BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0934

To Garry Greetham Associates
Westwood House
18 Carr Lane
Tankersley
Barnsley
S75 3BE

DESCRIPTION Erection of a detached house with integral garage (amended submission) (2008/1236 Extension of Time Limit).
LOCATION Land adjacent to 40 Woodhall Road, Darfield, Barnsley, S72 9EH

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 02 August 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 strictly in accordance with the following plans and specifications as approved unless required by any other conditions in this permission or if prior written consent is given by the Local Planning Authority to any variation:-

Drawing No 725-01 'Site and Location Layouts'
Drawing No 725-02 'Elevations as Proposed'
Drawing No 725-03 'Layouts as Proposed'
Reason: In order to define the permission for the avoidance of doubt.

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 21 September 2011

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PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

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 Core Strategy Policy CSP29 'Design'.

4 No development shall take place until details of the foul and surface water drainage 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 the proper drainage of the area.

5 Before the development is brought into use that part of the site to be used by vehicles shall be laid out in accordance with the approved plan and hard surfaced, sealed and drained and shall thereafter 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 Core Strategy Policy CSP26 'New Development and Highway Improvement'.

6 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway,
Reason: In the interests of road safety.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with UDP Policy BE6, Design Standards.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (and any order revoking and re-enacting the order) no windows or other openings shall be formed in the north elevation (facing no.22 Highfield Road) hereby permitted without the prior written consent of the Local Planning Authority
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential properties.

9 The hours of work during construction and the delivery of materials on to the site shall be restricted to 08.00-18.00 hours Monday-Friday, 08.00-13.00 hours Saturdays and no working shall take place on Sundays and Bank Holidays.
Reason: In the interests of residential amenity.

10 Prior to the commencement of development or other operations being undertaken on site in connection with the development, a drawing showing the protection of the retained trees and/or hedges produced in accordance with BS5837:2005 (Trees in Relation to Construction Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
Reason: To ensure the continued well being of the trees/ hedges in the interests of the amenity of the locality.

11 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, 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.

Reason(s) for Granting Permission

1 Unique In the opinion of the Local Planning Authority, the proposed residential development is considered acceptable in principle and with regards to the impact on the character and appearance of the local area. Furthermore it is considered that the proposals are acceptable with regards to issues of residential amenity for new and existing residents and matters of highway safety. Accordingly the proposal is considered acceptable with regards to Saved UDP Policies H8A, H8D and Core Strategy Policies CSP26 and CSP29.

Informative(s)

1 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.

2 The applicant should contact BMBC Highways & Engineering prior to any works commencing on site to gain all necessary technical and legal approvals relating to the creation of a new vehicular access to the highway.

3 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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