



BARNSLEY

Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1382

To White Agus Partnership
Providence Villa
42 Sackville Street
Barnsley
S70 2BD

DESCRIPTION Residential Development (Outline) (2007/1375 Extension of time limit)
LOCATION 12 Ballfield Lane, Kexbrough, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 November 2010 and described above.

The approval is subject on compliance with the following conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

- (a) the layout of the proposed development.
- (b) scale of building(s)
- (c) the design and external appearance of the proposed development.
- (d) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

The grant of this consent does not

constitute or imply permission,
approval or consent by the Local
Authority for any other purpose.

Signed

Stephen Morales

Assistant Director, Planning and Transportation

Dated 21 December 2010

- 3 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. 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 and in accordance with UDP Policy BE6, Design Standards.
- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before any 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 and in accordance with U.D.P. Policy BE6, Design Standards.
- 5 During the period of construction sufficient space shall be set aside within the confines of the site for the parking of site workers and visitors.
Reason: To ensure that satisfactory parking is available in the interests of highway safety and the free flow of traffic.
- 6 The means of access to the site shall be fully constructed in accordance with the details indicated on the approved plans before the commencements of works on the construction of the properties hereby approved in accordance with UDP Policy T2A.
Reason: In the interests of highway safety.
- 7 Pedestrian intervisibility splays, having the dimensions 2m by 2m, shall be safeguarded at the entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel of the adjacent highway.
Reason: In the interests of highway safety
- 8 Sight lines, having the dimensions 2.4m by 90 m shall be safeguarded at the entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the highway.
Reason: In the interests of highway safety.
- 9 No development shall take place until details of the foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure the proper drainage of the area.
- 10 No development shall take place until full highway engineering constructional details have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved plans.
Reason: To ensure satisfactory means of access is provided in the interests of highway safety.

- 11 The reserved matters application shall present dwellings of no more than 2 - storeys in height.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential properties and in accordance with UDP Policies BE6, Design Standards; H8A and H8D Infill, Backland and Tandem Residential Development.
- 12 The hedgerow which runs along both the East and West boundaries of the site shall be retained at all times.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential properties and in accordance with UDP Policies BE6, Design Standards.

Reason(s) for Granting Permission

- 1 Policy H8D The proposal complies with Policy H8D in that there would be no harm to the local environment or residential amenity.

Informative(s)

- 1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
- 2 It should be noted that the layout plan submitted with application 2007/1375 is for indicative purposes only and should not be used in any forthcoming reserved matters application as it fails to comply with the Councils development control standards set out in Supplementary Planning Guidance Note 2 and 3.
- 3 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.

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.