BARNSLEY
Metropolitan Borough Council

REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0105

To Windle Cook Architects
927 Chesterfield Road
Sheffield
S8 0SS

Proposal Erection of 6 no. garages in 2 blocks
At Garage Site, Stocks Lane, Barnsley, S75 2BL

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 04 February 2015and 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 proposal would represent inappropriate and uncharacteristic piecemeal development that would prejudice the use or development of the larger piece of land. Furthermore, the overall scale of the garages would be unbalanced compared to the development pattern of the local housing stock and existing domestic garages within the immediate area, to the detriment of visual amenity, policy CSP 29, and paragraph 64 of the NPPF.

2 The proposal results in the partial loss of GS814 Sycamore Street Allotments. In the opinion of the Local Planning Authority no evidence has been submitted to suggest a lack of demand for allotments in the locality. Whilst it is acknowledged that the site is currently disused, policy CSP35 seeks to protect green spaces that have or could have demonstrable value. As no evidence has been submitted to justify the loss of green space the scheme is considered contrary to CSP 35.

Signed

Service Director Economic Regeneration, Development, Environment & Culture

Dated 26 March 2015

Development Service **Telephone: 01226 - 772000**
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3 In the opinion of the Local Planning Authority 4 out of the 6 garages fall short of the requirements of the South Yorkshire Residential Design guide. The 4 no. smaller garages would have a depth of 5.8m which falls short of the recommended 6.5m. Furthermore, the forecourt depth of the larger garages measure 5m which falls short of the required 6m for an up and over door and 5.5m for a roller shutter door, especially as the larger garages are proposed for larger vehicles such as motorhomes. Vehicles would project out onto the access road if parked in front of the garage, to the detriment of highway safety and contrary to CSP 26.

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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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