



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0521

To Alder King Planning Consultants
Pembroke House
15 Pembroke Road
Clifton
Bristol
BS8 3BA

DESCRIPTION Removal of condition 1 and variation of conditions 2-10 of 2007/0587 so they relate to Phase 2 only.

LOCATION Ashville Medical Centre, 430 Doncaster Road, Barnsley, S70 3RJ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 17 May 2012 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the following approved plans and specifications: Proposed Foster Road Works Ref: F02-05 Rev A; Location Plan; Proposed Plans & Elevations Ref: F02-02 Rev A; Proposed Site Plan Ref: F02-01 Rev E; Proposed Plans & Elevations Housing Plots 5 to 9 Ref: F02-03 Rev A; Existing Floor Plans Ref: F02-10; Existing Elevations Ref: F02-11; and Phasing Plan (Ref: 73567) as approved unless prior written consent has been given by the Local Planning Authority to any variation.

Reason: In the interests of the visual amenity of the locality and in accordance with policy CSP 29.

- 2 No development shall take place within Phase 2 until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. Phase 2 of the development shall be carried out in accordance with the approved details.

Reason: in the interests of the visual amenity of the locality and policy CSP 29.

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

Signed *Stephen Moralee*
Assistant Director, Planning and Regulatory Services

Dated 02 July 2012

- 3 No development within Phase 2 shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before [the use hereby permitted is commenced] or [before the building(s) is/are occupied] or [in accordance with a timetable agreed in writing with the Local Planning Authority].
Reason: In the interests of the visual amenity of the area in accordance with policy CSP 29.
- 4 No development within Phase 2 shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both Phase 2 hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained.
Reason: In the interests of the visual amenity of the area, in accordance with policy CSP 29.
- 5 All on-site vehicular areas within Phase 2 shall be hard surfaced and drained in an approved manner prior to the development being brought into use.
Reason: In the interests of highways safety.
- 6 The Phase 2 parking manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interest of highway safety.
- 7 Development within Phase 2 shall not commence until full highway engineering construction details have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved details have been completed to the satisfaction of the Local Planning Authority.
Reason: In the interests of highway safety.
- 8 No development within Phase 2 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 site.
- 9 No development within Phase 2 shall take place until details of noise attenuation measures have been submitted to and approved by the Local Planning Authority and implemented prior to occupation of the development.
Reason: In the interests of the future occupants of the development.

Reason(s) for Granting Permission

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| 1 Infill/backland development | The proposal complies with Policy H8D in that there would be no harm to the local environment or residential amenity.
it would not create any traffic problems.
it would not prejudice future development. |
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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 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.