



BARNSLEY
Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2008/1459

To Mr Brian Jones
10 New Street
Worsbrough Dale
Barnsley
South Yorkshire
S70 4TE

DESCRIPTION Erection of one pair of semi detached dwellings (Outline)
LOCATION Land rear of 10 New Street, Worsbrough Dale, Barnsley, South Yorkshire, S70 4TE

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 20 October 2008 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, whichever is the later.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

- 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 layout of the proposed development.

(b) scale of building(s)

(c) the design and external appearance of the proposed development.

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 11 December 2008

(d) means of access

(e) landscaping

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 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 parking/manoeuvring facilities, indicated on the submitted plan, shall be provided 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 and in accordance with Barnsley Unitary Development Plan Policy T2, Development and the Highway Network.

- 5 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 600mm above the nearside channel level of the adjacent highway.

Reason: In the interest of highway safety and in accordance with Barnsley Unitary Development Plan Policy T2, Development and the Highway Network.

- 6 No development shall take place unless and until:

(a) full foul and surface water drainage details 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. Any scheme as may be agreed shall be implemented and retained in its agreed form throughout the life of the development unless otherwise agreed 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

are approved by the Local Planning Authority

Reason: To ensure proper drainage of the area

- 7 No development shall occur until the applicant has submitted a Phase 1 Desk Top Study investigation report, to the local Planning Authority. This report should include details of:

1. A review of the historic and current uses of the site, and surrounding area, to identify potential areas of contamination.

2. Information on the environmental setting of the site, to understand the behaviour of any potential contamination.

3. Preliminary (qualitative) assessment of risks, including an appraisal of potential contaminant sources, pathways and receptors.

4. An assessment to whether a "phase 2" intrusive ground investigation will be required to assess the nature of any risks to future occupants.

Reason: To protect the environment and ensure the site is suitable for the proposed use.

- 8 Except with the prior written approval of the Local Planning Authority, all site works including deliveries shall be limited to the hours between 08.00 hours and 18.00 hours on Monday to Friday, 09.00 hours and 13.00 hours on Saturdays, and not at all on Sundays and Bank Holidays. This condition shall apply except in cases of emergency.

Reason: In the interests of residential amenity.

Reason(s) for Granting Permission

- | | | |
|---|-----------------------------|---|
| 1 | Infill/backland development | The proposal complies with Policy H8D in that there would be no harm to the local environment or residential amenity or highway safety. |
|---|-----------------------------|---|

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.

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.