BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/1153

To Land Restoration and Management Ltd
3 Park Close
Shelley
Huddersfield
West Yorkshire
HD8 8JF

DESCRIPTION Erection of agricultural workers dwelling
LOCATION Brierley Lodge Farm, Burntwood Road, Grimethorpe, Barnsley, S72 7JF,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 September 2009 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 (Dwg. title 'Site Plan' Dwg No. 09-07-1354 Job No. 02 Rev. 00; Dwg. title 'Building of Agricultural Dwelling' Dwg No. 09-07-1354 Job No. 04 Rev. 00) 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.

3 The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working in the Grimethorpe area in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.
Reason: Residential dwellings are not normally permitted in the Green Belt, permission is granted to enable the operational needs of the agricultural enterprise to be met.

Stephen Moralee

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 21 October 2009

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4 The static caravan shall be removed from the land on or before occupation of the agricultural dwelling approved by this permission.
Reason: To safeguard the openness, appearance and integrity of the Green Belt.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: To safeguard the openness and appearance of the Green Belt.

6 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

7 The foul drainage from the proposed development shall be discharged to a septic tank and soakaway system which meet the requirements of British Standard BS 6297:1983 (septic tank) and the Building Research Establishment Digest Standard 365 (soakaway system) 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 meters 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 available for the soakaway.
Reason: To prevent the pollution of the water environment.

8 Development shall not commence before details of measures to prevent mud/debris from being deposited on the public highway to the detriment of highway safety have been submitted to and approved in writing by the Local Planning Authority and such measures shall be retained for the entire construction period.
Reason: In the interests of highway safety.

9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the proposed boundary treatments and details of the species and positions of any trees and shrubs. The approved hard landscaping details shall be implemented prior to the occupation of the dwelling.
Reason: To safeguard the openness, appearance and integrity of the Green Belt.

10 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling. **Reason: To safeguard the openness, appearance and integrity of the Green Belt.**

Reason(s) for Granting Permission

1	Agricultural workers dwelling - Policy GS8B	The proposal complies with the above Policy GS8B in that an essential need to sustain the holding has been shown and that the size of the dwelling is in proportion to the functional requirement.

Informative(s)

1 Under the terms of the Water Resources Act 1991, the prior written consent of the Agency is required for any discharge of sewage or trade effluent into controlled waters. (Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters). Such consent may be withheld. Failure to obtain Consent may result in enforcement action being taken by the Agency.

The following link should take the Applicant to the relevant page where further information on Discharge Consents and forms can be downloaded.

http://www.environment-agency.gov.uk/business/1745440/1745496/1754268/?version=1&lang=_e

If you need more information on Discharge Consents, please contact our National Customer Contact Centre on 08708 506506.

2 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.

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