BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1114

To Mr Nigel Storer
The Old Vicarage Guest House and Tea Rooms
Shrewsbury Road
Penistone
Barnsley
S36 6DY

DESCRIPTION Residential development of 12 no. retirement apartments and ancillary car park. Refurbishment of Cafe and Guest House (Extension of time limit 2007/1689)

LOCATION The Old Vicarage Guest House and Tea Rooms, Shrewsbury Road, Penistone, Barnsley, S36 6DY

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 10 September 2010 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 plans and specifications as approved unless prior written consent has been given by the Local Planning Authority to any variation. (The development hereby approved shall be carried out in strict accordance with the plans and specifications received on 6 September 2010, OVP/DCD/R/03D, OVP/DCD/Ref.Apts/01D, OVP/DCD/Ref.Apts/02D, OVP/DCD/Ref.Apts/03D1, OVP/DCD/Ref.Apts03D2, OVP/DCD/Ref.Apts/03D.L, OVP/DCD/Ref.Apts/06D, OVP/DCD/Ref.Apts/10D, OVP/DCD/R/03D, OVP/DCD/R/04D, OVP/DCD/R/05D, OVP/DCD/Ref.Apts/05C, OVP/DCD/Ref.Apts/04C, OVP/DCD/Ref.Apts/08C Appendix 5 Site Plan JCA Ltd, unless prior written consent has been given by the Local Planning Authority to any minor variation.
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.

Stephen Moralee
Signed
Assistant Director, Planning and Transportation

Dated 06 December 2010

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3 No development shall take place until full details of the proposed roofing 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.

4 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:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

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

5 Prior to commencement of development details of tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed before 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 external walls of the apartment block shall be constructed of square coursed, split faced natural stone with recessed/brushed mortar.
Reason: To safeguard the appearance of the development.

7 Any making good works to the former vicarage shall be made using stone reclaimed from the demolition of the (original) lean to extension.
Reason: To safeguard the appearance of the building.

8 The levels of the proposed development shall be strictly in accordance with those shown in drawing number DVP/DCD/Ref.Apts/03D.L
Reason: To minimize damage to trees and to reduce overlooking to adjacent dwellings.

9 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.

10 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.

11 No storage of building materials, workers vehicles or plant or equipment shall be placed/stored or parked to the front of the vicarage.
Reason: To reduce the risk of congestion.

12 Prior to commencement of development, the schedule of tree works set out in ICAs Arboricultural Method Statement (as amended 15 November 2007) shall be fully implemented and all construction shall proceed in accordance with the Arboricultural Method Statement.
Reason: To safeguard existing trees, in the interest of visual amenity.

Reason(s) for Granting Permission

1	Conservation Areas - Policy BE1/1A	The proposal complies with Policy BE1/1A in that it proposes a high quality of design and materials, which will enhance or preserve the character/appearance of Conservation Area.

Informative(s)

1 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.

2 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.

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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