



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:

Mrs Maureen Ali
39 Fenwick Avenue
South Shields
NE34 9AJ

Application No: ST/0741/15/HFUL

Date of Issue: 26/11/2015

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: Retrospective application for 1.8m high fencing to front / side boundary and widening of driveway with associated gates / pillars

LOCATION: 39 Fenwick Avenue, South Shields, NE34 9AJ

In accordance with your application dated 21 July 2015

REASON(S) FOR REFUSAL:

- 1 The 1.8m high close-boarded fencing adjacent to the highway, by virtue of its location, height and design, has introduced a highly prominent visually discordant and incongruous feature that is out of keeping with its surroundings and that are predominately characterised by low boundary walls (some with infill railings above or hedge planting behind them). The proposal is therefore materially detrimental to local visual amenity and does not convey sensitive consideration to its surroundings 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).

Informative

- 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 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.

As this is a decision to refuse planning permission for a householder application, if 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.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

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.