BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0100

To Nuttall Yarwood & Partners Limited
The Grove
High Street
Dodworth
Barnsley
S75 3RQ

DESCRIPTION Formation of car Park (Resubmission)
LOCATION St John the Baptist Church, Dodworth Green Road, Dodworth, Barnsley, S75 3RS, ,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 20 January 2009 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 minor variation:-

drawing LC01 'Proposed Car Park Location Plan'
drawing SKETCH06 'Survey as existing & proposed car park layout (including elevational details of access gates' dated 09/04/2009.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP 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 UDP Policy BE6, Design Standards.

4 The proposed parking and manoeuvring areas shall be completed in accordance with the

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 06 May 2009

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

details shown on Drawing Number SKETCH06 'Survey as existing & proposed car park layout (including elevational details of access gates' dated 09/04/2009 hereby approved prior to the development being first brought into use and retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety.

5 All on-site vehicular areas shall be drained in an approved manner prior to the development being brought into use.
Reason: In the interests of the satisfactory drainage of the area.

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both 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 development being brought into use.
Reason: In the interests of the visual amenities of the locality.

7 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.

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 interests of road safety.

9 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.

Reason(s) for Granting Permission

1 Unique In summary it is recognised that the proposed development represents inappropriate development in the Green Belt. However in this case it is considered very special circumstances exist to warrant a departure from Planning Policy Guidance Note 2 Green Belts and the Unitary Development Plan as there is a need for the car park to improve highway safety on Dodworth Green Road and as proposals would not significantly harm the openness of the Green Belt. Furthermore it is satisfied that its visual amenity would not be injured. The scheme is sensitively designed and this would ensure visual amenity, residential amenity and highway safety considerations have been appropriately considered.

Informative(s)

1 The applicant is reminded that the responsibility and subsequent liability for safe development rests with the developer and/or landowner. Although the Local Planning Authority has used its best endeavours to determine the application on the basis of the information available to it, this does not mean that the land is free from instability. In particular the granting of planning permission does not give a warranty of support or stability. In particular the applicants attention is drawn to the retaining wall located to the south of the site on the boundary with the properties on St John's Close. The applicant is reminded it is their responsibility to check that the proposed works would not have any structural or drainage implications for this retaining wall and obtain any necessary consents prior to development commencing.

2 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.

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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PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772599**