BARNSLEY
Metropolitan Borough Council

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0766

**To** Chris Carr Associates
6A Eastgate
Barnsley
S70 2EP

**DESCRIPTION** Erection of 4 no. dwellings. (2007/2125 Extension of time limit)
**LOCATION** Hill Top Farm, Eastfield Lane, Thurgoland, Sheffield, South Yorkshire, S35 7AY

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 28 June 2010 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 in strict accordance with the amended plans and specifications received on 21 June 2008(Drawing No. P1(B), P2(A), P3(A), P4(A), P5(A), unless prior written consent has been given by the Local Planning Authority to any minor variation.
**Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.**

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages or other outbuildings shall be erected, other than those expressly authorised by this permission.
**Reason: To ensure any ancillary buildings are consistent with the character of the scheme.**

Stephen Moralee

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed
Assistant Director, Planning and Transportation

Dated 12 August 2010

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4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out.
**Reason: To ensure any extensions or alterations are consistent with the character of the scheme.**

5 The dwellings shall be constructed only in square coursed weathered natural grit stone and the roof covered in Bradstone 'Old Quarried' artificial flags as specified in Drawing No P1(B)
**Reason: To ensure the materials are suitable within this locality.**

6 Prior to the occupation of any dwelling the proposed dry stone walls and new hedging as specified in Drawing No P1(B) shall be fully implemented.
**Reason: To ensure the development relates well to its setting.**

7 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed.
**Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.**

8 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. Roof water shall not pass through the interceptor.
**Reason: To prevent pollution of the water environment and in accordance with UDP Policy ES3, Water Pollution.**

9 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.
**Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system, which will prevent overloading.**

10 The foul drainage from the proposed development shall be discharged to a Treatment Plant and soakaway system which meets the requirements of Building Research Establishment Digest 365 and which complies with the following:
a) there is no connection to any watercourse or land drainage system and no part of the soakaway system is situated within 10 metres of any ditch or watercourse.
b) porosity tests are carried out in accordance with BRE 365 to demonstrate that suitable subsoil and adequate land area is available for the soakaway.
**Reason: To prevent the pollution of the water environment and in accordance with UDP Policy ES3, Water Pollution.**

11 All windows and external doors shall be constructed of natural stained timber incorporating heads and cills (as shown on the elevation plan) and with a recess of 75mm.
**Reason: To ensure the building relates well to its setting.**

12 The development shall proceed in accordance with the findings and recommendations set out in the Eastwood and Partners Site Inspection Report dated 20/09/2008.
**Reason: To ensure future gardens are safe for domestic use.**

13 All demolition, remediation and construction works, including site deliveries shall only take place between the hours of 08:00 and 18:00 hours Monday to Friday and 09:00 and 14:00 hours on Saturdays and at no time on Sundays or Bank Holidays.
**Reason: To safeguard the amenities of adjacent residents.**

14 Visibility site lines as shown in the plans approved shall be secured and permanently available.
**Reason: In the interest of highway safety.**

15 Vehicular access to the development shall be carried out strictly in accordance with the details contained in Drawing No P1(B) and section 6.3 of the Design and Access Statement.
**Reason: In the interest of highway safety and to ensure the development is appropriate to its setting.**

**Reason(s) for Granting Permission**

1 Unique The site is withing the Green Belt wherein new residential development is restricted. New development that is permitted must be justified by very special circumstances. In this case a number of factors apply that justify an exception to policy. these include: The location of the site within a hamlet; the historical use of the (existing) premises for commercial purposes; the quality of the scheme and the opportunity for visual and environmental enhancements to the locality consistent with an underlying principle of Green Belt Policy. Taken together it is considered very special circumstances do apply and that the proposal complies with Policy GS8.

**Informative(s)**

1 The developer should be aware that the approved dwellings and proposed access are in close proximity to existing mature trees that adjoin the eastern boundary of the site. prior to commencement of development it is strongly advised that contact is made with the Councils Arboricultural Officer who can advise on the most appropriate measures to ensure the protection of these trees during construction works.

2 The developer should be aware that details of boundary treatment and management of demolition have been submitted to and approved under previous approval 2007/2125. These details would still need to be complied with as part of this extension to time limit permission.

**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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