BARNSLEY
Metropolitan Borough Council

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1289

**To** AA Design Ltd
Unit 2
Aizlewood Road
Sheffield
S8 0YX

**DESCRIPTION** Variation of condition 6 (a) of application 2010/1523 to allow the width of the footway to be varied.
**LOCATION** Land at Bondfield Crescent and Wooley Avenue, Wombwell, Barnsley, S73 8TW

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 01 November 2011 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications (Drawing No's: 10003/P/01; 11022/C/10B; 10003/P/23; 11022/C/08B; 10003/P/06B; 11022/C/07B; 10003/P/17; 11022/C/10B; 10003/P/02A) 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 LDF Core Strategy Policy CSP 29, Design.**

2 The windows in the side elevation of the dwellings hereby approved shall be fitted with obscure glazing, unless otherwise approved in writing with the Local Planning Authority.
**Reason: In the interests of residential amenity.**

3 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 and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.**

Stephen Moralee

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

Signed
Assistant Director, Planning and Regulatory Services

Dated 07 December 2011

**Planning and Regulatory Services** **Telephone: 01226 - 772000**
**PO Box 604, Barnsley, S70 9FE** **Fax: 01226 - 772591**

4 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 residential amenity.**

5 Development shall take place in complete accordance with the details contained in the approved Construction Method Statement (Dwg Ref: 10003/P/01) unless otherwise agreed in writing with the Local Planning Authority.
**Reason: In the interest of highway safety and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.**

6 Within 30 days of the date of this decision, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

a) provision of a 1.4m to 1.5m wide footway around the site frontage
b) relocation of street lighting columns
c) relocation of street name plate

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
**Reason: In the interests of highway safety and the free flow of traffic in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.**

7 Within 30 days of the date of the decision, full foul and surface water drainage details shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the approved scheme has been approved and 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.**

**Reason(s) for Granting Permission**

1 Unique The proposal complies with Barnsley LDF Core Strategy Policies CSP 26, New Development and Highway Improvement and CSP 29, Design in that it will not adversely affect highway safety or the overall design of the development.

**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 developer must contact Highways & Engineering Tel: 01226 773555 prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses 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.

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