

## Rotherham Metropolitan Borough Council

<b>Town and Country Planning Act 1990</b>	Reference
	Decision Date 12 October 2022
Mrs C Younger Studio Charrette 50 Grosvenor Hill London W1K 3QT	
<u>Description and Location</u> Dropped kerb for vehicular access	

You are hereby notified that your application for **Planning Permission** for the above development was **GRANTED CONDITIONALLY** on 12 October 2022.

### **Condition(s) imposed:**

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The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

### Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

### Positive and Proactive Statement

Whilst the applicant did not enter into any pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and did not require any alterations or modification.

Please read the attached NOTES carefully.

A handwritten signature in black ink, appearing to read "N. Hancock", enclosed within a thin black rectangular border.

N Hancock  
Head of Planning and Building Control

## NOTES

1. THIS FORM RELATES TO PLANNING CONTROL ONLY.  
Where planning permission is granted and an application has also been made under the Building Regulations a separate communication will be sent to you giving notice of the Council's decision and **WORK MUST NOT BE COMMENCED BEFORE SUCH DECISION HAS BEEN RECEIVED**. Any other statutory consent necessary must be obtained from the Council or other appropriate authority.

### **Party Wall Act 1996**

2. You are advised to take account of the Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to the boundary with adjoining property is concerned.
3. **Appeals to the Secretary of State**
  - If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
  - If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice: **UNLESS**
  - this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.\*
  - this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
  - this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
  - this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.\*
  - Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
  - The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).
  - If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
4. **Purchase Notices**
- If either the local planning authority or the Secretary of State 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 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 (District Council, London Borough Council or Common Council of the City of London) 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.
5. If permission to develop land is refused or granted subject to conditions, whether by the Council or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council a purchase notice requiring 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.
6. In certain circumstances a claim for compensation may be made against the Council where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Part V of the Town and Country Planning Act 1990.

**Discharge/compliance of condition**

Please note that under regulation 11(D) of the Town and Country Planning (fees for applications and deemed applications) (amendment) (England) Regulations 2008, a fee is chargeable of £116 per request (or £34 where the related planning permission was for extending or altering a dwelling house) for the discharge and/or compliance with a condition. To avoid any unnecessary cost we would recommend that you submit all the required information for discharge of conditions in one application as the fee is payable per request.

Rotherham Metropolitan Borough Council  
Development Management  
Planning Regeneration & Transport Services  
Riverside House  
Main Street  
Rotherham S60 1AE Telephone: (01709) 382121



The Coal  
Authority

**Standing Advice**

*The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.*

*Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)*

*Standing Advice valid from 1<sup>st</sup> January 2021 until 31<sup>st</sup> December 2022*



Riverside House, Main Street, Rotherham, S60 1AE  
Telephone: 01709 336003  
[www.rotherham.gov.uk](http://www.rotherham.gov.uk)

12 October 2022

Mrs C Younger  
Studio Charrette  
50 Grosvenor Hill W1K  
3QT

Dear Sir/Madam

**Dropped kerb for vehicular access at 115 Flanderwell Lane Sunnyside for Mr B Levin (RB2022/1357)**

**Vehicle crossings in public highway – across existing footways/verges**

It is noted that your recent planning approval involves the construction or alteration of an access crossing over a footway/verge, which is maintained by the Council.

The construction details of an access crossing are subject to **Highway Authority** approval and are not covered specifically by the planning approval. Works to construct a vehicular crossing may only be carried out by the Council or by contractors approved by it. The Council's **Highway Network** Manager will be pleased to supply you with a list of approved contractors. If you wish to use a contractor not on the list, you should supply details. You should always apply to the Council for permission to construct a vehicular crossing. You may ask the Council for permission to construct a vehicular crossing. You may ask the Council for an estimate for the works or for permission to carry out the works using your own, Council approved contractor.

The planning decision notice enclosed DOES NOT automatically permit the laying out or construction of an access crossing from a public highway. This matter is covered by section 184 of the Highways Act 1980. You must therefore seek specific highway approval for any works which relate to the provision of a vehicular access crossing.

I would point out that where a vehicle access crossing is constructed **without due authorisation**, the Council, acting in its capacity as highway authority is empowered to alter the works carried out and recover the costs **reasonably incurred** in doing so.

For further information on how to apply for any licenses/permissions etc or for any general highway related information, please contact us (see over for address).

RB2022/1357(Continued)

**Highway Network Management Group.**

Telephone (01709) 336003

Email [streetworksenforcement@rotherham.gov.uk](mailto:streetworksenforcement@rotherham.gov.uk)

Or write to :-

Assistant Director of Community Safety and Street Scene

Riverside House

Main Street

Rotherham

S60 1AE

Yours faithfully

Street Scene & Community Safety