BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0446

To Edward Architectural Services Ltd
32 Prospect House
Sovereign Street
Leeds
West Yorkshire
LS1 4BJ

DESCRIPTION Erection of drainage pumping station, access track and vehicular turning area.
LOCATION Land off Barnburgh Lane and adjacent to Engine Lane, Goldthorpe, Rotherham.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 19 April 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 and specifications as approved unless required by any other conditions in this permission:-

-Drawing no PL-101 'Location Plan'
-Drawing no PL-103 'Proposed Site Layout' (excluding palisade fence type)
-Pims Pumps Ltd drawing no A 5514-03 'Foul Water Pumping Station Barnburgh Lane
Reason: In order to define the permission for the avoidance of doubt.

3 The access/parking/manoeuvring facilities indicated on the approved plan shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interests of highway safety and in accordance with Core Strategy Policy CSP26 'New Development and Highway Improvement'

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 Regulatory Services

Dated 30 May 2012

Planning and Regulatory Services **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

4 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. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality

5 The erection of the proposed fencing shall not be carried out until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating an alternative to the proposed palisade fence type. Development shall be carried out in accordance with the approved detail before development is completed with that type of fence being retained at all times thereafter.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP29 'Design'

6 The development shall not be carried out until the measures for the treatment of shallow mine workings have been carried out in accordance with the approved remediation measures received by email 01/05/2012.
Reason: In order to address potential land instability issues in accordance with CSP39 'Contaminated and Unstable Land'

7 No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. There shall be no piped discharge of foul water from the development prior to the completion of the approved foul drainage works.
Reason: To ensure that the development can be properly drained and to ensure that no foul water discharges take place until proper provision has been made for its disposal

Reason(s) for Granting Permission

1 Unique The proposed development represents a minor departure to saved UDP policies DE8/GS10. However in the opinion of the Local Planning Authority the proposed development is acceptable in that:-

The proposal is stated to be infrastructure necessary for the housing development in that it would not conflict with the future allocation options on this Safeguarded Land designation either though harming openness of prejudicing development on the remainder of the land.

In addition the proposals do not raise any significant issues with regards to visual and residential amenity, highway safety or land stability considerations.

In the opinion of the Local Planning Authority there are no other material considerations which indicate a decision should be made at variance to the above policies and guidance.

Informative(s)

1 The granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

2 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant

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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