



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/0636

To Wainwrights
5 Park Place
Leeds
LS1 2RU

DESCRIPTION Construction of freestanding steel balcony structure with frameless glass balustrade with black metal surrounding handrails and Bi-Folding door at first floor level

LOCATION Elsecar Cricket And Social Club, Armroyd Lane, Elsecar, Barnsley, S74 8ES

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 27/05/2021 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.

Plan Nos

- Location & Site Plan As Proposed - WACBLD (20)003 Rev B
- Elevations As Proposed - WACBLD (20)001 Rev B

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.

- 3 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.

- 4 The use of, and access to, the balcony platform hereby permitted shall be restricted to between the hours of 8am and 10pm on any given day and no persons may be permitted to use the balcony outside of these times.

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.

- 5 No amplified music is to played on the balcony and all doors of the clubhouse are to be closed when amplified music is playing within the building.

Reason: To prevent a noise nuisances within the area in order to protect the amenity of local residents in accordance with LP Policy GD1 - General Development and Poll1 Pollution Control and Protection.

- 6 The trees which are to be planted between the balcony and the boundary shared with 10 Armroyd Lane shall be maintained by the applicant to a maximum height of 4m above ground level. Any trees which die shall be replaced within the following planting season and none shall be removed without the prior written consent of the Local Planning Authority.

Reason: To ensure the maintenance of the soft landscaping and its amenity value in accordance with LP Policy GD1 - General Development.

- 7 The site is located within a High Risk Coal Mining Referral Area due to the probable presence of shallow coal. Prior to commencement of development a coal mining risk assessment conducted by a suitably qualified engineer shall be undertaken, the findings of which shall be submitted to the Local Planning Authority as the land could be at risk from mining legacy risks such as ground instability if shallow coal mine workings are present. Dependent upon the results of that assessment and if intrusive site investigations are required to confirm ground conditions, the site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned Mine Workings Manual" where applicable. A report detailing the findings of the investigation (if required) and any recommended mitigation shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and the development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure the safety of the development in accordance with LP Policy CL1 - Contaminated and Unstable Land.

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 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.

Signed

Dated 11/08/2021



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 given 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.