BARNSLEY
Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/1298

To Mr Darren Griffiths
Barnsley & Griffiths Ltd.
Pendennis
Denaby Lane
Old Denaby
Doncaster
South Yorkshire
DNR 4LO

DESCRIPTION Residential development of one pair of semi detached dwellings and one detached dwelling (Outline)

LOCATION Land at the southern most point of Maran Avenue, Darfield, Barnsley, South Yorkshire, S73 9HS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 08 October 2009 and described above.

The approval is subject on compliance with the following conditions:

1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

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 Transportation

Dated 01 December 2009

Planning and Transportation Service
PO Box 604, Barnsley, S70 9FE
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2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

(a) the design and external appearance of the proposed dwellings;
(b) landscaping of the site
Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

3 The landscaping details to be submitted pursuant to condition no.2 above shall include:
i) proposed finished levels or contours;
ii) indications of all existing trees and hedges to be retained and means of protection thereof during construction.
Reason: In the interest of visual amenity.

4 The development hereby approved shall be carried out strictly in accordance with the amended plans (No's: DJG-003; DJG-004) and specifications as approved unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley UDP Policy BE6, Design Standards.

5 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme for surface water run-off limitation and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:
(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;
(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;
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 proper drainage of the area

6 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: In the interest of highway safety.

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 position and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Barnsley UDP Policy BE6, Design Standards.

8 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 interest of residential amenity.

Reason(s) for Granting Permission

1	Residential Development	The proposal complies with UDP Policies H8A & H8D in that the development will not harm the amenities of the occupiers of the adjoining residential dwellings or adversely affect the Maran Avenue street scene.

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 Environment Agency recommends that developers should:

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

3) Refer to our website at www.environment-agency.gov.uk for more information.

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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