



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

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**Contact Name and Address:**

Mr D Larkin  
11 Highgate Gardens  
Jarrow  
NE32 4LR

**Application No:** ST/1161/15/HFUL

**Date of Issue:** 01/07/2016

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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:** Replacement of existing single storey rear extension by a two storey rear extension providing kitchen and bedroom with ensuite.

**LOCATION:** 33 Hill Street, Jarrow, NE32 5HU

In accordance with your application dated 10 December 2015

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**REASON(S) FOR REFUSAL:**

- 1 The proposed extension by virtue of its projection, massing and position 0.2 metres from the common boundary shared with 35 Hill Street, would overshadow and have an overbearing impact upon habitable room windows of this neighbouring property (ground and first floor windows in the rear elevation, and facing ground floor windows in the rear off-shoot), and would overshadow outdoor space, to the detriment of the amenities enjoyed by its occupants. The development would therefore not accord with South Tyneside Local Development Framework (LDF) Development Management Policy DM1.

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**NOTES TO APPLICANT:**

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

Plans Received 24/05/2016 & 25/05/2016

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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 unless:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference no. if applicable], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

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.