BARNSLEY
Metropolitan Borough Council

REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0537

To Alan Robinson
2 Gawber Road
Barnsley
S75 2AF

Proposal Residential development of 14 dwellings
At Land adjoining 26 Cross Lane, Royston, Barnsley

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 20 August 2013and 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 In the opinion of the Local Planning Authority the proposed residential development fails to make efficient use of the site by leaving an undeveloped parcel of land in the north east corner. This is considered to be contrived in order to avoid the threshold for provision of affordable housing, contrary to Core Strategy policies CSP 14 & CSP 15.

2 In the opinion of the Local Planning Authority, the proposed residential development would be materially detrimental to the amenities of a number of the occupants of the proposed dwellings as they fail to meet the 10m separation distance between the rear elevation and rear boundary. As such, some of the rooms, especially at ground floor level, would be dark and oppressive with a poor outlook, contrary to Unitary Development Plan Policies H8A & H8D and the Council's Supplementary Planning Document 'Designing New Housing Development'.

3 The proposed internal road layout does not meet current design standards contained within Places, Street and Movements, Manual For Streets 1 & 2 and the South Yorkshire Residential Design Guide. In addition there is no adequate turning and manoeuvring facilities for refuse vehicles or fire appliances, and, a number of the parking spaces and internal garage spaces fail to meet the requirements of the South Yorkshire Residential Design Guide . Consequently, the proposal would be likely to result in increased vehicles manoeuvring and parking within the highway to the detriment of the safe and free flow of traffic on the highway and contrary to Core Strategy Policy CSP 26.

Signed Stephen Moralee

Head of Planning, Building Control and Sustainability

Dated 19 November 2013

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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