BARNSLEY
Metropolitan Borough Council

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0582

**To** Mr A Barber-Lomax
Estate Office
Wentworth
Rotherham
S62 7TD

**DESCRIPTION** Erection of two dwellings and one pair of semi detached dwellings (2008/0905 Extension of Time Limit).
**LOCATION** Land off Lifford Place, Elsecar, Barnsley, S74 8AB

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 May 2011 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 approved plans and specifications (Drawing No's S06/125-02; S06/125-03; S06/125-04; S06/125-01 A), 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 Unitary Development Plan 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 Barnsley Unitary Development Plan Policy BE6, Design Standards.**

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 Transportation

Dated 24 June 2011

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

4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the dwellings.
**Reason: In the interests of the visual amenities of the locality.**

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
**Reason: In the interests of the visual amenities of the locality.**

6 No development shall take place unless and until full foul and surface water drainage details 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. Any scheme as may be agreed shall be implemented and retained in its agreed form throughout the life of the development unless otherwise agreed in writing by the Local Planning Authority.
**Reason: To ensure proper drainage of the area**

7 The parking/manoeuvring facilities, indicated on the submitted plan, shall be provided 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 Unitary Development Plan Policy T2, Development and the Highway Network.**

8 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period.
**Reason: In the interest of highway safety and in accordance with Barnsley Unitary Development Plan Policy T2, Development and the Highway Network.**

9 Hours of work during the construction phase, including the delivery of materials and waste collections, shall be limited to 08.00 - 16.00 Mon - Fri, 09.00 - 13.00hrs Saturdays, with no works at all on Sundays and Bank Holidays.
**Reason: To ensure that the effects of noise disruption due to construction are controlled.**

10 Prior to the commencement of development details of no-dig construction proposals for areas of private drive and driveway which fall within Root Protection Area of the large sycamore, (as shown on the approved Site Layout and Location Plan; Drawing No. S06/125-01 A) including cross-sections and plans showing relevant area for no-dig treatment, shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.
**Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.**

**Reason(s) for Granting Permission**

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| 1 | Infill/backland development | The proposal complies with Policy H8D in that<br><br>there would be no harm to the local environment or residential amenity.<br>it would not create any traffic problems.<br>it would not prejudice future development. |

**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 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 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:

Prior to the commencement of development details of no-dig construction proposals for areas of private drive and driveway which fall within Root Protection Area of the large sycamore, (as shown on the approved Site Layout and Location Plan; Drawing No. S06/125-01 A) including cross-sections and plans showing relevant area for no-dig treatment, shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

SPG 3 'Infill Residential Development',

SPG2 'Design and Layout of Residential Development',

SPG 5 'Dormers and Rooflights'

SPD 32 'Parking, Transport Assessments and Travel plans'

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.

**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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