



**BARNSELEY**  
Metropolitan Borough Council

## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0318

**To** E2A Ltd  
51 Birchin Bank  
Elsecar  
Barnsley  
S74 8DP

**DESCRIPTION** Conversion of one apartment into two flats  
**LOCATION** 301 Barnsley Road, Cudworth, Barnsley, South Yorkshire, S72 8SZ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 28 March 2011 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 7/06/2011 (Drawing No. P-01 Rev C), 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 The use hereby permitted does not apply to the area hatched in green on the approved plan (P-01 Rev C).  
**Reason: In the interests of residential amenity.**

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 04 July 2011

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

- 1 Flats and HIMO's - Policy H5A      The proposal complies with Policy H5A in that it provides suitable facilities; causes no significant noise nuisance through design. has adequate provision for parking; the visual appearance of the alterations is acceptable.

## **Informative(s)**

- 1 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.

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

BE6 - Indicates that the council will seek to achieve good design standards for all types of development

Policy H5A - The Council will promote diversity of dwelling type, size, density, and design throughout the borough to meet the full range of housing need.

Policy T2 - Development will only be allowed if the additional demand for travel generated can be accommodated on the highway network without significant detriment to the environment or movement of vehicles and pedestrians using the network, or through measures to assist public transport, cycling or walking.

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.

- 3 Please note that the application site does not include the area hatched in green on the approved plan named 'future development'. A separate application is required for this space.

## **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.