BARNSLEY
Metropolitan Borough Council

**Place Directorate**
**Economic Regeneration**
**Planning and Building Control**
Head of Service: Joe Jenkinson

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0800

**To** M Booth Design Ltd
Fairfield House
off Churchfield
Barnsley
S70 2FL

**DESCRIPTION** Conversion of barn to 2 no. dwellings, erection of garages and associated works including demolition.
**LOCATION** Rowling House Farm , North Lane, Cawthorne, Barnsley, S75 4AF

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 15 July 2015 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 unless required by any other conditions in this permission:
OS2 Location Plan
P1 REV A Site plans
P2 REV D Proposals - Amended plan received 30 September 2015
B425/S/1 Topographical Survey
S2 Plans Elevations and Sections
Background Noise Assessment
Bat Survey Report
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
**Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Core Strategy Policy CSP 34, Protection of Green Belt.**

4 Any areas of facing stone to be repaired or replaced shall match the existing building in terms of colour, general grain size, type of face dressing, and method of coursing.
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29 Design**

5 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: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**

6 The scheme shall be developed in strict accordance with the mitigation measures identified in Section 7 of the Bat Survey Report. These shall have been implemented in full prior to the occupation of any of the dwellings.
**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**

7 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 Core Strategy Policy CSP 40, Pollution Control and Protection.**

8 No development works shall begin until a Phase 1 Desk Study report, endorsed by a competent engineer experienced in ground contamination, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-
1. A review of the historic and current uses of the site, and surrounding area, to identify potential areas of contamination.
2. Information on the environmental setting of the site, to understand the behaviour of any potential contamination.
3. Preliminary (qualitative) assessment of contamination risks, including an appraisal of potential sources, pathways and receptors.
4. An assessment to whether a "phase 2" intrusive ground investigation will be required to assess the nature of any risks to future occupants.
The scheme shall then be implemented in accordance with the approved details.
**Reason - to protect the environment and ensure the site is suitable for the proposed use in accordance with CSP40.**

9 The scheme shall be developed in accordance with the recommendations of the Noise Report prepared by Clover Acoustics.
**Reason: In the interests of occupiers' amenities in accordance with CSP40.**

10 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
-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 and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**

## Informative(s)

*Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.*

*Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:*

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction*

*Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.*

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 granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

3 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

   Further information is also available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

   Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

Signed JM Jenkinson Dated 24 October 2016
Joe Jenkinson
Head of Planning and Building Control

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

**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.