



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0048

To Mr Tim Stubbins
Mitchell Proctor
12 Albion Road
Chesterfield
Derbyshire
S40 1LJ

DESCRIPTION Conversion and first floor extension of derelict building and erection of a single storey extension on southern elevation of building, to form additional bedroom accommodation

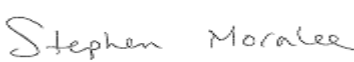
LOCATION Burntwood Hall Care Centre, Common Road, Brierley, Barnsley, S Yorks, S72 9HB,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 01 February 2010 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 plans and specifications as approved (Dwg No's. 09-589-06; 09-589-2 Rev. R; 09-589-4R; 09-589; 09-589-01) 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 Barnsley UDP Policies BE2A, Listed Buildings and GS8E, The Re-use & Adaptation of Buildings in the Green Belt .
- 3 Development shall not commence until details of measures to prevent mud and debris being deposited on the highway during construction, have been submitted to, and approved in writing, by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.
Reason: In the interest of highway safety.

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 30 April 2010

- 4 Development shall not commence until a basic tree survey and works specification have been submitted to, and approved in writing by, the Local Planning Authority, which details all trees which have not been identified in the previous survey that may be affected by the development and allocating works, where necessary, to avoid damage. This document should include trees in the garden which may be impacted on by traffic, site cabins, material storage etc (which will also be dealt with as part of the method statement) and trees on the driveway which may be affected by vehicles bringing machinery/materials onto the site.
Reason: To safeguard existing trees, in the interest of visual amenity.
- 5 Development shall not commence until a site specific Arboricultural Method Statement is submitted to and approved in writing by, the Local Planning Authority. This document should detail all necessary tree protection measures (fencing and ground protection etc) and specify construction techniques that will be employed to ensure that the retained trees are not damaged by the development e.g no dig construction of hard surfaces or pile and beam foundations etc. The Method Statement shall need to indicate any required excavations (ground level changes, service installation, foundations and hard surfacing where these might impact on tree roots) and how these are to proceed without damaging retained trees - in particular where ground levels require altering.
Reason: To safeguard existing trees, in the interest of visual amenity.
- 6 Development shall not commence until a tree planting scheme is submitted to, and approved in writing by, the Local Planning Authority detailing the number of trees to be planted, their location, species, size and details of planting specification and maintenance. Provision should be made within the Arboricultural Method Statement, that wherever possible areas highlighted for tree planting are protected from compaction and contamination by protective fencing.
Reason: To safeguard existing trees, in the interest of visual amenity.
- 7 Development shall not commence until all the tree protection fencing is erected and the Councils Tree Officer has inspected and approved it, in writing.
Reason: To safeguard existing trees, in the interest of visual amenity.
- 8 Not less than five working days notice of the date of the proposed work shall be given in writing to the Local Planning Authority and the tree surgery shall be carried out to the standards set out in BS3998.
Reason: To ensure the work accords with good arboricultural practice in accordance with Barnsley UDP Policy GS22, Trees and Hedgerows.
- 9 Prior to the approved tree works being carried out on site, the branches/trees to be removed shall be clearly marked and 5 days notice shall be given to the Local Planning Authority. The work shall thereafter be carried out to the satisfaction of the Local Planning Authority.
Reason: To ensure the work accords with good arboricultural practice.
- 10 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.

Reason(s) for Granting Permission

- 1 Unique The proposals comply with Barnsley UDP Policies BE2A, Listed Buildings and GS8E, The Re-use & Adaptation of Buildings in the Green Belt in that they would make good use of a derelict building, are of a high standard of design, would not cause significant harm to the openness of the Green Belt in the area, or adversely affect the amenities of the occupiers of the adjoining dwelling.

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.
- 2 Informative/Advice to Applicant:
The Applicant should ensure that the existing septic tank is in a good state of repair, regularly desludged (1-2 times a year) and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of this proposal.

The Applicant has an existing Discharge Consent for the site (referenced C5306) and they will need to change (vary) this to include the additional volume of sewage discharge as a result of the proposed development. Further information on varying Discharge Consents and forms can be downloaded from the following link :

<http://www.environment-agency.gov.uk/business/topics/water/110593.aspx>

Or alternatively, please contact our National Customer Contact Centre on 08708 506506.

- 3 The applicant should be aware that this permission should be implemented in accordance with the conditions and agreed details of the associated Listed Building Consent application, BMBC Ref: 2010 0047.

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.