BARNSLEY
Metropolitan Borough Council

REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1148

To Mr Greg Cross
33 Summervale
Holmfirth
West Yorkshire
HD9 7AG

Proposal Formation of a hand car wash and siting of a "welfare" container.
At Car Park of former Butchers Arms PH, 10 High Street, Monk Bretton, Barnsley, S71 2EL

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 29 September 2011and 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 proposed hand car wash would be unduly harmful to the amenity of adjacent residents as a result of the increased noise and disturbance generated, contrary to saved UDP policy H8B and Core Strategy Policy CSP 40

2 In the opinion of the Local Authority the proposed container, in addition to the equipment necessary for a hand car wash, would have an unduly harmful visual impact on the predominantly residential surrounding area, contrary to saved UDP policies H8B and BE6E. In addition, the proposal would not contribute towards creating an attractive and successful neighbourhood, contrary to Core Strategy Policy CSP 29.

3 In the opinion of the Local Planning Authority, the proposed hand car wash would result in vehicles queuing onto High Street to the detriment of the safe and free flow of traffic. In addition, the use of the car park would be to the detriment of the reopening or redevelopment of the Butchers Arms as there would be reduced on site parking provision available, and, likely lead to the displacement of a significant amount of parking from this site to roads in the area, again, with likely detriment to the free and safe flow of traffic on the highway and road safety. The proposal is therefore contrary to saved UDP policy H8B and Core Strategy Policy CSP 26.

Signed Stephen Moralee

Assistant Director, Planning and Regulatory Services

Dated 01 November 2011

Planning and Regulatory Services **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

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.

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