BARNSLEY
Metropolitan Borough Council

# REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0679

**To** M Twelve Developments Ltd.
22 Wellthorne Avenue
Ingbirchworth
Sheffield
S36 7GH

**Proposal** Erection of a temporary agricultural workers dwelling (Retrospective)
**At** Land East of Aldermans Head, off Hartcliff Hill Road, Cubley, Sheffield

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 23 July 2014and 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 site lies within the Green Belt on the approved Barnsley Unitary Development Plan, wherein there is a presumption against inappropriate development, unless it is for one of the purposes of para 89 of the NPPF. In the opinion of the Local Planning Authority, the agricultural justification submitted in support of the proposed agricultural workers dwelling fails to satisfy the need and viability tests required to show that there is a requirement for an agricultural worker to be permanently on site. The proposed development would therefore constitute inappropriate development contrary to UDP Policy GS8B and para 89 of the NPPF

2 The proposed temporary dwelling would be located in an isolated position away from existing buildings and as such would appear as a discordant structure to the detriment of the character and openness of the Green Belt. The application therefore does not comply with UDP policy and GS8B and CSP 34

Signed Stephen Moralee

Head of Planning, Building Control and Sustainability

Dated 29 September 2014

**Development Service** **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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