



# BARNSLEY

## Metropolitan Borough Council

### REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0559

To Enzygo Ltd  
The Granary  
Woodend Lane  
Cromhall  
Gloucestershire  
GL12 8AA

**Proposal Erection of a Renewable Energy Park comprising of a Timber Resource Recovery Centre and Anaerobic Digestion facility.  
At Land off Houghton Main Colliery Roundabout Park Spring Road Barnsley S71 5EX**

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 30 May 2014 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 proposed non-employment use would have a substantially harmful impact on visual amenity and the openness of the adjacent Green Belt by virtue of the scale, height, massing and design of the proposed development. In this regard the proposal is contrary to the objectives of Core Strategy policy CSP 29, Joint Waste Plan policy WCS4 and paragraph 79 of the NPPF. In addition, the proposal would also fail to retain or enhance the character and distinctiveness of the Lower Dearne Lowland River Floor Landscape Character Area by virtue of the scale and height of the proposal and the cumulative visual impact given its proximity to the ASOS building. As such, the proposal also substantially conflicts with Core Strategy policy CSP 37 and the objectives of Barnsley Borough Landscape Character Assessment.
- 2 Furthermore, insufficient evidence has been presented regarding routing and frequency HGV movements in order to demonstrate that the proposal would not have a detrimental impact on the safe and free flow of traffic. In the absence of such evidence, the proposal conflicts with Core Strategy policy CSP 26.

Signed

Service Director Economic Regeneration, Development, Environment & Culture

Dated 26 November 2014

## **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.