



## **REFUSAL OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2023/0758**

**To** Crowley Associates  
24a St Andrews Road  
Sheffield  
S11 9AL

**Proposal** Installation of aggregate wash plant, erection of store, erection of enclosure for external pipework, laying of concrete slab, and construction of boundary treatment (retrospective); and cladding to exterior of structure for filter presses for treatment and management of non- hazardous waste.

**At** West Green Recycling, West Green Way, Monk Bretton, Barnsley, S71 5SN

Permission is **refused** for the proposals which were the subject of the Application and Plans registered by the Council on 12/01/2024 and described above.

The reasons for the Council's decision to refuse planning permission are:

- 1 The proposed development introduces significant new development that appears to be required to facilitate the intensification of the existing use on the site. This is contrary to the mixed-use allocation policy MU3, General Development Policy GD1 and the adopted Carlton Masterplan Framework in that the proposal is not for residential development, is not ancillary to the housing elements and would not provide a service or other facility for local residents and would frustrate the Council's strategic objectives for the application site and the wider allocation. It is also contrary to the NPPF policy which requires the strategic policies of Local Plans to identify land to provide a minimum of five years' worth of housing against their housing requirement or local housing need and has the potential to undermine the delivery of the Local Plan.
- 2 The development is at odds with the Local Plan (2019), the Joint Waste Plan (2012), the Carlton Masterplan Framework and the NPPF (2024) which seek to ensure that developments function well, add to the overall quality of the area, are visually attractive, sympathetic to local character, establish a strong sense of place, and create safe, inclusive and accessible places that promote health and well-being. The development has resulted in incongruous features that have an unacceptable visual impact in the landscape because of their height, scale, design and prominence and lack of existing or proposed landscaping to relieve their impact and is considered to be contrary to Local Plan policies GD1 and D1, Joint Waste Plan policies WCS4 and WCS6 and NPPF policy at para 135.

- 3 The development conflicts with Local Plan policies GD1 (General Development) and Poll1 (Pollution Control and Protection) which seek to ensure that development is compatible with neighbouring land and will not significantly prejudice the future use of neighbouring land or adversely affect the potential development of a wider area of land; and will not cause unacceptable levels of noise, dust or other pollution to local residents. The visual impact on surrounding land and the likelihood of noise and dust unacceptably affecting the living conditions and residential amenity of future residents results in conflict with these Local Plan policies.
- 4 The applicant has failed to respond to the request to submit further information relating to the aggregate storage bays and a quarantined/rejected load bay shown on the amended proposed site plan. In the absence of this information, it is not possible to conclude that these elements would be of satisfactory appearance and use and the proposal is therefore considered to be in conflict with Local Plan policies GD1 and D1, Joint Waste Plan policies WCS4 and WCS6 and NPPF policy at para 135.

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.

Please be aware that the Council monitors construction sites and open land within the vicinity of 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.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 22 January 2025



**Garry Hildersley**

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

## **NOTES:-**

### **Appeals 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 it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision, then you must do so within six months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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 and to any directions given under a development order.

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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

### **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.