



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/0010

To Mr Rafal Modzelewski
16 Poplar Street
Grimethorpe
Barnsley
S72 7LD

DESCRIPTION Erection of side boundary fence (retrospective) and erection of front and side wall up to 1.5m in height with gate.

LOCATION 16 Poplar Street, Grimethorpe, Barnsley, S72 7LD

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 17 February 2020 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 amended plans (Front wall elevation drawing Received 07 04 2020, Side wall elevation drawing Received 07 04 2020 and amended site plan Received 15 03 2020) and specifications as approved unless required by any other conditions in this permission.

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 The external materials of the wall shall match those used in the existing wall.

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

- 4 Within 2 metres of the highway, the wall located on the mutual boundary line shared with no. 14 Poplar Street, must not exceed 1.5m in height (brick columns and iron wrought toppers) with the main part of the wall in between the columns not exceeding 1.1m in height.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making and in the interest of residential amenity of neighbouring properties, in accordance with Local Plan Policy GD1: General Development.

- 5 Within 1 month of the decision date, the existing fence located on the side boundary line of the property, adjacent to no. 14 and within 2m of the highway should be removed from the site.

Reason: In the interest of residential amenity of neighbouring properties, in accordance with Local Plan Policy GD1: General Development.

- 6 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.

Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

- 7 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 Local Plan Policy T4 New Development and Transport Safety.

- 8 Any gates shall be hung so as to open inwards into the site and not out onto the highway.

Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety.

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	<p>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.</p> <p>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.</p>
2	<p>The applicant is reminded that the existing structure on site has not been granted approval by the Local Planning Authority and it is advised that construction work for the approved scheme is started at the earliest possible opportunity. Planning Enforcement are aware of the existing fence and may deem it necessary to undertake enforcement action if it remains on site.</p>
3	<p>The proposed driveway/access will require a dropped kerb and the developer must contact Highways & Engineering on 01226 773555 prior to any work commencing on site to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and/or removal of vehicular accesses to the highway. Alternatively, a dropped kerb can be applied for via the following link: https://www.barnsley.gov.uk/services/roads-travel-and-parking/parking/dropped-kerbs/</p>

Signed 
Joe Jenkinson

Dated 09 April 2020

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 twelve weeks 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.