



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0631

To SEA Planning
5A Hall Annex
Newton Chambers Road
Thorncliffe Park
Chapeltown
Sheffield
S35 2PH

Proposal Erection of 1 no. detached bungalow (Outline) (Resubmission)

At Land adjoining 2 Selbourne Close, Barugh Green, Barnsley, S75 1NA

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 25 May 2011 and described above.

The reason(s) for the Council's decision to refuse planning permission is/are:

- 1 In the opinion of the Local Planning Authority the application fails the test of PPS1: 'Delivering Sustainable Development' which states that design which is inappropriate in its context, or which fails to take the opportunity available for improving the character and quality of the area should not be accepted. To site a property within such close proximity of an electricity pylon would appear out of place to the scale and character of the local residential environment and this would be visually incoherent to the locality owing to the proposed dwelling having an incongruous and visually uncomfortable relationship to the street scene. This would be detrimental to the character to the area and contrary to the aims of saved UDP Policy H8D, BE6, SPG3, policy CSP 26 in the Submission Version of the Core Strategy and the advice of PPS1 and PPS3.
- 2 It is also considered that the plot is of an unacceptable size to accommodate a property which meets design objectives and also achieves an appropriate level of residential amenity. In this regard it is considered that the outlook afforded to the dwelling and its garden would be unacceptably compromised by virtue of the close proximity of the National Grid Pylon. The proposal is therefore considered to be contrary to the advice of H8D 'Infill, Backland & Tandem Residential Development' & SPG3 'Infill Development'

Signed *Stephen Moralee*

Assistant Director, Planning and Transportation

Dated 19 July 2011

- 3 It is also considered that the present use of the site as garden provides well needed relief from the scale and dominance of the adjacent electricity pylon. The loss of the garden space would reduce the openness of the site and given the close proximity of the pylon it is considered that the bungalow would have a cramped appearance when viewed from the street scene. As such it is considered that the site is of an inadequate size to accommodate a bungalow without having a detrimental impact upon the character of the area. The loss of the area of the existing garden area to development is therefore considered to be contrary to the advice of PPS3 saved UDP Policy H8D 'Infill, Backland & Tandem Residential Development' & SPG3 'Infill Development'

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to refuse permission for the proposed development then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

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 it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions 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 can he 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.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.