



# South Staffordshire Council

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**Town and Country Planning Act 1990**

**Town and Country Planning (General Development Procedure) Order 1995**

## **REFUSAL OF PLANNING PERMISSION**

Application Number: 09/00776/FUL  
Proposed: Two bedroom detached bungalow  
At: 3 Chartwell Drive Wombourne South Staffordshire WV5 0BN

In pursuance of their powers under the above mentioned Act, South Staffordshire Council, hereby **REFUSE** permission for the development described in the above application.

Reasons for refusal:

1. The proposed development would have an adverse impact on a protected Silver Birch tree (Tree Preservation Order Number; TCP9/242/2009/WO), contrary to policy LS2 of the adopted Local Plan.

Signed

Dated: 23 December 2009

Sarah Poxon  
Development Control Manager

Mr J E Fanthom  
C/O Kevin Whittingham  
69 Braemar Avenue  
Wordsley  
Stourbirdge  
DY8 5HU

## NOTES

### 1) APPEALS

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, she/he may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78(I) of the Town and Country Planning Act 1990. Any appeal must be made within **6 months** of the date of the decision.

\* As/If 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.

The Secretary of State has power to allow a longer period for giving of a notice of appeal, but she/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 her/him that permission for the proposed development could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

Appeal forms are obtained from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP or online to [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)

### 2) PURCHASE NOTICE

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for Communities and Local Government, 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 the carrying out of any development which has been or would be permitted, she/he may serve on the Borough Council or District Council or County Council in which the land is situated, as the case may be, 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) COMPENSATION

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.

\*Householder development means development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse. It does not include a change of use or a change to the number of dwellings in a building.