BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0258

To Mr John David Allott
27 Church Street
Darton
Barnsley
S75 5HF

DESCRIPTION Erection of agricultural building
LOCATION Whiteacres, Land Head Road, Cawthorne, Barnsley, S75 4DT,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 12 March 2013 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby approved shall be carried out strictly in accordance with the plan 'Proposed Agricultural Building at Whiteacres' and specifications including the external materials as approved.
Reason: In the interests of the visual amenities of the Green Belt and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 Prior to the development being brought into use, a scheme shall be submitted and approved by the Local Planning Authority for the tidying up of the site which shall include the removal of redundant storage containers and all superfluous non agricultural machinery and hardcore materials from the site in general accordance with the additional information received from the applicants 8th April 2013. The approved scheme shall be carried out in full within 56 days of it approved by the Local Planning Authority.
Reason: In the interests of the visual amenities of the Green Belt and in accordance with LDF Core Strategy Policy CSP 29, Design.

Stephen Moralee

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

Signed
Head of Planning, Building Control and Sustainability

Dated 26 April 2013

Development Service
PO Box 604, Barnsley, S70 9FE
Telephone: 01226 - 772000
Fax: 01226 - 772591

Reason(s) for Granting Permission

1 Unique In the opinion of the Local Planning Authority the application is acceptable in that:-

The proposed development is considered an acceptable form of development in the Green Belt having regard to the NPPF, GS8 'Development within the Green Belt' and Core Strategy policies CSP34 'Protection of Green Belt' and CSP21 'Rural Economy'.

The proposal would not harm visual or residential amenity having regards to the NPPF and Core Strategy policy CSP29 'Design'.

The proposal would not give not rise to any significant highway safety concerns having regards to CSP26 'New Development and Highway Improvement' and the NPPF.

In the opinion of the Local Planning Authority there are no other material considerations which would indicate that a decision should be made at variance to the above polices and guidance.

Informative(s)

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 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.

2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

3 The applicant is advised of the need to obtain all necessary approvals/consents relating to the discharge of surface water flows into the watercourse and for works within it from the Land Drainage Authority and Lead Local Flood Authority.

4 With regards to condition 4, the applicant is advised that planning permission is required for any of the permanent storage containers that have not existed on the site for a minimum 4 years. Planning applications should be made accordingly for the retention of the affected buildings to avoid the possibility of enforcement action being considered. The applicant is requested to arrange a meeting with the Local Planning Authority to discuss the issues with a view to agreeing a suitable way forward.

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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