BARNSLEY
Metropolitan Borough Council

TPO REFUSAL

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1999

APPLICATION NO. 2013/1303

To Treeland Tree Services
58 Huddersfield Road
Barnsley
S75 1DR

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 27 November 2013 and therein described as:- Removal of (T1) Silver Birch from existing spot and re plant with a smaller specimen within TPO : 12/2004

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

1 In the opinion of the Local Planning Authority, the proposed felling of the Silver Birch tree, which is subject to Tree Preservation Order No. 12/2004, would be significantly harmful to the visual amenity of the area and there is insufficient justification to remove the tree; in addition the owner of the tree, the Council, does not give permission for its removal.

Signed Stephen Moralee

Head of Planning, Building Control and Sustainability

Dated 14 January 2014

Development Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

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.

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