BARNSLEY
Metropolitan Borough Council

REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/1381

To NJL Consulting (Leeds)
Park House
Park Square West
Leeds
LS1 2PW

Proposal Change of use of unit to Trampoline Park (D2) and associated works including access, car parking and minor external alterations.
At Units 1&2, Rockingham Industrial Estate, Rockingham Row, Birdwell, Barnsley, S70 5TW

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 05 February 2016and 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 In the opinion of the Local Planning Authority, the existing industrial units should be retained in employment use in order to safeguard existing or potential jobs. There is a shortage of employment land in the Hoyland area and the proposed loss of these units to a non-employment use would serve to compound supply issues. Furthermore, due to the quality, size and location of the units, it is considered that they are suitable for continued traditional employment uses. The applicant has failed to demonstrate that there would be an adequate supply of employment land in the locality and that the buildings/land cannot satisfactorily support continued employment use. Consequently, the proposal is contrary to Core Strategy (CS) policy CSP19.

2 In accordance with Unitary Development Plan (UDP) policies ED7 and HN4, areas defined as employment policy areas will remain in employment use, and development will normally be permitted for business, industry and storage and distribution. Other employment generating uses may also be permitted if they are compatible with adjoining uses. In the opinion of the Local Planning Authority, due to the industrial estate's existing layout, with undefined road network and service areas, and the nature of the other businesses currently operating on the estate, the proposal would give rise to compatibility issues contrary to UDP policy ED7.

Signed

Head of Planning and Building Control

Dated 25 May 2016

Development Service **Telephone: 01226 - 773555**
PO Box 634, Barnsley, S70 9GG **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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