



BARNSLEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0780

To Mr C Palmer
BFD Ltd
3 Langdale Road
Barnsley
S71 1AF

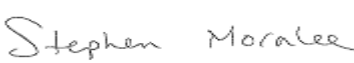
DESCRIPTION Residential Development - Conversion of existing building into 5 apartments and construction of 1 block of 16 apartments (2007/2013 Extension of time limit)
LOCATION 47 Victoria Road, Barnsley,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 02 July 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 approved plans and specifications (Drawing No's: 2007/007/01; 2007/007/02; 2007/007/03; 2007/007/04; B340/BS/1; B340/S/1) 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 Unitary Development Plan Policy BE6, Design Standards.
- 3 No development shall take place until full details of the proposed external materials, including samples of roof tiles and window details/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 Barnsley Unitary Development Plan Policy BE6, Design Standards.

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 26 August 2010

- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles 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.
- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- " The parking of vehicles of site operatives and visitors
 - " Means of access for construction traffic
 - " Loading and unloading of plant and materials
 - " Storage of plant and materials used in constructing the development
 - " The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - " Wheel washing facilities
 - " Measures to control the emission of dust and dirt during construction
 - " Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity.**
- 6 Prior to the occupation of any dwelling/unit, the access off Sackville Street shall be permanently stopped up preventing vehicular use.
Reason: In the interest of highway safety and in accordance with Barnsley Unitary Development Plan Policy T2a, Development and the Highway Network.
- 7 The electronic gates shall be hung so as to open inwards.
Reason: In the interest of highway safety and in accordance with Barnsley Unitary Development Plan Policy T2a, Development and the Highway Network.
- 8 The windows on the northern elevation of the new build, serving the bathrooms and ensuites, shall be obscure glazed and retained as such thereafter.
Reason: In the interest of residential amenity and in accordance with Barnsley Unitary Development Plan Policy H8D, Residential Infill Development.
- 9 The development hereby permitted shall not begin until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of or enhancement to off-site public open space in accordance with Unitary Development Plan Policy H6. The provision or enhancement of the off site open space shall be provided prior to completion of the development in accordance with the approved scheme.
Reason. In the interests of residential amenity to ensure adequate provision of public open space to meet local needs in accordance with Barnsley Unitary Development Plan Policy H6, Open Space Provision.
- 10 Full details of the bin storage provision to be made on site shall be submitted to and agreed in writing by the Local Planning Authority prior to development commencing. Thereafter, such provision shall be implemented prior to the first occupation of the site and thereafter maintained for its intended purposes and in its agreed form unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of securing safe and satisfactory storage for refuse and bins.

- 11 No development shall take place unless and until full foul and surface water drainage details 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. Any scheme shall be implemented and retained in its agreed form throughout the life of the development, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure proper drainage of the area.
- 12 No trees, or shrubs within the site which are shown as being retained on the approved plans shall be felled, uprooted, damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any such trees or shrubs removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building or the development hereby permitted being brought into use shall be replaced with trees or shrubs of similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason: To safeguard existing trees or shrubs, in the interests of the visual amenities of the locality and in accordance with Barnsley Unitary Development Plan Policies GS22, Woodland and Trees and GS22A.
- 13 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority:
- Root protection areas (RPA)
 - Tree constraints plan (TCP)
 - Tree protection plan (TPP)
 - Arboricultural implication assessment (AIA)
 - Arboricultural method statement (AMS)
 - Details of no-dig construction proposals for areas of car park and drive including cross-sections and plans showing relevant area.
- No development or other operations shall take place except in complete accordance with the approved methodologies.
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.
- 14 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs. Tree planting proposals should include at least one specimen of approved species, supplied and planted at Extra Heavy Standard size to replace each tree covered by a Tree Preservation Order which are proposed for removal. The approved hard landscaping details shall be implemented prior to the occupation of the first apartment.
Reason: In the interests of the visual amenities of the locality.
- 15 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

- 16 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

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| 1 Conservation Areas - Policy BE1/1A | The proposal complies with Policy BE1 and BE1A in that it proposes a high quality of design and materials, which will enhance or preserve the character/appearance of the Conservation Area. |
| 2 Residential Areas - Policy H8A | The proposal complies with Policy H8A in that the scale, layout, height and design of the scheme will not cause any significant detriment to residential amenity for new or existing residents. |

Informative(s)

- 1 The provision or enhancement of public open space may be met through the payment of a commuted sum, obligation or other legal agreement.
- 2 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:
 - Collapse of shallow coal mine workings;
 - Collapse of, or risk of entry into, mine entries (shafts and adits);
 - Gas emissions from coal mines including methane and carbon dioxide;
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
 - Transmission of gases into adjacent properties from underground sources through ground fractures;
 - Coal mining subsidence
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 3 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.

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.