BARNSLEY
Metropolitan Borough Council

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0140

**To** Mr Rasham Singh
15 Woodhall Park Grove
Pudsey
Leeds
LS28 7HB

**DESCRIPTION** Erection of two blocks of six apartments (Resubmission) (2007/1772 Extension to time limit)

**LOCATION** Land at Junction of Haddon Road and Cromford Avenue, Athersley South, Barnsley, S71 3SZ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 08 February 2011 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 detailed on drawings 07/265 Rev C & 07/265 Rev D as originally approved on the 6th February 2008 unless prior written consent has been given by the Local Planning Authority to any variation.
**Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.**

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 Transportation

Dated 12 April 2011

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

3 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 the buildings are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. 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.**

4 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
**Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.**

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained.
**Reason: In the interests of the visual amenities of the locality.**

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
**Reason: In the interests of the visual amenities of the locality.**

7 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.**

8 No structure or erection exceeding 1.05 metres in height shall be placed at any time within the visibility splay shown on drawing no 07/265 Rev A.
**Reason: In the interests of highway safety.**

9 The buildings shall not be occupied until the means of vehicular access to the site has been constructed in accordance with the approved plans in accordance with UDP Policy T2A .
**Reason: In the interests of highway safety.**

10 Before the development is brought into use that part of the site to be used by vehicles shall be laid out in accordance with the approved plan and hard surfaced, sealed and drained and marked out .Spaces reserved solely for the occupants of these flats shall be clearly marked on site and shall there after be retained specifically for these residents
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with UDP Policy T2A.**

11 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
-The parking of vehicles of site operatives and visitors
-Means of access for construction traffic
-Loading and unloading of plant and materials
-Storage of plant and materials used in constructing the development
-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction
-A scheme for recycling/disposing of waste resulting from demolition and construction works
**Reason: In the interests of highway safety, residential amenity and visual amenity.**

12 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
**Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.**

**Reason(s) for Granting Permission**

1 Unique The original application was assessed against the current Development Plan, having full regard to National and Regional policy which has since been published it is not considered that there are any material considerations which would suggest that the extension to the application should not be allowed.

**Informative(s)**

1 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:

- Collapse of shallow coal mine workings;
- Collapse of, or risk of entry into, mine entries (shafts and adits);
- Gas emissions from coal mines including methane and carbon dioxide;
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
- Transmission of gases into adjacent properties from underground sources through ground fractures;
- Coal mining subsidence
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

2 Your attention is drawn to the fact that it will be necessary for you to contact Mr Steve Gibbons on Barnsley (01226) 772017 in respect of the vehicular footway crossing required.

**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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