BARNSLEY
Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0668

To Mr Ian Johnson
19 Wood Walk
Wombwell
Barnsley
S73 0LZ

DESCRIPTION Erection of 1 detached dwelling (2008/0393 Extension of time limit).
LOCATION 19 Wood Walk, Wombwell, Barnsley, S73 0LZ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 07 June 2011 and described above.

The approval is subject on compliance with the following conditions:

1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

(a) the means of access
(b) scale of building
(c) the design and external appearance of the proposed development
(d) landscaping
Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

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 27 July 2011

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3 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications received on the 3rd March 2008 (approved under planning permission reference 2008/0393) including the following plans:

- Site Plan - Wood Walk (Scale 1:500)
- Location Plan - Proposed Development (Scale 1:2500)

The development shall be carried out in accordance with the approved plans unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt and in accordance with Barnsley UDP Policy BE6, Design Standards.

4 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with UDP Policy BE6, Design Standards.

5 No trees or shrubs within the site which are shown as being retained on the approved plans (approved under planning permission 2008/0393 - Ref - Tree Survey April 2008 and Tree Survey Site Plan dated 8th July 2008) shall be felled, uprooted, damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any such trees or shrubs removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building or the development hereby permitted being brought into use shall be replaced with trees or shrubs of similar size and species unless the Local planning Authority gives written consent to any variation.
Reason: To safeguard existing trees or shrubs, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

6 No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/ or widening or any operations involving the use of motorised vehicles or construction machinery) until the tree protection works required by the approved protection scheme are in place and the Local Planning Authority is notified. In addition:

(a) No excavations for services, storage of materials or machinery, parking vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place with any area designated as been fenced off or otherwise protected in the approved protection scheme.

(b) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local planning Authority.
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

7 The tree works shown on the approved plans (approved under planning permission 2008/0393 - Ref - Tree Survey April 2008 and Tree Survey Site Plan dated 8th July 2008) shall be carried out by a competent arboriculturalist to the standards set out in BS3998:1989 Recommendations for tree Works
Reason: To ensure the work accords with good arboricultural practice in accordance with Policy GS22 of the adopted Unitary Development Plan and SPG9 (Trees and Hedgerows) and BS3998:1989 Recommendations for Tree Works.

8 Foul effluent from the site shall only be discharged directly to a public foul sewer.
Reason: To ensure the proper drainage of the area.

9 The site shall be developed with separate systems of drainage for foul and surface water.
Reason: In the interests of satisfactory drainage.

10 No surface water from the site shall be discharged directly or indirectly to any foul or combined sewer.
Reason: To ensure the proper drainage of the area.

Reason(s) for Granting Permission

1	Infill/backland development	The proposal complies with Policy H8D in that there would be no harm to the local environment or residential amenity. There has been no change in circumstances since the previous approval (2008/0393) which would make this proposal unacceptable.

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.

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 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.

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