



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0726

To Philip Brown Associates
74 Park Road,
Rugby,
CV21 2QX

Proposal: Removal of condition 2 of planning permission 2011/0143 (appeal ref APP/R4408/A/11/2155046) - Change of use of land for siting of 2no residential caravans and associated facilities to allow permanent retention of caravan site

At: The Caravan Park, Shaw Lane, Carlton, Barnsley, S71 3HJ

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 23 August 2017 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.

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| 1 | <p>The site lies within the Green Belt on the approved Barnsley Unitary Development Plan. Paragraph 16 of the Planning Policy for Traveller Sites (PPTS), in accordance with the NPPF and Core Strategy Policy CSP34, states that traveller sites (temporary or permanent) in the Green Belt are inappropriate development and would only be permitted in very special circumstances. The PPTS further states that subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.</p> <p>In the opinion of the LPA, the details put forward by the applicant are not considered to amount to very special circumstances to justify the granting of planning permission in this instance. On this basis, the proposal is considered contrary to the NPPF, CSP34 and the PPTS, as the proposed permanent retention of the caravan site constitutes inappropriate development contrary to policy and prejudicial to the character and openness of the Green Belt.</p> |
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Signed
Joe Jenkinson

Dated 22 November 2017



Head of Planning and Building Control

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.