



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/1176

To Mrs Sally Kirby
32 Milton Road
Hoyland
Barnsley
S74 9BD

DESCRIPTION Erection of rear and side single storey extensions and front porch to dwelling and 2m high boundary fence.

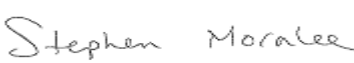
LOCATION 32 Milton Road, Hoyland, Barnsley, S74 9BD

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 25 October 2012 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 submitted on the 22nd October 2012 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 LDF Core Strategy Policy CSP 29, Design.
- 3 The external materials shall match those used in the existing building.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.
- 4 The 2m high boundary fence indicated on the 'Proposed Site Plan' has not been granted planning permission and shall not be installed at the property.
Reason: The design and material are considered to be inappropriate for the locality. The fence would form a prominent feature within the street scene which would detract from visual appearance. This would be contrary to the advice of Core Strategy policy CSP29 'Design' and Supplementary Planning Guidance note 18 'Walls and Fences'.

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 Regulatory Services

Dated 17 December 2012

Reason(s) for Granting Permission

- 1 Unique The extensions are of an appropriate scale, design and fenestration and will successfully assimilate into the site without impacting adversely upon the character of the property, the street scene or the amenity of existing residents. The introduction of the boundary fence is however considered to be unacceptable in that it would form an imposing feature within the street scene to the detriment of visual amenity.

It is therefore considered that the extensions meet with the principles of Core Strategy policy CSP 29 and adopted SPD. As such it is recommended that planning permission should be approved subject to a condition restricting the installation of the proposed fence.

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.

- 1 The decision to grant planning permission has been taken having regard to the Core Strategy and the saved policies and proposals in the Barnsley Unitary Development Plan set out below:

Policy CSP 29 Design
SPD House Extensions
SPG18 Walls and Fences

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

- 2 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.

- 3 Discussions have taken place with the applicant to reconcile concerns raised with respect to the design and location of the boundary fence. Alternative proposals have been suggested but these have been rejected on financial grounds. The applicant confirmed that they may consider appealing against any refusal.

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 12 weeks 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.