BARNSLEY
Metropolitan Borough Council

REFUSAL OF LISTED BUILDING CONSENT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990

APPLICATION NO. 2009/0608

To White Agus Partnership
128B New Road
Staincross
Barnsley
S75 6PP

Proposal Erection of a single storey front extension and porch extension to dwelling (Listed Building Consent)
At Mistal Cottage, South Lane, Cawthorne, Barnsley, S75 4EF

Consent is **refused** for the proposals which were the subject of the Application and Plans registered by the Council on 11 May 2009and described above.

The reasons for the Council's decision to refuse consent are:

1 The site lies within the Green Belt on the approved Barnsley Unitary Development Plan. PPG 2 and UDP Policy GS8A both permit the principle of converting redundant buildings to alternative uses subject to meeting specified criteria. In the opinion of the Local Planning Authority, the further extension to the converted building would go beyond the limited extensions allowed for in PPG2 and materially harm the openness of the area. The development proposed would therefore be contrary to national policy, and to policies GS7 and GS8A of the Unitary Development Plan and in the opinion of the Local Planning Authority no exceptional circumstances existing that would justify the granting of Planning Permission in this instance.

2 In the opinion of the Local Planning Authority the proposed extension would be contrary to Policy GS8A and BE2A of the Unitary Development Plan and Supplementary Planning Guidance Note 6 - Barn Conversions, in that the design and

Signed Stephen Moralee

Assistant Director, Planning and Transportation

Dated 23 June 2009

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size would be architecturally inconsistent with the character of the property and would as a consequence appear as unduly intrusive features to the detriment of visual amenity.

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NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

2. If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the district a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

   Extract from Planning (Listed Buildings and Conservation Areas) Regulations 1990.

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