



## TPO REFUSAL

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1999

**APPLICATION NO. 2024/0842**

**To** JM Garden and Tree Care  
22 Longlands Drive  
Rotherham  
S65 4DZ

In pursuance of its powers under the above-mentioned Act and Regulations the Barnsley Metropolitan Borough Council as the Local Planning Authority hereby **refuses consent** for the proposals the subject of the plan(s) and application registered by the Council on the 07/10/2024 and therein described as:- Reduce 1 primary leader/branch overhanging conservatory from Turkey Oak T1 by 4m to leave suitable lateral branches within TPO 1/1981 4 Mount Pleasant Close, Bolton Upon Dearne, Rotherham, S63 8PA.

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

- 1 In the opinion of the Local Planning Authority, insufficient justification has been submitted to justify the proposed works to the Turkey Oak Tree within TPO 1/1981. The tree along with its neighbouring tree are large, mature specimens which are a significant feature within the locality and consequently have a high amenity value. Insufficient evidence has been provided to demonstrate justification for the works and there has been a lack of clarity on the exact nature of the works, with proposals being put forward during the application which significantly differ from the proposed works outlined within the original application form.

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

Signed:

Dated: 10 April 2025

**Garry Hildersley**

Head of Planning, Policy & Building Control  
Growth & Sustainability Directorate

**Notes:**

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 198 of the Town and Country Planning Act 1990, within 28 days of receipt of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wind, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.