BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Culture
Planning and Building Control

REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/1012

To MG Design Services Ltd
73 Bartle Road
Gleadless
Sheffield
S12 2QP

Proposal Erection of detached garage

At Bromley Green Cottage, Pea Field Lane, Bromley, Sheffield, S35 7EW

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 15 August 2019and 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 proposed development 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 proposal does not comply with the sub sections of paragraphs 145 or 146 and therefore constitutes inappropriate development. Inappropriate development conflicts with the purposes of including land in the Green Belt as well as its openness and visual amenity that would include loss of vegetation in a rural 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 GB2 and the NPPF.
2	In the opinion of the Local Planning Authority the proposed outbuilding, by virtue of its location between the dwelling and the highway in combination with its scale and mass, is an unsympathetic, disproportionate and domineering addition to the area that would not lend itself positively to the visual form of the locality. The development is therefore contrary to Local Plan Policy D1 - High Quality Design and Place Making as well as the guidance outlined within the SPD - House Extensions, Roof Alterations, Outbuildings and Other Domestic Alterations.
3	In the opinion of the Local Planning Authority, the proposed outbuilding would be sited too close to a mature tree and established hedge. Such development would be likely to result in future damage of these green assets that could result in demand for felling or lopping detrimental to the visual amenities and biodiversity of the locality, contrary to Local Plan Policies D1 High Quality Design and Placemaking and BIO1 - Biodiversity

Signed Dated 06 December 2019
Joe Jenkinson
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 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.

As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*****

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. *****

As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. *****

As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. *****

As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice. *****

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. *****

***delete where inappropriate**

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) 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.