



Notice of Prior Approval Determination

TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 SCHEDULE 2, PART 11 PROPOSED DEMOLITION

Correspondence Address:

Property Services
Growth and Regeneration
PO Box 634
Barnsley
S70 9GG

Decision Date:

05/09/2023

APPLICATION NO: 2023/0497

DESCRIPTION: Demolition of detached residential dwelling (Application to determine if prior approval is required over the method of demolition and means of restoration)

LOCATION: 9 Broom Close, Kendray Barnsley, S70 3EG

APPLICANT/AGENT: Barnsley MBC

Prior approval is hereby **given** for the development described above subject to the following standard conditions:

- 1 The development must be carried out within a period of 5 years from the date on which the application was submitted to the local planning authority which was the 18th May 2023.
Reason: In accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission.

Plan References

- Location Plan
- Bat Survey produced by Whitcher Wildlife Ltd Ref 230681 Rev dated 30th June 2023 data searches added 26th July 2023 received 26th July 2023
- Arboricultural Report with Impact Assessment produced by AWA Tree Consultants ref AWA5556 dated August 2023 received 11th August 2023
- Arboricultural Method Statement produced by AWA Tree Consultants ref AWA5556AMS dated August 2023 received 11th August 2023
- Construction Method Statement prepared by Anthony Lidster dated 15th August 2023 for EJ Lidster Barnsley Ref: Broom Close, Kendray, Barnsley received 21st August 2023

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 Upon commencement of demolition of the dwelling, at least 1 no. integrated bat roosting box shall be installed in a suitable location on a mature tree on site and shall be implemented in full and full details including photographic evidence provided to the Local Planning Authority; the features shall thereafter be permanently retained.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity

- 4 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

Additional information:

- 1 The application hereby approved includes the demolition of an existing building. You are advised that before undertaking any demolition, you may require a demolition licence from the Highway Authority. Please be aware that works shall be to the specification and satisfaction of the Highways Authority and you must give 6 weeks' notice of demolition. If you start demolition work without the appropriate licence, you may be prosecuted. Fees are payable for the approval of demolition, and you will be issued with a Section 81 notice prior to commencing work, or you may be prosecuted. Further information and an application form are available on the BMBC website at <https://www.barnsley.gov.uk/services/planning-and-buildings/building-control/get-permission-to-demolish-a-building/> or please contact at email demolition@barnsley.gov.uk

Signed

Dated: 5 September 2023

Development Management

For and on behalf of Group Leaders,
Andrew Burton and Matthew Smith

Please be aware that the Council monitors construction sites and open land within the vicinity of 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 any development is disposed of via approved methods and that documents are retained to prove this.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision, then you must do so within six months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK