



# BARNSLEY

## Metropolitan Borough Council

### GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0558

**To** M A Clynch  
14 Huddersfield Road  
Ingbirchworth  
Sheffield  
S36 7GF

**DESCRIPTION** Residential Development (Outline) (4 units)  
**LOCATION** Land adjacent 107 Sheffield Road, Springvale, Penistone, Sheffield, South Yorkshire, S36 6HJ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 27 April 2009 and described above.

The approval is subject on compliance with the following conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
**Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.**
- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
  - (a) the layout of the proposed development.
  - (b) the design and external appearance of the proposed development.
  - (c) landscaping**Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**
- 3 Nothing shall be planted or erected within a strip of land 2.4m deep on the frontage of No.107 Sheffield Road measured from the adjacent channel of Sheffield Road and the side road which exceeds 1.05m in height above the level of the adjoining channel.

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 Transportation

Dated 25 August 2009

**Reason: In the interests of highway safety**

- 4 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

**Reason: In the interests of satisfactory and sustainable drainage**

- 5 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.

**Reason: To ensure that the development can be properly drained**

- 6 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

**Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal**

- 7 The dwellings shall be a maximum of two storeys in height

**Reason: In the interests of the visual amenities of the area and neighbouring amenities.**

- 8 All on site vehicular areas shall be surfaced and drained in an approved manner prior to the development being brought into use.

**Reason: In the interests of road safety**

- 9 The access and visibility splay to the development shall be in accordance with the letter and plan received on the 28th May 2009 (drawing A2 1:500 scale)

**Reason: In the interests of highway safety**

- 10 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.**

**Reason(s) for Granting Permission**

- 1 Unique Policy H8D- The proposal complies with Policy H8D in that the proposal is for residential usage within a housing policy area. There would be no significant harm to the local environment, neighbouring amenities, or highway safety subject to compliance with the attached conditions

**Informative(s)**

- 1 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](http://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.