



NOTICE OF REFUSAL OF PLANNING PERMISSION
Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(England) Order 2015

Contact Name and Address:

Mr Tahir Ali
39 Bamburgh Grove
Jarrow
NE32 5QQ

Application No: ST/0162/15/HFUL

Date of Issue: 10/07/2015

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: Demolish existing garage and build rear extension

LOCATION: 39 Bamburgh Grove, Jarrow, NE32 5QQ

In accordance with your application dated 09 February 2015

REASON(S) FOR REFUSAL:

- 1 The proposal by virtue of its excessive scale, massing and close proximity to the neighbouring properties of 37 Bamburgh Grove, 12 and 14 Thirlwell Grove and their respective gardens would have an overbearing visual impact to the detriment of the amenity and outlook currently enjoyed by the occupiers of these properties. The proposal would therefore be contrary to adopted South Tyneside Local Development Framework Development Management DPD Policy DM1(B).
- 2 Although consent is sought to 'build a rear extension' to the host dwelling, the proposal is of a significant scale and the resultant floor layout suggests that a new self-contained dwelling is proposed as the development will have its own pedestrian access/hallway, large kitchen, bedroom/sitting room, study and bathroom. As such it is considered that the application has not been made in accordance with Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 The proposal by virtue of its design, close proximity and elevated finished floor height, relative to the site's boundary and adjacent land and habitable windows; would compromise the existing privacy standards that currently exist and that are enjoyed by the occupiers of these adjacent dwellings (37 Bamburgh Grove, 12 and 14 Thirlwell Grove). The development would therefore be detrimental to the amenity and privacy currently enjoyed by the occupiers of these adjacent dwellings and it would be contrary to adopted South Tyneside Local Development Framework Development Management DPD Policy DM1(B).



George Mansbridge
Head of Development Services

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 can appeal to the Secretary of State for Communities and Local Government in accordance with section 78 of the Town and Country Planning Act 1990 within 12 weeks from the date of this decision notice.
- The Secretary of State has power to 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, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- Appeals can be made online using the Planning Inspectorate planning appeal service through Planning Portal at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>. You must use a Householder Appeal Form when making your appeal. Alternatively this form can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or by phoning their Customer Support Team on 0303 4440000. Please note that you must state the appeal form that you require.
- 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.

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.