BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/1081

To Mr Jason Bland
Ship Inn
88 Wath Road
Elsecar
Barnsley
S74 8JF

DESCRIPTION Erection of a double garage with habitable room above.
LOCATION 88 Wath Road, Elsecar, Barnsley, S74 8JF

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 08 September 2015 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 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 natural coursed sandstone to the front of the garage shall match the stonework to the front of the adjacent terraced row 990-104 Wath Road) and the brickwork and roof tiles shall match those of the host property (88 Wath Road).

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design and CSP 30, The Historic Environment.

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

Signed
Head of Planning and Building Control

Dated 27 November 2015

Development Service
PO Box 634, Barnsley, S70 9FE
Telephone: 01226 - 772000
Fax: 01226 - 772591

4 The garage hereby approved shall not be used for any trade or commercial purpose.

Reason: In the interests of the amenities of local residents and in accordance with in accordance with Core Strategy Policies CSP 29 and CSP 40.

5 The garage hereby approved shall only be used as ancillary accommodation to the existing dwelling on the site and at no time shall it be used, sold or rented as an independent unit.

Reason: In the interest of residential amenity.

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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

2 The granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

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.

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

Core Strategy

Core Strategy Policy CSP 29 sets out the overarching design principles for the borough to ensure that development is appropriate to its context. The policy is to be applied to new development and to the extension and conversion of existing buildings.

CSP 30 'The Historic Environment' states that the Council will positively encourage the management, conservation and enjoyment of Barnsley's historic environment. Development which affects the historic environment and barnsleys heritage assets and their settings will be expected to protect or improve the character and/or appearance

Saved UDP Policies

Policy H8F - In the interests of visual amenity and highway safety, proposals for private garages should be constructed to a design to respect the character, appearance and building materials of the dwelling, be located and designed so that the amenity of the locality or neighbouring properties is not adversely affected and be provided with an appropriately surfaced driveway of at least 6m in length.

SPDs/SPGs

SPD 'House Extensions' provides guidance on internal and external spacing requirements and refers to the requirements for detached garages/outbuildings.

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.

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 12 weeks 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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