BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0081

To Alistair Flatman Planning
24 West End Grove
Horsforth
Leeds
LS18 5JJ

Proposal Reserved matters application for 3 dwellings with appearance, landscaping, layout and scale under consideration (in connection with outline application 2021/1571)

At Stables, Barnsley Road, Darton, Barnsley, S75 5NU

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 09/02/2023 and described above, being matters reserved in the permission granted on 26/05/2022 under Application 2021/1571.

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

1 The development hereby permitted shall be begun before the expiration of 2 years from the date of this permission.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

2 The development hereby approved shall be carried out strictly in accordance with the amended plans:

- 0280_BARN_202- Proposed Site Plan REV E
- Biodiversity Enhancement Management Plan by Middleton Bell dated 23.07.2023
- PWP 774 001 REV 01 Outline Landscape Masterplan
- 0280_BARN_206 Proposed Plots 2 and 3 REV F
- 0280_BARN_205 Proposed Plot 1 REV F
- 0280_BARN_201 Existing Location and Site plan

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 Prior to the commencement of the development herby approved, detailed plans indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1 High Quality Design and Place Making.

4 The development hereby approved shall be carried out in strict accordance with the Outline Landscape scheme (PWP 774 001 REV 01) and Biodiversity Enhancement Management Plan (BEMP) dated 23.07.2023 (Middleton Bell) detailing the long-term management of the ecological mitigation in accordance with the Preliminary Ecological Appraisal (Middleton Bell) and the accompanying Small Sites Metric (Rev 1). The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

5 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network in accordance with Local Plan Policy CC3.

6 Upon commencement of the development, the existing site access gates shall be removed.
Reason: To ensure the safe and unobstructed use of the adopted highway is maintained in accordance with Local Plan Policy T4 New Development and Transport Safety

7 The development hereby approved shall be constructed in accordance with the material schedule as per drawings 0280_BARN_206 REV F and 0280_BARN_205 REV F.
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.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development in Classes AA, A, B, C, D, E or F of Part 1 of Schedule 2 to that Order shall be carried out on the site without the prior written consent of the Local Planning Authority.
Reason: To restrict the overdevelopment of plots in the interest of the openness of the Green Belt and to the protect visual amenity in accordance with Local Plan Policy D1 and GB2.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a preapplication advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

1 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.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

2 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water.

Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-withintheinfluencing-distance-of-mine-entries

3 Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coalauthority

4 Under the Building Act 1984, the Council is required to be notified of any demolition exceeding 50 cubic metres carried out within the Borough. This can be done by contacting us via email at demolition@barnsley.gov.uk or by telephone on 01226 773555.

5 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.

6 The developer/applicant is reminded of the need to comply with all the conditions on the associated outline planning permission (2021/1571) as well as on this decision notice.

Please be aware that the Council monitors construction sites and open land within the vicinity of 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 any development is disposed of via approved methods and that documents are retained to prove this.

Signed Dated: 24 August 2023

Development Management

For and on behalf of Group Leaders, Andrew Burton and Matthew Smith

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.