BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0167

To Mr Peter Thompson
Linwood Barnsley Road
Dodworth
Barnsley
S75 3JR

DESCRIPTION Erection of a 4 tier and 3 tier concrete open spectator terrace over existing grassed spectator terrace.
LOCATION Shaw Lane Sports Ground, Shaw Lane, Barnsley, S70 6HZ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 29 February 2016 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 (Nos Feb 16- Rev.H) 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 No development shall commence until a report, following an intrusive site investigation in compliance with CIRIA publication 32, 'Construction over abandoned mine workings', where applicable, by a suitably qualified and competent engineer to establish the position regarding potential coal mining legacy issues/risks at the site, has been submitted to, and approved in writing by, the Local Planning Authority. The report shall include but not necessarily be limited to, proposed remedial measures, if required, to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development. Thereafter, the development shall be implemented in accordance with the approved measures.

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

Signed P M Jerlin
Head of Planning and Building Control

Dated 19 April 2016

Development Service
PO Box 634, Barnsley, S70 9GG
Telephone: 01226 - 773555
Fax: 01226 - 772591

Reason: To ensure the safe development of the site in accordance with CS policy CSP39 and the relevant planning policy statements in the NPPF relating to land stability.

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 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.

2 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

Barnsley Local Development Framework Adopted Core Strategy (CS):

CSP25 - New Development and Sustainable Travel - refers to new development will be expected to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists, and meet the parking requirements of the Supplementary Planning Document.

CSP26 - New Development and Highway Improvement - new development will be expected to be designed and built to provide safe, secure and convenient access for all road users.

CSP29 - Design - sets out the overarching design principles for the borough to ensure that development is appropriate to its context and states that high quality development will be expected.

CSP35 - Green Space - refers to any land within or close to towns and villages that has or could have demonstrable value for recreation or wildlife. We will only allow development proposals that result in the loss of green space where (amongst other considerations) the development is for small scale facilities needed to support or improve the proper function of the green space.

CSP39 - Contaminated and Unstable Land - requires an investigation where the future users or occupiers would be affected to assess the nature and extent of stability issues and detailed measures to allow the development to go ahead safely.

CSP43 - Educational Facilities and Community Uses - states that we will support the provision of schools, educational facilities and other community facilities.

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.

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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