BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Culture
Planning and Building Control

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0499

To MBooth Design Ltd
Fairfield House
Off Churchfield
Barnsley
S70 2FL

Proposal Erection of five dwellings including alterations to access road and footpath (Reserved matters of appearance and landscaping in connection with application 2013/1337)

At Land to North of Lane End Mews, Off High Street, Thurnscoe, Rotherham

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 10 May 2019 and described above, being matters reserved in the permission granted on under Application .

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

1 The development hereby permitted shall be begun before the expiration of 2 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 and the associated outline application 2013/1337

2 The development hereby approved shall be carried out strictly in accordance with the amended plans (Dwg. no. P1 Rev. H, Dwg. no. P3, Dwg. no. P4 and Dwg. no. P5) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3 Prior to the first occupation of the development hereby permitted the 2.0 x 2.0m sight line splay to each side of the driveways serving plots 1, 4 and 5 and the fire and rescue access shall be retained at all times free form any obstruction exceeding 1.0m above the level of the adjacent street carriageway.
Reason: In interests of public and highway safety and in accordance with local plan policy T4: New Development and Highway Safety.

4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, garage accommodation on the site shall be in accordance with the approved plan

Reason: In interests of public and highway safety and in accordance with local plan policy

T4: New Development and Highway Safety

5 Before occupation, the street, including any carriageways, paths and turning spaces shall be laid out and constructed so as to ensure that each dwelling has been provided with a properly consolidated and surfaced facility to at least base course level between the dwelling and the existing highway.
Reason: In interests of public and highway safety and in accordance with local plan policy T4: New Development and Highway Safety

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.

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*

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed JM Jenkinson Dated 06 August 2019
Joe Jenkinson
Head of Planning and Building Control

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

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.