



BARNSLEY
Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1171

To Chris Carr Associates
6A Eastgate
Barnsley
S70 2EP

Proposal Erection of 2 no detached bungalows with integral garages. (Reserved Matters)
(2007/1590 Extension of Time Limit)

At Land To Rear of Ashley Bungalow, Montague Street, Cudworth, Barnsley, S72 8TX

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 22 September 2010 and described above, being matters reserved in the permission granted on 28th September 2005 under Application B/05/1395/CU

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 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 plans and specifications as approved unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.
- 3 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

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 28 October 2010

- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before any dwelling is occupied.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with U.D.P. Policy BE6, Design Standards.
- 5 Prior to the commencement of development the existing building, storage container and caravan shall be removed from the site.
Reason: In the interests of visual amenity and the amenities of the local residents.
- 6 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.
- 7 During the period of construction sufficient space shall be set aside within the confines of the site for the parking of site workers and visitors and storage of plant, machinery and building materials.
Reason: To ensure that satisfactory parking is available in the interests of highway safety and the free flow of traffic.
- 8 The buildings shall not be occupied until the means of vehicular access to the site has been constructed in accordance with the approved plans in accordance with UDP Policy T2A.
Reason: In the interests of highway safety.
- 9 Before the development is brought into use the part of the site to be used by vehicles shall be laid out in accordance with the approved plan, surfaced in a solid bound material and marked out. Thereafter the area shall be permanently retained for vehicle use.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with UDP Policy T2A.
- 10 No development shall take place until:
- (a) Full foul and surface water drainage details, including a scheme for surface water run-off limitation and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure proper drainage of the area
- 11 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 building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse].

Reason(s) for Granting Permission

- 1 Infill/backland development The proposal complies with Policy H8D in that

there would be no harm to the local environment or residential amenity.
it would not create any traffic problems.
it would not prejudice future development.

The decision to grant planning permission has been taken having regards to the policies and proposals in the Barnsley Unitary Development Plan and to all relevant material considerations, including Supplementary Planning Guidance 2 and 3.

Informative(s)

- 1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
- 2 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

UDP - Housing Policy area

Policy H8D - indicates that permission will only be granted where development would not result in harm to the local environment, result in harm to the amenities of existing residents or create traffic problems.

Policy H8F - indicates that garages are normally considered acceptable providing that they are constructed to a design to respect the character, appearance and building materials of the dwelling to which they relate, and be located so that the amenity of the locality or neighbouring properties is not adversely affected with adequate visibility for drivers entering the highway.

Policy BE6 - The Council will seek to achieve good design standards for all types of development.

SPG3 - contains further guidance on infill residential development

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

- 3 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

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.