



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0743

To Jerome Masters
The Environment Agency
Fisheries, Recreation and Biodiversity
Phoenix House
Global Avenue
Leeds
LS11 8PG

DESCRIPTION Construction of car park, river footpath, canoe launch/ recovery point and weir improvements.

LOCATION Land at Darfield Bridge, Doncaster Road, Darfield, Barnsley,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 12 June 2009 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 in strict accordance with the amended plans and specifications (Drawing No's HD/040127C/EW&SC/1; HD040127C/SA/1; HD/040127C/CS/1; HD/040127C/GA/1; HD040127C/T&S/1; HD/040127C/TYPSECT; HD/040127C/ROAD MARKINGS; 001 Issue: T1; 002 Issue: T1; 003 Issue: T1; 11587/405; 11587-405; 11587-405; 11587-405; HD/040127C/TREE) unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with Barnsley UDP Policy BE6 and GS7.

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

Signed *Stephen Moralee*
Assistant Director, Planning and Transportation

Dated 06 August 2009

- 3 Prior to the commencement of development a method statement, detailing mitigation measures that will be adopted during construction works to protect water voles and reptiles present on the site, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter any mitigating measures carried out in accordance with the approved details.
Reason: To safeguard the water voles and reptiles in the area and in accordance with PPS9 and Barnsley UDP Policy GS15.
- 4 All seeding comprised in the approved details of landscaping (Drawing No. HD/040127C/T&S/1) shall be carried out in the first seeding season following the completion of the development.
Reason: In the interests of the visual amenities of the locality.
- 5 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars (Drawing No. HD/040127C/TREE) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.
- 6 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interest of highway safety.
- 7 Development shall not commence before arrangements have been entered into to secure highway works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. The works (which shall include any Traffic Regulation Order required as a result of the development) shall include without limitation: - Installation of a right-turn facility on Doncaster Road in accordance with BMBC drawing no HD/040127C/ROAD MARKINGS
Reason: In the interest of highway safety and in accordance with Barnsley UDP Policy T2.

- 8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- " The parking of vehicles of site operatives and visitors
- " Means of access for construction traffic
- " Loading and unloading of plant and materials
- " Storage of plant and materials used in constructing the development
- " Wheel washing facilities

Reason: In the interests of highway safety and visual amenity.

Reason(s) for Granting Permission

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| 1 | Green Belt - GS7 | The proposal complies with Policy GS7 in that it is an appropriate form of development within, and would not harm the visual amenities of, the Green Belt. |
| 2 | Visual amenity - Policy GS9 | The proposal complies with Policy GS9 in that the development would not cause any significant harm to the visual amenity of the Green Belt. |
| 3 | Trees - Policy GS22 | The proposal complies with Barnsley UDP Policy GS22 in that it would not cause significant harm to the existing trees on the site. |

Informative(s)

- 1 The developer must contact Mr G Handley - Highways & Engineering prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the alteration of permanent or temporary vehicular access to the highway.
- 2 The clearance of trees and shrubs required for the works shall be carried out outside of the bird breeding season, which runs from March to September. If works during this period are unavoidable, there should be inspection by a qualified ecologist to check for the presence of nests, and if any nests are found, works should be delayed until the young have fledged. All species of birds, and their nests, are protected under the Wildlife and Countryside Act 1981 (as amended).

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.