



CONSERVATION AREA CONSENT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990

APPLICATION NO. 2020/0476

To Melling Ridgeway & Partners
Charter House
14 Moore Street
Sheffield
S3 7UR

Proposal: Removal of existing outbuilding and erection of single storey extension to rear/side of public house and formation of external drinking/seating area with associated acoustic fence (Amended Description and Plans)

At: Milton Arms, Armroyd Lane, Elsecar, Barnsley, S74 8ES

Consent is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 28/05/2020 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 plans (Drawing No's. 5974-403C & 5974-404C, 5974-405C, 5974/406A and Noise Impact Assessment Report No. P20-292-R01v1) 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 Local Plan Policy D1 High Quality Design and Place Making.
3	The external materials shall match those used detailed in the approved plans (Drawing No's. 5974-403C & 5974-404C). 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	The external seating area, as detailed in Drawing No's. 5974-403C & 5974-404C, shall only be open between the hours of 0900 to 2200 Monday to Sunday. Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.

5	<p>The 'Delivery Area', 'Bin Store' and 'Yard Area' as indicated on Drawing No's. 5974-403C & 5974-404C, shall remain as such throughout the development there shall be no external seating or tables provided within these areas at any time.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.</p>
6	<p>All doors and windows in the conservatory shall remain closed at all times except for access and egress.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.</p>
7	<p>There shall be no speakers or amplified music played in any part of the external area at all times.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.</p>
8	<p>The sound level from the rear external area shall not exceed 60 dB LAeq (5 mins) at the façade of Maple Lodge, 1 Heritage Mews and Oak Lodge, 2 Heritage Mews at any time</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.</p>
9	<p>The sound level from the rear external area shall not exceed 60 dB LAeq (5 mins) in the rear garden areas of Oak Lodge, 2 Heritage Mews at any time.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.</p>
10	<p>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.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.</p>
11	<p>No development shall commence until the 3m high acoustic fence indicated on plan ref 5974-403C, 5974-404C and 5974-405C has been installed. Thereafter the fence, or one of an equivalent height and specification shall be retained for the lifetime of the development.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.</p>

12	<p>Prior to any parts of the approved development being brought into use, a Noise Management Plan shall be submitted and approved in writing by the Local Planning Authority, which shall specify the provisions to be made for the control of noise emanating from the site. The development shall therefore be carried out in strict accordance with the approved plan.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy Poll1 'Pollution Control'.</p>
13	<p>The acoustic fence, as detailed in Drawing No's. 5974-403C & 5974-404C and 5974-405C shall be painted in dark red/burgundy colour to match the entrance and signage surroundings.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy HE1 'The Historic Environment'</p>
14	<p>The 'Stones Bitter' Lamp, above the door on the eastern elevation, shall be retained at all times, due to its historic significance to the region.</p> <p>Reason: In the interests of the amenities of the locality and in accordance with Local Plan Policy D1 'High Quality Design and Place Making' and Local Plan Policy HE1 'The Historic Environment'</p>

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.

Yours faithfully



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.