BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2008/0179

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

DESCRIPTION Conversion of redundant farmhouse and outbuildings to seven dwellings with detached garages (Resubmission)

LOCATION Blacker Grange Farm, Off Barnsley Road, Blacker Hill, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 01 February 2008 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 amended plans and specifications received on 14th March 2008 (Drawing No. 603-01 rev.A, 603-04 rev.A, 603-07 rev.C, 603-11 rev. C, 603-15 rev.C, 603-19 rev.C, 603-09 rev.A, 603-21 rev.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 UDP Policy BE6, Design Standards.

3 Prior to the conversion of any of the buildings the exiting 'Atcost' barn and area of hard standing located to the north of the site shall be removed and the land within which they stood restored in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority

Reason:
In the interests of maintaining the openness of the Green Belt in accordance with UDP policy GS7 'Development Within the Green Belt'.

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 14 April 2008

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4 Details of the design and specification of the glazed windows and all external doors, shall be submitted to and approved by the Local Planning Authority before the development is commenced.

Reason:
To ensure that these matters can be the subject to further consideration by the Local Planning Authority in the interests of the character and appearance of the building and in accordance with policy ENV3.5 'Alternative Uses for Rural Buildings'.

5 The first 10 meters of the access track from Grange View shall be 4.5 metres minimum width and hard surfaced and drained in an approved manner prior to the development being brought into use.

Reason:
In the interests of highway safety to prevent mud/debris being deposited on the public highway to the detriment of road safety.

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.
Reason: In the interests of the visual amenities of the locality.

7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The development shall not be occupied until the approved boundary treatment has been provided, unless otherwise agreed in writing by the local planning authority and thereafter retained and maintained as such.

Reason:
In the interests of the visual amenity of the area and in accordance with UDP Policy GS8A 'The re-use & adaptation of Buildings in the Green Belt'.

8 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason:

In the interest of satisfactory and sustainable drainage.

9 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works have been submitted to and approved by the local planning authority.

Reason:
To ensure the development can be properly drained.

10 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water has been completed in accordance with details to be submitted to and approved by the Local Planning Authority

Reason:
To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

11 Unless otherwise agreed in writing by the Local Planning Authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason:
To ensure that no foul water discharges take place until proper provision has been made for its disposal

12 No development shall take place until an ecological survey has been carried out by an appropriately qualified person to establish whether the building contains protected species, such as barn owls and bats. The report shall include, where necessary to meet the requirements of the Wildlife and Countryside Act 1981 (as amended), measures to safeguard the protected species during conversion work and thereafter. No development shall take place until these measures have been submitted to and approved in writing by the Local Planning Authority, and operations on site shall thereafter be carried out strictly in accordance with this document.
Reason: To safeguard the protected species in accordance with U.D.P. Policy GS15, Protecting Habitats and Species.

13 Prior to the commencement of the development a report, endorsed by a competent engineer experienced in ground contamination shall be submitted to the Local Planning Authority. The report shall, amongst other matters, include the following:

1. Measures to physically identify the extent of made ground and measures to test and evaluate the area for the purposes of identifying the extent of any contaminated areas requiring remediation
2. Measures to treat or remove any contaminated material identified
3. Measures to test and evaluate any imported soils or capping material imported onto the site to ensure they contain no levels of contamination which would render any part of the site unsuitable for its intended use
4. The subsequent certification that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied. The development shall thereafter be undertaken in full accordance with the submitted reports.
Reason: To ensure that the site is properly assessed for ground contamination and subsequently suitably remediated to enable the site to be subsequently safely developed and occupied and in accordance with UDP Policies ES7, Contaminated Land and ES8.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking or re-enacting that order) no development included within classes A, D and E of part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason:
To ensure that sufficient private amenity space remains to serve the dwellings, in the interests of amenity.

15 No development shall take place until porosity tests are carried out in accordance with BRE 365 to demonstrate that suitable subsoil and adequate land area is available for the soakaway.

Reason:
To ensure the proper drainage of the area

16 The foul drainage from the proposed development shall be discharged to a septic tank and soakaway system which meet the requirements of British Standard BS 6297:1983 (septic tank) and the Building Research Establishment Digest Standard 365 (soakaway system).
Reason: To prevent pollution of the water environment and in accordance with UDP Policy ES3, Water Pollution.

17 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.

Reason(s) for Granting Permission

1	Re-use of buildings in the Green belt	The proposal complies with Policy GS8A in that There is no material impact on the openness of Green Belt. it does not adversely affect residential amenity. it does not need substantial alteration. it does not result in the loss of an agricultural holding. the alterations/extension is compatible with the existing building in design terms. residential use is considered the best way of retaining the character of the buildings.

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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