BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0676

To Acanthus WSM Architects
56 Woodhall Lane
Calverley
Leeds
LS28 5NY

DESCRIPTION Variation of condition 11 of planning consent 2008/1310
LOCATION New Lodge Estate, New Lodge Crescent, Barnsley,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 08 June 2009 and described above.

The approval is subject on compliance with the following conditions:

1 The development the application hereby approved relates to, shall be carried out in accordance with the conditions imposed on on application 2008/1310 apart from condition 11 which shall hereby be removed and replaced with the following condition:

'Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at all road junctions, such that there is no obstruction to visibility and forming part of the adopted highway'.
Reason: In the interest of highway safety and in accordance with PPG13: Transport and Barnsley Unitary Development Plan Policy T2a.

Reason(s) for Granting Permission

1 Unique The application has been determined in accordance with guidance and advice contained in Circular 11/95: Use of Planning Conditions in Planning Permission, Barnsley UDP Policy T2a, Development and the Highway Network and Manual for Streets. It is not considered that allowing the variation of condition no. 11 would adversely affect highway safety in the area.

Stephen Moralee

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 July 2009

Planning and Transportation Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

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.

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