



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/1435

To A. Deakin Developments
50 Grove Street
Barnsley
South Yorkshire
S71 1EU

Proposal Erection of single storey side and front extension comprising of flat roofed kitchen diner and pitched roofed double garage with games room above.

At 41 Thorncliffe Way, Tankersley, Barnsley, S75 3DN

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 18 January 2016 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.

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In the opinion of the Local Planning Authority the proposed extension would unbalance the appearance of the host property due to its excessive scale and mass. As a result the original dwelling would fail to remain the dominant feature and the extension would not form a sympathetic or subordinate addition. Occupying a prominent corner plot the extension does not relate sympathetically to the main dwelling in terms of style having a particularly steep roof pitch, and proportions that would radically affect the shape of the existing dwelling, overwhelming it and detracting from its quality, and the character of the street scene from which it would be seen. The proposal is therefore considered contrary to Core Strategy Policy CSP 29 Design and the Council's Supplementary Planning Document - House Extensions and the relevant planning policy statements in the NPPF relating to requiring good design.

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Furthermore, it is also considered that due to the extension occupying an elevated position, with a forward projection of 9.7m and ridge height of 5.8m the siting of the extension within 2m of the rear garden of no.43 Thorncliffe Way would have an overbearing appearance that would result in a loss of amenity by virtue of overshadowing and loss of outlook. Consequently, the proposal is contrary to Core Strategy policy CSP29, the relevant planning policy statements in the NPPF relating to requiring good design and the Council's SPD - House Extensions.

Signed 

Head of Planning and Building Control

Dated 24 August 2016

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 12 weeks 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.