



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0401

To Crowley Associates Ltd
24a St Andrews Road
Sheffield
S11 9AL

Proposal Erection of a dwelling with associated landscaping.

At Green Bottom Farm, Barnsley Road, Hoylandswaine, Sheffield, S36 7JA

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 03 May 2019 and 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 Local Plan, wherein it is the Policy of the Local Planning Authority not to permit new development except in very special circumstances, for purposes other than those set out in paragraphs 145 and 146 of the National Planning Policy Framework. In the opinion of the LPA the proposed new dwelling constitutes inappropriate development contrary to national policy and Local Plan Policy GB1, and prejudicial to the character and openness of the Green Belt. Furthermore, there are considered to be no very special circumstances to justify the granting of planning permission in this instance.
2	Despite requests for additional information the applicant has not submitted sufficient details to enable an adequate assessment to be made of the effect of the proposal on Ecology contrary to Local Plan Policy BIO1.
3	The proposed dwelling and accompanying hard and soft landscaping will introduce a form of development that will have an unacceptable impact on the character of the landscape and setting of the Hoylandswaine Conservation Area, contrary to Local Plan Policies LC1 and HE1.
4	The proposed development would give rise to conditions prejudicial to highway safety due to the restricted visibility and introduction of an island and right turn lane, at the proposed point of access onto the A628 Barnsley Road a derestricted busy arterial road where there is a history of collisions contrary to Local Plan T4 New Development and Transport Safety.
5	In the opinion of the Local Planning Authority, the close proximity of the proposed development to the mature ash tree, would be likely to result in damage to and felling of the tree contrary to the provision of Local Plan Policy BIO1. The loss of the tree, which makes a positive contribution to the local townscape, would materially harm the visual amenity of the area.

Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 17 October 2019

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:-

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.