



BARNSELEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0439

To Peter Dimberline RIBA
2 Tipsey Court
Wakefield Road
Staincross
Barnsley
S75 6FZ

DESCRIPTION Demolition of existing bungalow and erection of a pair of semi detached dwellings.

LOCATION 32 Staincross Common, Staincross, Barnsley, S75 6NA

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 02 April 2009 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications received on 14/04/2009 (Drawing No. 2009/005/01), unless prior written consent has been given by the Local Planning Authority to any minor variation.

Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

- 2 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. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

Reason: In the interests of the visual amenities of the locality.

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 06 May 2009

- 3 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.
- 4 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 shall thereafter be permanently retained for vehicle use.
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.
- 5 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.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no enlargement, improvement or other alterations of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that order shall be carried out.
Reason: To safeguard amenities of adjoining residential property.
- 7 The windows on the side elevations of the dwellings shall be obscure glazed prior to occupation of the dwellings and shall be returned as such thereafter
Reason: to safeguard amenities of adjoining residential properties.

Reason(s) for Granting Permission

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| 1 Residential Areas
- Policy H8A | The proposal complies with Policy H8A in that the scale, layout, height and design of the dwellings does not cause any significant detriment to residential amenity for new or existing residents. |
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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 The developer must contact Mr G Handley - Highways & Engineering prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.

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.