BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2024/0265

To MBooth Design Ltd
Fairfield House
Berneslai Close
Barnsley
S70 2FL

DESCRIPTION The erection of a garage, the erection of a domestic outbuilding to include a home office, gym, games room and sitting area with associated external works, and the erection of a small rear extension to the farmhouse

LOCATION Moor End Farmhouse, Moorend Lane, Silkstone Common, Barnsley, S75 4RA

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 09/04/2024 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 amended plans:

P01 Rev. C received 23 June 2024.
P02 Rev. A received 23 May 2024.
P03 Rev. A
P04 Rev. B

and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy HE1 The historic Environment and Local Plan Policy D1 High Quality Design and Place Making.

3 The external materials shall match those used in the existing building and those specified in the approved documents listed above.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy HE1 The Historic Environment and Local Plan Policy D1 High Quality Design and Place Making.

4 The matching stone used in the development (extension, garage and outbuilding and associated works) shall match the existing in terms of type, colour, and face dressing (for the stone) and method of coursing and pointing. The quoining shall also match the existing.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy HE1 The Historic Environment and Local Plan Policy D1 High Quality Design and Place Making.

5 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shown on Plan P01 Rev. C received 23 June 2024 and Plan P02 Rev. A received 23 May 2024 shall be carried out no later than the first planting and seeding season following the first use of the outbuilding; and any trees or plants which die within a period of 5 years from first being planted, or removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy HE1 The Historic Environment and Local Plan Policy D1 High Quality Design and Place Making.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order), the outbuilding hereby permitted shall be retained as such and shall not be used for any purpose other than uses ancillary to the main dwelling (Moor End Farmhouse, Moorend Lane, Silkstone Common, Barnsley, S75 4RA). It shall not be used for any trade or business purposes, nor used as a separate residential use or annex and shall not be severed at a later date to create a separate planning unit.
Reason: To ensure that the use of the existing access is not intensified to the detriment of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety, and to ensure that the residential use of the site is not intensified, contrary to sustainable development and Local Plan Policy T3 New Development and Sustainable Travel.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order), the garage hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with residential occupation of the property (Moor End Farmhouse, Moorend Lane, Silkstone Common, Barnsley, S75 4RA) and ancillary domestic storage. It shall not be used for any trade or business purposes, nor used as a separate residential use or annex and shall not be severed at a later date to create a separate planning unit.
Reason: To retain the garage for parking purposes in accordance with Local Plan Policy T4

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwelling 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: In the interests of the visual amenities of the dwelling and the local area in accordance with Local Plan Policy D1 High Quality Design and Place Making, and to safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1 Protection of Green Belt.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

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 A public right of way (Silkstone FP 10) runs south for a short distance along the access drive to the proposed development site. Safe public access on the right of way should remain available whenever possible, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time, then a temporary closure should be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact publicrightsofway@barnsley.gov.uk

3 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed: Dated: 4 July 2024



Garry Hildersley
Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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

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 twelve 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.