BARNSLEY
Metropolitan Borough Council

**SPLIT DECISION (Partial Grant and Partial Refusal of Planning Permission)**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0363

**To** Mrs M Griffiths
Project Management Services
4 Huddersfield Road
Barnsley
South Yorkshire
S70 2LT

**DESCRIPTION** Erection of potting shed, alterations to stone wall and erection of gates(Retrospective).
**LOCATION** The Granary, Elmhirst Farm, South Lane, Cawthorne, Barnsley,

Permission is granted in part and refused in part for the proposals which were the subject of the Application and Plans registered by the Council on 24 March 2009 and described above.

Grant - Erection of potting shed and gates (Retrospective).

The approval is subject on compliance with the following conditions:

**Reason(s) for Granting Permission**

| | | |
|---|---|---|
| 1 | Alteration/extension to dwellings in the Green belt - Policy GS8E | The proposal complies with Policy GS8E in that the extension does not exceed the size of the original dwelling. |

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Stephen Moralee
Signed
Assistant Director, Planning and Transportation

Dated 18 May 2009

**Planning and Transportation Service** **Telephone: 01226 - 772000**
**PO Box 604, Barnsley, S70 9FE** **Fax: 01226 - 772591**

The reason(s) for the Council's decision to refuse consent for Refuse - Alterations to stone wall (Retrospective). is/are:-

1 In the opinion of the Local Planning Authority, the design, materials and height of the trellis fence is harmful to the simple architectural form and character of the converted barn. As a consequence the fence (which has already been constructed) appear incongruous and visually harmful to the setting of the Listed Building. The proposal is therefore contrary to UDP Policy BE2A, SPG 18 and the advice contained within PPG15.

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**NOTES:-**

**Appeals to the Secretary of State**

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions 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 six months 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.

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