BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Culture
Planning and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/1522

To CMR
120 St Pauls Parade
Ardsley
Barnsley
S71 5BX

DESCRIPTION Residential development consisting of a single detached bungalow with rooms in the roof, outbuilding (garage) and access onto Church Street.
LOCATION Land at Cemetery Road, Bolton Upon Dearne, Rotherham, S63 8LS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 05 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 (Dwelling Elevations and Site Plan dated 24/03/2020, Dwelling Floor Plans dated 01/10/2019 and Garage Elevations and plans dated 02/12/2019) 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 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
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 There shall at no time be any commercial or business uses taking place from the site.
Reason: The site access is not suitable for intensification which would be contrary to highway safety in accordance with Local Plan Policy GD1: General Development and T4: New Development and Transport Safety.

5 Prior to the construction of the proposed dwelling or outbuilding the new site access shown on the approved plans shall be formed and shall comply with the required intervisibility splays and sightlines as required by conditions 7 and 9. This new access shall then be the only access used for vehicles.
Reason: No alternative site access to that shown on the approved plan is available and any alternative access would be contrary to highway safety in accordance with Local Plan Policy T4: New Development and Transport Safety.

6 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making

7 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4: New Development and Transport Safety.

8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

-The parking of vehicles of site operatives and visitors
-Means of access for construction traffic
-Loading and unloading of plant and materials
-Storage of plant and materials used in constructing the development
-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.

9 Sight lines having the dimensions 2m x 25m to the west (left on exit) and 2m x 40m to the east (right on exit) shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4: New Development and Transport Safety.

10 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.

11 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.
Reason: In the interests of road safety in accordance with Local Plan Policy T4: New Development and Transport Safety'.

12 Vehicular and pedestrian gradients within the site shall not exceed 1:12
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4: New Development and Transport Safety.

13 Any gates must be hung so as to open inwards into the site and not out onto the highway
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4: New Development and Transport Safety.

14 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 Policy Poll1: Pollution Control and Protection.

15 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.

16 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protection barrier details
Tree protection plan

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

17 The outbuilding approved as part of this permission shall remain ancillary to the residential use of the approved dwelling and shall not be used as a separate independent unit.
Reason: In the interests of highway safety in accordance with Local Plan Policy T4: New Development and Transport Safety.

18 Prior to the occupation of the dwelling one electric vehicle charging point shall be installed on the site and shall be retained as such thereafter.
Reason: To enable and support sustainable transport in the Borough, in accordance with Local Plan Policy T3: New Development and Sustainable Travel.

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 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.

2 The developer must contact Highways, Engineering & Transportation 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 removal of vehicular accesses to the highway.

3 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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

4 The applicant/developer should be aware that in order to meet the provisions of conditions 5, 7 and 9 the applicant will have to seek the removal of the existing BT pole. The agent has been informed of this through the application process.

Signed JM Jenkinson Dated 27 March 2020
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 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.