal electronically, a form is obtainable from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Email: enquiries@planning-inspectorate.gsi.gov.uk or telephone 0303 4440000. Please note that you must state the appeal form that you require.

PURCHASE NOTICES

- 2 If permission to develop land is refused, whether by South Tyneside Council as local planning authority or by the Secretary of State for Communities and Local Government, 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 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, requiring 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.