



BARNSLEY

Metropolitan Borough Council

REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0102

To Mrs Dawn Martin
19 Strafford Avenue
Ward Green
Barnsley
S70 6SU

Proposal Erection of two storey side extension to dwelling.

At 19 Strafford Avenue, Ward Green, Barnsley, S70 6SU

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 16 March 2016 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 two storey side extension would have no setback from the principal elevation of the property. The Council's adopted Supplementary Planning Document - House Extensions (SPD) states that 'an extension should appear as an extension and particularly in the case of two storey side extensions a small setback of the extension from the main wall will be required. This will ensure that the extension appears subordinate and will help in reducing the terracing effect that may arise where several dwellings have been extended'. More specifically in respect of two storey side extensions, the SPD states that 'linking or closing the gap between semi detached properties to give the effect of a terrace, is a detrimental change to the character of the street scene and must be avoided. To prevent a terracing effect and to avoid detrimental changes to the character of the street scene, it will be desirable to provide a setback of at least 500mm from the main front wall of the dwelling. A setback from the front elevation allows for a vertical break in the roof plane and a lowering of the ridge line'.
The proposed extension therefore is contrary to the SPD and as a result would have a terracing effect detrimental to the character of the street scene. The proposal is also considered to be contrary to CS policy CSP29 and the relevant planning policy statements in the NPPF relating to requiring good design in that the proposed development would not be appropriate to its context, would not respond to local character and would be detrimental to the overall quality of the area.

Signed

Head of Planning and Building Control

Dated 24 August 2016

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 12 weeks 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.