



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0296

**To** Mrs Diana Renselar  
166 Whitmore Road  
Harrow  
Middx  
HA1 4AQ

**DESCRIPTION** Erection of 1 no. detached dwelling  
**LOCATION** Plot of land at Lister Row, Great Houghton, Barnsley, S72 0AY

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 15 March 2012 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 amended plans (Dwg No's 001/a; 002/b; 004; 005; 006; 009; 010) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.**
- 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 Barnsley LDF Core Strategy Policy CSP 29, Design.**
- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings or gravel) 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, in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.**

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 Regulatory Services

Dated 27 February 2013

- 5 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
  - " Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 6 Prior to the commencement of development full details of works proposed, including full highway engineering construction details, to upgrade the crossover linking Lister Row to the bus turning circle (as indicated on drawing no. 002/b) and a timetable for undertaking the works shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.
- Reason: In the interest of highway safety and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 7 No development shall take place until full foul and surface water drainage details, including a scheme to reduce surface water run-off by at least 30% 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 and the scheme shall be retained throughout the life of the development.
- Reason: To ensure proper drainage of the area, in accordance with Barnsley LDF Core Strategy Policy CSP4, Flood Risk.**
- 8 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 either side of the watercourse shown on the approved plan (Dwg No. 010)
- Reason: To prevent damage to the existing culverted watercourse and in accordance with Barnsley LDF Core Strategy Policy CSP 4, Flood Risk.**
- 9 No development shall take place until full details of the exact route and structural condition of the watercourse which runs through the site (including a CCTV survey) along with full details of, and a timetable to implement, any repair works or diversion which will need to be undertaken as a result of this survey, have been submitted to and approved in writing by the Local Planning Authority.
- Reason: To maintain the structural integrity and proper functioning of the existing culverted watercourse in accordance with Barnsley LDF Core Strategy Policy CSP 4, Flood Risk.**
- 10 All construction or remediation work including the deliveries of materials shall take place only 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 Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.**

## Reason(s) for Granting Permission

- 1 Unique The site lies within a Housing Policy Area and the proposal to erect a dwelling on it will not harm the amenities of any existing occupiers or the streetscene in line with Barnsley UDP Saved Policies H8 Residential Areas and H8A, Barnsley LDF Core Strategy Policy CSP 29, Design and also the NPPF. Further the development will be accompanied by improvements to the access road, vehicular crossover and also an extension to the culvert and consequently is acceptable in highway safety and also flood risk terms in line with Barnsley LDF Core Strategy Policies CSP 26, New Development and Highway Improvement and CSP 4, Flood Risk.

## 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. 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](http://www.coal.gov.uk).
- 2 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.

- 3 All waste and recyclable waste containers have to be collected from the kerbside of the public highway; therefore, storage areas should be provided adjacent to the highway. The storage areas should provide sufficient space to allow containers to be left on collection days without obstructing pedestrian or vehicular traffic on the public highway.
- 4 The developer must Highways & Engineering 01226 773555 prior to any works commencing on-site, to ensure no damage is caused to the highway.

## **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.