



**GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0636

**To** Peter Thompson  
Linwood  
Barnsley Road  
Dodworth  
Barnsley  
S75 3JR  
United Kingdom


**DESCRIPTION** Erection of a single storey rear and first floor side extensions to dwelling  
**LOCATION** 3 Intake Lane, Gawber, Barnsley, S75 2HY

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 June 2016 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 external materials shall match those used in the existing building.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**
- 3 The development hereby approved shall be carried out strictly in accordance with the plans (Nos. ex-plans and elevations & plans and elevations) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF 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   
Head of Planning and Building Control

Dated 05 July 2016

## 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.*

- 1 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](http://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](http://www.groundstability.com)

- 2 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.

- 3 In relation to Building Control regulations concerning the construction of the flue and chimney breast:

Where solid fuel appliances are installed there are two options for the applicant, they can either use a HETAS registered installer who will oversee the installation of the appliance [building control will still need to oversee the construction of the chimney itself] and provide certification to confirm the installation complies with the Building Regulations, or if the installer is not HETAS registered Building Control will oversee and certify the whole installation; appliance and chimney.

As for regulations relating to emissions from chimney developments like the one in question, its location at 3 Intake Lane means that it will reside within a smoke control area and as such will be subject to regulations restricting its use. Thus, if a fireplace is installed, such an installation would need to burn authorised fuels. In other circumstances where a stove or wood burner is installed, such an appliance would need to be exempt under current legislation in order to burn unauthorised fuels. The list of exempt devices and fuel types is stipulated by the Department for Environment, Food and Rural Affairs [DEFRA] on their website and is relevant to England only.

To summarise, recommendations for the above will be included in the final decision notice and are in line with CSP 41 of the Core Strategy relating to Development and Air Quality Management Areas.

## **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 12 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.