



APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1052

To Building Design Services
15 Hunters Avenue
Barnsley
S70 6PL

Proposal Erection of one detached dwelling (Reserved Matters to application ref 2008/1220).

At Land adjacent to 27 Ben Bank Road, Silkstone Common, Barnsley, S75 4PB

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 01 September 2011 and described above, being matters reserved in the permission granted on 3rd October 2008 under 2008/1220.

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

- 1 Development shall commence no later than 17th October 2013 and shall be carried out in accordance with the conditions attached to the outline permission 2008/1220 and the conditions contained in this decision notice, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications received on 13/10/2011 (Drawing No.S/2/1) unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with Core Strategy Policy CSP 29, Design.
- 3 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 Core Strategy Policy CSP 29, Design.

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

Signed

Stephen Moralee

Assistant Director, Planning and Transportation

Dated 17 October 2011

- 4 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:

Tree protection plan (TPP)

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.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (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 ensure the continued well being of the trees in the interests of the amenity of the locality.

- 6 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 and positions of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the dwelling.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

- 7 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 and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

Reason(s) for Granting Permission

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| 1 Residential Areas
- Policy H8A | The proposal complies with Policy H8A in that the scale, layout, height and design of the dwelling does not cause any significant detriment to residential amenity for new or existing residents. |
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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 The applicant should ensure that the land proposed for the soakaway has adequate permeability in accordance with BRE Digest Standard 365.
- 3 The applicant is reminded of the need to comply with the conditions attached to the outline permission BMBC Reference: 2008/1220.
- 4 The developer must contact Highways and Engineering on 01226 773555 prior to any work commencing on the site to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.