



TPO REFUSAL

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1999

APPLICATION NO. 2016/0937

To Mr Wayne Salter
Salter Tree Services
11 Maythorne Close
Staincross
Barnsley
S75 6PF

In pursuance of its powers under the above-mentioned Act and Regulations the Barnsley Metropolitan Borough Council as the Local Planning Authority hereby refuses consent for the proposals the subject of the plan(s) and application registered by the Council on the 12 August 2016 and therein described as:- Sycamore (T1) Removal due to lifting footpath and proximity to other trees. The Old Mill, Old Mill Lane, Thurgoland, Barnsley, S35 7EG.

The reasons for the Council's decision to refuse consent for the proposal are:-

1

In the opinion of the Local Planning Authority, insufficient justification has been submitted to justify the proposed felling of the Sycamore Tree (T1) within TPO 8/1987. The tree forms part of an Area TPO which contributes positively to the amenity of the locality. In terms of the reasons to remove the tree, no supporting detailed information has been provided, and as such could not be considered sufficient justification for its removal. The removal of the tree cannot therefore be supported due to the detrimental impact upon the amenity and character of the locality that would result.

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.

Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 27 September 2016

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:-

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 6 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.