BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0391

To Michael A Clynch
Architect & Town Planner
14 Huddersfield Road
Ingbirchworth
Sheffield
S36 7GF

DESCRIPTION Erection of an agricultural workers dwelling.- proposed minor material amendment to approved plans stated as part of condition 2 of app 2011/0283.

LOCATION Land adj to Hollin House Lane, High Hoyland, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 16 April 2013 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby approved shall be carried out strictly in accordance with following plans and specifications as approved unless required by any other conditions in this permission:-

Drawing B1 'Variation to planning approval ref 2011/0283'
The proposed tree planting specifications for area C

Reason: The site is not in an area intended for general development, as this would be contrary to Core Strategy Policy CSP34 'Protection of Green Belt'. Permission is granted to the present proposal solely because the dwelling meets a proven agricultural need and in the interests of preserving the openness and visual amenity of the Green Belt.

2 In accordance with the submitted details, the detached garage/outbuilding approved as part of application 2011/0283 shall not be constructed as part of the development.

Reason: The site is not in an area intended for general development, as this would be contrary to Policy CSP34 'Protection of Green Belt'. Permission is granted to the present proposal solely because the dwelling meets a proven agricultural need and in the interests of preserving the openness and visual amenity of the Green Belt.

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 23 May 2013

Development Service
PO Box 604, Barnsley, S70 9FE

Telephone: 01226 - 772000
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3 Construction work on the external parts of the approved development shall be completed within 6 months of the date of this permission. The external materials shall match those used in the existing building.

Reason: The application is partly retrospective and the existing appearance of the development with exposed blockwork would not be considered acceptable for a longer duration in terms of the visual amenity of the Green Belt and Core Strategy Policy CSP 29 'Design'.

4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the Green Belt and in accordance with Core Strategy Policy CSP 29 'Design'.

5 The dwelling hereby authorised shall be occupied only by persons employed solely or mainly, or last so employed locally in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry and the dependants (which shall be taken to include a widow or widower) of such persons.

Reason: The site is not in an area intended for general development, as this would be contrary to Policy CSP34 'Protection of Green Belt'. Permission is granted to the present proposal solely because the dwelling meets a proven agricultural need.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwelling which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out.

Reason: The site is not in an area intended for general development, as this would be contrary to Core Strategy Policy CSP34 'Protection of Green Belt'. Permission is granted to the present proposal solely because the dwelling meets a proven agricultural need.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages or other outbuildings shall be erected.

The site is not in an area intended for general development, as this would be contrary to Core Strategy Policy CSP34 'Protection of Green Belt'. Permission is granted to the present proposal solely because the dwelling meets a proven agricultural need.

Reason(s) for Granting Permission

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

The dwelling is required to serve a proven agricultural need and is therefore an acceptable form of development in the Green Belt in accordance with the advice in the National Planning Policy Framework and UDP policy GS8E.

The proposed alteration has added mass to the building which is not desirable from the point of view of preserving the openness of the Green Belt. However the proposal not to construct the outbuilding approved as part of application 2011/0283 would benefit the openness of the Green Belt to a greater degree than the harm that is being caused by the extension. In addition the appearance of the development, as limited by conditions is considered acceptable in visual amenity terms subject to works being completed in accordance with the proposed plans and to the proposed landscaping scheme. The proposal is acceptable in this context when considered against advice in the National Planning Policy Framework and having regard to UDP policies GS8B, GS8E and Core Strategy Policies CSP34 'Protection of Green Belt' and CSP29 'Design'.

The proposal does not give rise to any concerns with regards to residential amenity and highway safety issues.

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

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 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

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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