BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2008/0249

To P. Dimberline
2 Tipsey Court
Wakefield Road
Staincross
Barnsley
S75 6FZ

DESCRIPTION Erection of 6 apartments
LOCATION Land adjacent former garage site, West Street, Royston, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 16 April 2008 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 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.

3 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved, drawing number 2007/042/01, 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 UDP Policy BE6, Design Standards.

4 No development shall take place until details of the foul and surface water drainage 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. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure the proper drainage of the area.

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 28 May 2008

Planning and Transportation Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

5 Prior to the occupation of each dwelling hereby approved, the parking and manoeuvring area within its curtilage shall be surfaced, sealed and drained. The parking bays shall be permanently marked out and thereafter retained. No obstructions above 900mm in height relative to the nearside carriageway channel shall be placed, grown or erected across the full site frontage unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that adequate car parking accommodation is available and in accordance with UDP Policy T2A.

6 Pedestrian intervisibility splays having the dimensions of 2m x 2m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 600 mm above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety.

7 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 interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.

8 Upon commencement of development, details of a sound attenuation barrier along the eastern boundary shall be submitted to the Local Planning Authority for consideration. The approved details shall be implemented prior to the occupation of the units and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of protecting the amenity of future occupants of the property.

9 Prior to the commencement of the development a report, endorsed by a competent engineer experienced in ground contamination shall be submitted to the Local Planning Authority. The report shall, amongst other matters, include the following:

1. Measures to physically identify the extent of made ground and measures to test and evaluate the area for the purposes of identifying the extent of any contaminated areas requiring remediation
2. Measures to treat or remove any contaminated material identified
3. Measures to test and evaluate any imported soils or capping material imported onto the site to ensure they contain no levels of contamination which would render any part of the site unsuitable for its intended use
4. The subsequent certification that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied. The development shall thereafter be undertaken in full accordance with the submitted reports.
Reason: To ensure that the site is properly assessed for ground contamination and subsequently suitably remediated to enable the site to be subsequently safely developed and occupied and in accordance with UDP Policies ES7, Contaminated Land and ES8.

Reason(s) for Granting Permission

1	Infill/backland development	The proposal is similar to a previously approved scheme and complies with Unitary Development Plan policy H8D and Supplementary Planning Guidance Note 3i n that there would be no harm to the local environment or residential amenity and it would not create any traffic problems.

Informative(s)

1 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:

H8D - residential development
SPG3 -residential development

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.

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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