BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Culture
Planning and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1705

To NYP Architectural Services Ltd.
BBIC
Innovation Way
Barnsley
S75 1JL

DESCRIPTION First floor side extension including new roof with an increased roof ridge height compared with the existing dwelling and changes to the window arrangements including replacement and new windows to the front, rear and side

LOCATION 5 Willow Bank, Barnsley, S75 1BN

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 07/01/2022 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 amended plans (Dwg. no. 5 Dated Feb 2022) 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 The proposed development, hereby approved, shall be constructed from the following external materials:

- External Walls - Natural coursed random stone
- Roof - Tiles to match existing with exisitng roof tiles reclaimed and re-used
- Windows - UPVC in Anthracite
- Doors - UPVC in Anthracite

Reason: In the interest of visual amenity, in compliance with Local Plan Policy D1: High Quality Design and Place Making.

4 The first floor window on the Northern-facing side elevation of the building serving the ensuite facing onto 9 Willow Bank shall at all times be fitted with obscure glass to Pilkington Level 3 obscurity or equivalent and retained as such thereafter.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with local plan policy GD1: General Development.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: To ensure that the residential amenity of neighbouring properties is upheld, in compliance with Local Plan Policy GD1: General Development.

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 pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

1 The planning decision (application reference 2018/1543) expires on 28th February 2022 and the site visit (21st February 2022) showed that a material start had not commenced. The conditions on this approval have also not been appropriately discharged and buildings control approval has not been given for the development, with the time limit of the application now considered by the Local Planning Authority to have expired.

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.

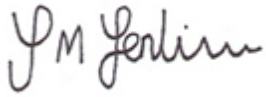
3 The planning application in the site (planning application reference 2018/1543) expires on 28th February 2022 with a site visit on 21st February 2022 showing that the development has not been commenced. Further, the conditions on the decision notice have not been appropriately discharged and colleagues in building control have confirmed that building regulations have not been sought by the Authority. The Local Planning Authority therefore considers that the time limit for this application has now expired and the planning permission is no longer extant.

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 28/02/2022



Joe Jenkinson
Head of Planning and Building Control

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 twelve 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.