



## REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/1218

**To** ArchiSmart Design Ltd  
51 Larkspur Way  
Wakefield  
WF2 0FD

**Proposal** Re-building and extension of existing garage along with erection of a residential annex outbuilding

**At** Gransden House Church Street, Royston, Barnsley, S71 4QZ

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 13 February 2020 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 outbuilding proposed would constitute substantial harm to the setting and significance of the Grade I listed Church and its relationship with its former Vicarage (Gransden House) by reason of the proposal's excessive size, its location between the two buildings and its non-vernacular material composition contrary to Local Plan Policies HE1 and HE3 which accord with NPPF Paragraph 193.
2	The proposed development and the harm it causes to the significance of designated and non-designated heritage assets in the vicinity of the proposal, above and below ground including potentially significant archaeological remains, have not been clearly or convincingly justified contrary to the SPD Heritage Impact Assessments as well as Local Plan Policies HE2 and HE6 which accord with NPPF Paragraph 194.
3	It is the view of the Local Planning Authority that the proposal is an unsympathetic and disproportionate addition that detracts from the visual quality of its historic location by reason of its excessive size, irregular footprint and inferior material composition. The proposal is therefore considered to be of a poor design that fails to take the opportunities available for improving the character and quality of its location and the way it functions contrary to Local Plan Policy D1 which is concordant with NPPF Paragraph 130.
4	The development incorporates an annexe use that is capable of functioning as a standalone dwelling due to it containing four rooms which exceed the maximum allowed for annexes set out within the guidance SPD House Extensions and Other Domestic Alterations. The annex is not assessed as a dwellinghouse and does not benefit from other requisite dwellinghouse amenities such as adequate levels of private outdoor amenity space and levels of privacy.



expected of this type of development. The same issues also threaten the amenity and setting of Gransden House as a larger dwellinghouse should the annex be split from the former in the future. The proposal is therefore found to contravene the recommendations set out in the SPD House Extensions as well as the requirements set out in Local Plan Policies GD1 and H9 for the protection of residential amenity and the protection of larger dwellinghouses.

Signed  
Joe Jenkinson   
Head of Planning and Building Control

Dated 07 April 2020

*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.