



# Notice of Decision

## Town and Country Planning Act 1990

### Refusal of Permission for Development

<b>To:</b> KJ Pickering Ltd C/O DLP Planning Ltd Mr Rhys Bradshaw 18 Regent Place Rugby CV21 2PN	<b>Application No:</b>  <b>Application Date:</b>  <b>Date of Refusal:</b>	S/2019/2023/FUL  17 October 2019  31 December 2019
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**SOUTH NORTHAMPTONSHIRE COUNCIL, in pursuance of powers under the above mentioned Act, hereby REFUSE to permit:**

Change of use of land to an open storage yard (Use Class B8) and associated works, including construction of new access, installation of palisade fencing and landscaping, part retrospective at Land West Of Old Cosgrove Road, Old Stratford, Northamptonshire, MK19 6FQ

**In accordance with the accompanying plans and particulars, for the reasons specified below:**

1. REASON FOR REFUSAL:

The proposed open storage area by virtue of its siting, amount and untidy land, creates an unwarranted intrusive and unsympathetic use which is harmful to the visual amenities of the rural area. In this instance no exceptional circumstances, agricultural or otherwise, have been demonstrated to justify the proposal. The proposal is contrary to saved policies G3 (A), EV1 and E7 of the South Northamptonshire Local Plan 1997 and Policies S8 and R2 of the West Northamptonshire Joint Core Strategy 2014, and Government guidance contained in the NPPF.

2. INFORMATIVE:

Drawing number: 15/P189/100; Photograph of fencing and security gate (Received on 17/10/2019); Planning Statement (By DLP Planning Ltd); Highways Plan (Received 18/11/2019); Crime Prevention Statement (Received 18/11/2019); details of vehicles to be used on site (Received 16/12/2019)

**Town and Country Planning (Development Management Procedure) (England) Order 2015 and paragraph 38 of the National Planning Policy Framework (July 2018)**

In accordance with the above, South Northamptonshire Council has worked with the applicant in a positive and creative way by offering to engage in pre-application discussions and, where possible, by enabling problems to be resolved within applications

in accordance with its adopted protocol on 'Negotiating Submitted Applications'. Where the applicant chooses to engage in pre-application discussions, the outcome of these will be referred to in the application report. In responding to pre-application enquires and determining formal applications, South Northamptonshire Council always seeks to look for solutions rather than problems so that applications for sustainable development can be approved, thereby resulting in improvements to the economic, social and environmental conditions of the area.



Jim Newton - Assistant Director - Planning and Economy

Checked by:	WC (Officer initials)
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## **NOTES TO 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 under Section 78 of the Town and Country Planning Act 1990.

**If you want to appeal against your local planning authority's decision then you must do so within 6 months (12 weeks in the case of householder or minor commercial development) of the date of this notice \*(see exceptions below)**

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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 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 any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

*\*If this decision relates to the same or substantially the same land and development as is already the subject of an **enforcement notice**, 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.**\**

*\*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 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.**\**

### **PURCHASE NOTICE**

If either the local planning authority or the Secretary of State refuse 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 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 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 part VI of the Town and Country Planning Act 1990