

REFUSAL OF PLANNING PERMISSION

Name and address of applicant:

Ministry Of Justice
Mr Billahl Mehter
102 Petty France
Area 10.41
Westminster
London
SW1H 9AJ

Name and address of agent (if any):

Cushman And Wakefield
Katharine Morgan
St Pauls House
23 Park Square South
Leeds
Yorkshire
LS1 2ND

Part I - Particulars of application

Date of application: 20th September 2021 Application number: 21/01600/OUT

Particulars and location of development:

Outline planning application (All Matters Reserved except for means of access and scale) for the construction of a new Category B prison of up to 82,555sqm within a secure perimeter fence, together with access, parking, landscaping and associated engineering works, Land Adj HM Prison, Welland Avenue, Gartree.

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 proposed development is unsustainable by virtue of its location and by virtue of its size, scale and design would have a harmful impact on the character and appearance of the countryside and Area of Separation. The benefits associated with the proposed development would not outweigh this harm and the proposal is therefore contrary to Harborough Local Plan policies GD1 & GD3 and Lubenham Neighbourhood Plan policies LNP01, LNP16 and LNP19.



(pp) Development Planning Manager

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STANDARD 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 consent 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, Temple Quay House, 2 The Square, Bristol, BS1 6PN Tel: 0303 444 5000 or submit online via www.planningportal.gov.uk/planning.appeals/online/makeanappeal.. The Secretary of State can allow a longer period for giving notice of an appeal, but he/she 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/her 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 appeal solely because the local authority based their decision on a direction given by him/her.

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) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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/she 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/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.