BARNSLEY
Metropolitan Borough Council

REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/1017

To Mr Charles Ashton
DC 21 Group
Dene House
North Road
Kirkburton
Huddersfield
HD8 0RW

Proposal Erection of 1no. 50KW wind turbine with a height to the hub of 36.6m and 49m to blade tip with associated infrastructure.
At Land at Dyson Cote Farm, Dyson Cote Lane, Snowden Hill, S36 8YR

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 02 September 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 is within the Green Belt on the adopted Barnsley Unitary Development Plan and as such the proposed wind turbine represents inappropriate development in the Green Belt. In the opinion of the Local Planning Authority, the proposed wind turbine is sited in a prominent, (elevated) isolated and exposed location and would appear as an incongruous and visually intrusive feature, divorced from the host property and in a location which would adversely affect the openness and visual amenities of the Green Belt. The proposed development is neither well designed nor inclusive or in keeping and scale with its location (i.e. it is not appropriate to its context), and it is not sensitive to the local character of the countryside. In addition the development does not retain or enhance the character of the Landscape Character it is located in. For these reasons the harm in these respects and the harm by reason of inappropriateness are not considered to be clearly weighed by the justification put forward. As such, very special circumstances do not exist and the proposal is considered to conflict with CSP6, CSP29, CSP34, and CSP37 as well as the relevenet sections of the NPPF.

Signed

Service Director Economic Regeneration, Development, Environment & Culture

Dated 12 December 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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