



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. 2012/0075

To D & J Smith Properties
Tranquil Homes & Services Ltd
83 Sunnyhill Crescent
Wrenthorpe
Wakefield
WF2 0PS

Proposal Replacement of windows and doors to a Grade II Listed Building (Listed Building Consent)

At 49 Shepherd Lane, Thurnscoe, Rotherham, S63 0JS

Consent is **refused** for the proposals which were the subject of the Application and Plans registered by the Council on 15 March 2012 and described above.

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

- 1 The proposed replacement windows and doors, by reason of their inappropriate materials, would be detrimental to the historic character of this Grade II Listed Building, contrary to Barnsley LDF Core Strategy Policy CSP 30, The Historic Environment and paragraph 131 of the National Planning Policy Framework.

Signed

Stephen Moralee

Assistant Director, Planning and Regulatory Services

Dated 04 May 2012

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.