



South Tyneside Council

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:

Miss Denise Rutherford
46 Soane Gardens
Whiteleas
South Shields
NE34 8NN

Application No: ST/0527/15/FUL

Date of Issue: 29/07/2015

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: Construction of side gable timber framed cabin extension for proposed dog grooming and dog boarding/day care business

LOCATION: 46 Soane Gardens, Whiteleas, South Shields, NE34 8NN

In accordance with your application dated 01 June 2015

REASON(S) FOR REFUSAL:

- 1 The application property is located in a densely laid out and populated residential area, with its rear garden bound by that of many neighbouring properties and it is situated the end of a relatively narrow and short cul-de-sac; where many properties have driveway accesses onto the turning head.

The proposal would introduce commercial activities, dog grooming and dog boarding/day care business; into this residential area and the resulting noise and odour from these activities together with increased traffic and general disturbance generated by customers coming and departing from the site would be materially detrimental to the existing residential amenities of the neighbours in the area. It would therefore be contrary to adopted South Tyneside Local Development Framework Development Management DPD Policy DM1(B).

NOTES TO APPLICANT:

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

Drwg received 03/06/2015

- 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.



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 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.