

REFUSAL OF PLANNING PERMISSION

(Corrected decision notice)

Name and address of applicant: Harborough District Council Council Offices Adam And Eve Street Market Harborough Leics LE16 7AG	Name and address of agent (if any): Godfrey Payton 149 St Marys Road Market Harborough Leics LE16 7DZ
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Part I - Particulars of application

Date of application: 19th May 2009

Application number: 09/00543/OUT

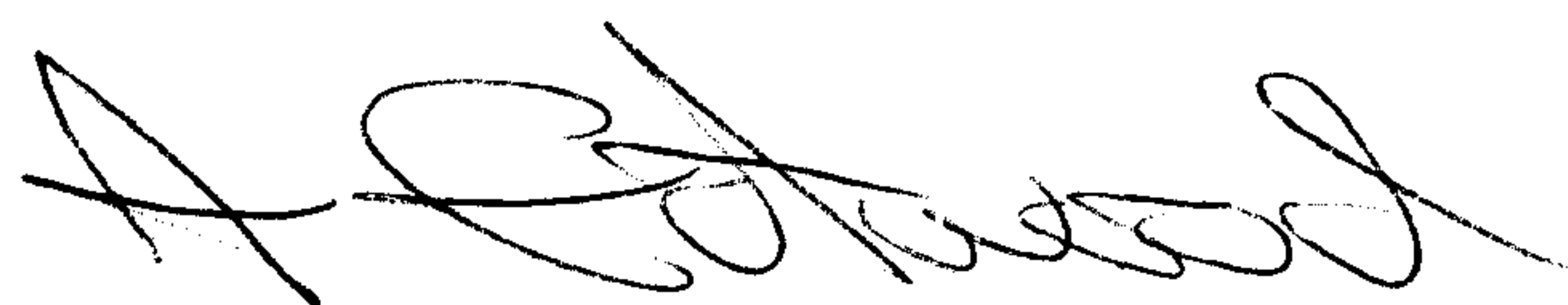
Particulars and location of development:

Outline application for residential use of allotment land to include access (replacement allotments proposed) (Access to be considered), Allotments, De Verdon Road, Lutterworth.

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Harborough District Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reasons:

1. The proposal is contrary to Planning Policy Guidance 17 (paragraph 13) as alternative allotment provision of equal or better accessibility and attractiveness has not been demonstrated. The suggested Moorbarns Lane, Lutterworth alternative fails by virtue of being more inaccessible in comparison and by virtue of matters such as isolation, its comparative vulnerability to possible theft and vandalism, and proximity to the Lutterworth bypass making it less conducive to recreational use.



Development Control Manager

NOTES

1. Please quote the application number in any communication.

2. APPEAL 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 Transport, Local Government and the Regions under section 78 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, or within 12 weeks in the case of householder development**, using a form which you can get from the Planning Inspectorate, Room 301 - Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel: 0117 372 6372. www.planning-inspectorate.gov.uk. 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 seems 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 they imposed, having regard to the statutory requirements, to the provisions of any development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

3. PURCHASE NOTICES

If either the local planning authority or the Secretary of State 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 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.