



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0068

**To** Andrew Bailey Architects  
85 Lundhill Road  
Wombwell  
Barnsley  
S73 0RL

**DESCRIPTION** Conversion of existing detached garage into 2 no. holiday lets and formation of hardstanding with new vehicular access to Royds Cottage.

**LOCATION** Royds Dairy, Linthwaite Lane, Elsecar, Barnsley, S74 8AY

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 28 January 2013 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 (Nos 01 & 02a) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 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: 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 CSP 26, New Development and Highway Improvement.**

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

Signed *Stephen Moralee*  
Assistant Director, Planning and Regulatory Services

Dated 22 March 2013

- 4 The foul drainage from the proposed development shall be discharged to an approved Treatment Plant with treated effluent to a soakaway system which meets the requirements of Building Research Establishment Digest 365 and which complies with the following:
- a) there is no connection to any watercourse or land drainage system and no part of the soakaway system is situated within 10 metres of any ditch or watercourse.
  - b) 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 prevent pollution of the water environment and in accordance with Core Strategy Policy CSP 40.**

#### **Reason(s) for Granting Permission**

- 1 Unique The application is considered to accord with the objectives and criteria of Saved UDP policy GS8A and guidance contained within the NPPF and Core Strategy policies CSP 20, 21, 26 & 29.
- The building easily lends itself to conversion without compromising the openness or character of the Green Belt. For these reasons the works are considered to represent an efficient use of the building, which in addition will provide suitable holiday accommodation helping to contribute to strategic tourism objectives.

## Informative(s)

*Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.*

- 1 The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Core Strategy and saved policies of the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

### Core Strategy Policies

CSP20 - Promoting Tourism and Encouraging Cultural Provision

CSP21 - Rural Economy

CSP26 - New Development and Highway Improvement

CSP29 - Design

### Saved UDP Policies

GS8A - The reuse of buildings in the Green Belt

### SPDs/SPGs

Parking

SYRDG

### Emerging Development Sites and Places DPD

GB1 Replacement, extension and alteration of existing buildings in the Green Belt.

GB2 Changes of use in the Green Belt

### NPPF

General Principles 7, 9, 12, 14, 17

Supporting a Prosperous Rural Economy 28

Design Para's 58 & 69

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.

- 2 The applicant should ensure that the existing septic tank is in a good state of repair, regularly desludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of this proposal.
- 3 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.

## **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.