

MIDDLESBROUGH BOROUGH COUNCIL

Application No. **M/FP/0762/07/P**

TOWN & COUNTRY PLANNING ACT 1990 Town & Country Planning (General Development Procedure) Order 1995

REFUSAL OF PERMISSION FOR DEVELOPMENT

Application Submitted by:

Mr K Sykes
26 Elm Drive
Marton
Middlesbrough
TS7 8BN

In accordance with the conditions/reasons set out below (as recorded in the minutes of the Planning and Development Committee of 15th June 2007) Middlesbrough Borough Council **HEREBY REFUSE TO PERMIT** the development proposed by you, in your application received on the 25th April 2007, namely

Retrospective 5 Metre High Poles And Netting Along North Boundary - Marton Football Club Hall Drive Middlesbrough

and shown on the accompanying plan(s).

The reasons for the Council's decision to refuse permission for the development are:

1. The proposed catch fence is considered to be visually inappropriate in the Acklam Hall Conservation Area and is to the detriment of the amenity of the adjacent occupiers by reason of its scale and appearance.
2. The proposal is in conflict with Policies E1 (General Development), E2 (Green Wedges) and E41 (Development in or Adjoining Conservation Areas)

Dated 18th day of June 2007



Head of Development Control

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NOTES FOR APPLICANTS

Appeals to the Secretary of State

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 for the Environment under section 78(1) of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square Temple Quay, Bristol, BS1 6PN.

The Secretary of State can 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 deems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State, does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a 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 (District Council, London Borough Councillor Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and

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Country Planning Act 1990.

* Appeals should be made on forms obtainable from :-

Customer Support Unit
The Planning Inspectorate
Room 3/15 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Planning Appeals : Addendum Information

In order to improve the speed and efficiency of the planning appeals system, a new procedure for the submission of appeals has been introduced by the Department of the Environment.

As from 7th April 1986, when an appeal is lodged with the Department of the Environment, a copy of the appeal documents must also be sent to the Local Planning Authority. These documents will normally include a copy of the appeal form, additional information, correspondence and plans or drawings related to the appeal. There is no need to send to the Local Authority plans etc, which have already been submitted as part of the application which is subject of the appeal.

All correspondence regarding such an appeal should be sent to:-

Head of Legal Services
Middlesbrough Council
Town Hall
Middlesbrough
TS1 2QQ