

Application for approval of details reserved by condition.
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	31
Suffix	
Property name	
Address line 1	Roman Road
Address line 2	Kexbrough
Address line 3	
Town/city	Barnsley
Postcode	S75 5DE
Description of site location must be completed if postcode is not known:	
Easting (x)	430700
Northing (y)	409616
Description	

2. Applicant Details

Title	Mr
First name	David
Surname	Alderson
Company name	
Address line 1	C/O 25 Churchfield Lane
Address line 2	
Address line 3	
Town/city	

2. Applicant Details

Country	
Postcode	
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

3. Agent Details

No Agent details were submitted for this application

4. Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Erection of 3 no. residential dwellings. 31 Roman Road, Kexbrough, Barnsley, S75 5DE

Reference number

2016/1122

Date of decision (date must be pre-application submission)

22/02/2017

Please state the condition number(s) to which this application relates

Condition number(s)

1, 3, 8, 9, 10, 12

Has the development already started?

☒ Yes ☐ No

If Yes, please state when the development was started (date must be pre-application submission)

18/02/2020

Has the development been completed?

☐ Yes ☒ No

5. Part Discharge of Conditions

Are you seeking to discharge only part of a condition?

☐ Yes ☒ No

6. Discharge of Conditions

Please provide a full description and/or list of the materials/details that are being submitted for approval

Relating to Condition 1: Evidence of starting relating to builders activities, access opening, tree stump removal, breaking ground, demolition of a building.
Relating to Condition 3: Indication of intended external materials.
Relating to Condition 8: Construction Method Statement.
Relating to Condition 9: Written response to Condition 9 parts a, b, c including plan.
Relating to Condition 10: Document from AWA Tree Consultants to discharge condition.
Relation to Condition 12: Plan of site providing requested details.

7. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

8. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First name

Surname

Reference

Date (Must be pre-application submission)

Details of the pre-application advice received

During a phone call on the 31st January 2020 I indicated that due to ill health and finance issues of the original applicant (my father) this grant had not been used and was due to lapse on the 22/02/2020. I enquired if the grant could be extended in any way. I was told it could not and that starting the development was the only way of avoiding the grant "expiring" per se.

I was told that dispensing the conditions prior to starting should be on a best efforts basis i.e. get them submitted asap and that the authority had no compunction to seek any kind of legal redress if conditions were ultimately met albeit concurrently with starting the development.

When clarifying what starting meant I was told that customarily breaking ground for foundations was considered to be starting. I questioned this as I felt that other activities were specified by the Town and Country Planning Act. I was told that the opinion would be taken under advisement and that if I wrote to the department clarifying my position a legal view would be sought.

I researched the matter following the call and found that "any work of demolition of a building", "operations normally undertaken by a person carrying on business as a builder" and "any operation in the course of laying out or constructing a road or part of a road" are indeed counted as beginning a development by the act. I sent my findings to the planning department on the 6th Feb 2020 but have received no response. Nevertheless it remains my position that the activities I've undertaken to satisfy condition 1 of the grant are sufficient.

9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☒

Date (cannot be pre-application)