



## REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/1102

**To** Mr Simon Brown  
54 Jebb Lane  
Haigh  
Barnsley  
S75 4BU

**Proposal** Erection of detached triple garage

**At** 54 Jebb Lane, Haigh, Barnsley, S75 4BU


Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 09 September 2019 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	In the opinion of the Local Planning Authority, the proposed garage, due to its insensitive siting between the house and the road, would appear as an overly prominent feature in the Jebb Lane street scene, at odds with the predominantly open character and nature of the area, to the detriment of visual amenity and contrary to local plan policy D1: High Quality Design and Place Making, National Planning Policy Framework sub-paragraph 127, and SPD: House Extensions and other Domestic Alterations.
2	The site lies within the Green Belt in the Local Plan and the proposed development would be contrary to Local Plan policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt and paragraph 145 in the NPPF in that the total size of the proposed and previous extensions would exceed the size of the original dwelling which in the opinion of the Local Planning Authority would result in disproportionate additions to the building with no very special circumstances existing that would justify the granting of planning permission in this instance.
2	In the opinion of the Local Planning Authority, the proposed garage would lead to harm to the setting of nearby heritage asset by virtue of its overly prominent location between the dwelling and the road and the external materials which are not in keeping, and at odds with, the nearby listed buildings to the detriment of the Historic Environment and contrary to Local Plan policies HE1: The Historic Environment and HE3: Developments affecting historic buildings and paragraphs 190, 193, 194 and 196 in the National Planning Policy Framework.



Signed  
Joe Jenkinson   
Head of Planning and Building Control

Dated 25 October 2019

*Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:*

- a fine of up to £50,000 and
- up to six months imprisonment on conviction

## **NOTES:-**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

### **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.