

Appendix 4

Town and Country Planning Act 1990

# REFUSAL OF OUTLINE PLANNING PERMISSION <sup>AW</sup>

## Part 1 – Particulars of application

Application No. <b>B/2002/1372</b>	Date of application 29.11.02
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Name and address of agent (if any)	Name and address of applicant
Brian Plant 1 Camel Cottages Holy Cross Green Clent Nr. Stourbridge DY9 OHG	Whiteline Developments Midlands Tudor Lodge High Street Belbroughton DY9 9SU

<b>Particulars and location of development:</b> Erection of 2-bedroom detached bungalow – Outline application. Land adjacent to 73 Meadowcroft, Hagley, Stourbridge.
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### Part II – Particulars of decision

The Bromsgrove District Council hereby give notice in pursuance of the provisions of the Town Country Planning Act 1990 that permission has been refused for the carrying out of the development referred to in Part I hereof for the following reasons:

It is considered that the development would appear overdeveloped in terms of its form and layout, to the detriment of the established character of the area. The difference in levels between the proposed site would be to the detriment of neighbouring properties which would be considered contrary to the provisions of policy S7 and S8 of the Draft Bromsgrove District Local Plan and the provisions contained with PPG3 'Housing'.

Date: **20 JAN 2003**

The Council House,  
Burcot Lane  
Bromsgrove, B60 1AA



Director of Planning Services

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions (DETR) in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice (Appeals must be made on a form which is obtainable from the Department of the Environment, Transport and Regions (DETR), The Planning Inspectorate, 3/08b Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). 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, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, Transport and Regions (DETR) and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.