



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0242

To Architectural Drawings Ltd
44 Park Road
Barnsley
S70 1YE

Proposal Change of use of agricultural land into domestic curtilage and formation of new vehicular access and associated parking area

At 4 Church View Cottages, Sheffield Road, Wortley, Sheffield, S35 7DB


Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 15 March 2019 and described above.

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

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

- 1 The site lies within the Green Belt, wherein there is a presumption against inappropriate development, unless it is for one of the purposes set out in paragraphs 145 and 146 of the National Planning Policy Framework. In the opinion of the LPA the proposals constitutes inappropriate development that would conflict with the purposes of including land in the Green Belt and its visual amenity and character including loss of vegetation in rural and historic village setting. Furthermore, there are considered to be no very special circumstances to justify the granting of planning permission in this instance. Accordingly the proposals are contrary to Local Plan Policy GB3 and the NPPF.
- 2 The proposed development would detract from the appearance of the neighbouring conservation area and designated park and garden, due to the design, location, the choice of materials proposed and the loss of vegetation. It would therefore be materially harmful to the character and appearance of the aforementioned historic assets contrary to Local Plan Policy HE3 - Development Affecting Historic Buildings.
- 3 The proposed development would involve the creation of an access on a principal route forming a part of the integral highway network. The turning manoeuvres of vehicles entering and leaving the site and the possibility of loose chippings being ejected from the site onto the highway would lead to conflict and interference with the free flow of traffic on the principal route to the detriment of highway safety and contrary to Local Plan Policy T4 - New Development and Transport Safety



Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 24 May 2019

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction*

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions 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.