BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1384

To Downes Illingsworth Partnership Ltd
Midland Chambers
77 Market Place
Thirsk
North Yorkshire
YO7 1EY

DESCRIPTION Residential development of 10 no dwellings with garages and associated parking and access road.

LOCATION The former Rock Public House, Green Moor Road, Green Moor, Sheffield, S35 7DQ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 November 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 following plans and specifications as approved, unless required by any other conditions in this permission or if prior written consent is given by the Local Planning Authority to any variation:-

drawing no 3508/10 Rev E 'Site Layout Plan'

drawing no 3508/26 'The Stratford Type Planning Drawing'

drawing no 3508/21 Rev A 'The Chatsworth Type Planning Drawing'

drawing no 3508/25 'The Carlton Type Planning Drawing'

drawing no 3508/22 'The 1420 Type Planning Drawing'

drawing no 3508/23 'The Fairfax Double Garage Type Planning Drawing'

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 Regulatory Services

Dated 09 February 2012

Planning and Regulatory Services **Telephone: 01226 - 772000**
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drawing no 3508/24 Rev A 'Garages Planning Drawing'

FDA Landscaping drawing no R/1270/1c 'Landscaping Masterplan' in relation to the proposed soft landscaping/planting details
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP29 'Design'.

3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Core Strategy Policy CSP29 'Design'.

4 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 Core Strategy Policy CSP29 'Design'.

5 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
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction
Reason: In the interests of highway safety, residential amenity and visual amenity.

6 Visibility splays, having the dimensions 2.4m x 60m, shall be safeguarded at the junction of the site with Green Moor Road, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.
Reason: In the interest of highway safety.

7 Prior to the commencement of development, details including a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

1. Two metre wide footway along the entire frontage of the site.
2. Reinstatement of redundant vehicular access.

Thereafter the development shall be implemented in accordance with the approved details.
Reason: In the interest of highway safety

8 Prior to commencement of development a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. Within 28 days of completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developers expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety.

9 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety.

10 No development or other operations being undertaken on site shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority:

Tree protective fencing
Tree protection plan (TPP)

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

11 No hedges or trees on the site or their branches or roots, shall be lopped, topped, felled, or severed without the written permission of the Local Planning Authority. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

12 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of hard landscaping works and boundary treatments (which shall be substantially in accordance with drawing no 3508/10 Rev E 'Site Layout Plan'). The approved hard landscaping works and boundary treatments shall be implemented prior to the occupation of the buildings.
Reason: In the interests of the visual amenities of the locality.

13 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.

14 The dwellings shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
Reason: In the interest of sustainable development and to comply with Core Strategy Policy CSP2 'Sustainable Construction'.

15 The development's carbon dioxide emissions shall be reduced by at least 15% over and above the 2010 Building Regulations by incorporating the measures identified on pages 32-35 of the Design and Access incorporating Sustainability Statement. Upon completion of the development an Energy Performance Certificate shall be submitted to the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of sustainable development and to comply with Core Strategy Policy CSP5 'Including Renewable Energy in Developments'

16 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway,
Reason: In the interests of road safety.

17 No development shall take place until full foul and surface water drainage details, including a scheme to reduce surface water run-off run off by at least 30% and a programme of works for implementation, 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 proper drainage of the area in accordance with Core Strategy policy CSP4.

18 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 Core Strategy Policy CSP40 'Pollution Control and Protection'.

19 Unless otherwise agreed in writing with the Local Planning Authority, all windows and doors shall be recessed by 75mm.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP29 'Design'.

20 Prior to the commencement of any development works, a remediation scheme, endorsed by a competent engineer experienced in ground contamination, shall be submitted to the local Planning Authority for approval. This report shall, amongst other matters, include the following:-
1. Methodology to identify and remove any contaminated material.
2. Measures to test and evaluate any imported soils onto the site to ensure they are suitable for the intended use.
3. Chemical testing suite, frequencies and threshold levels.
4. Procedures to confirm capping levels have been achieved on plots.
5. The subsequent validation that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied.
The development shall thereafter be undertaken in full accordance with the submitted reports.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

21 Unless otherwise agreed in writing with the Local Planning Authority, no development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a scheme for the clearing and recording of the Regionally Important Geological Site has been approved in writing by the Local Planning Authority. The scheme shall be in accordance with the principles in the Geological Report submitted with the application and shall include:-

-The programme and method of site investigation and recording.
-The requirement to seek preservation in situ of identified features of importance.
-The programme for post-investigation assessment.
-The provision to be made for analysis and reporting.
-The provision to be made for publication and dissemination of the results.
-The provision to be made for deposition of the archive created.
-Nomination of a competent person/persons or organisation to undertake the works.
-The timetable for completion of all site investigation and post-investigation works.
Reason: To ensure geodiversity issues are satisfactorily taken into account of in accordance with Core Strategy Policy CSP36 'Biodiversity and Geodiversity'

22 Unless otherwise agreed in writing with the Local Planning Authority, no dwellings shall be occupied until long term arrangements for provision of future access to the Regionally Important Geological Site from within the development for Sheffield Area Geology Trust and Sorby Natural History have been submitted to agreed with the Local Planning Authority (which shall be substantially in accordance with the principles in the Geological Report and Report Addendum submitted with the application)
Reason: For recording and maintenance to ensure geodiversity issues are satisfactorily taken into account of in accordance with Core Strategy Policy CSP36 'Biodiversity and Geodiversity'

23 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the revised Ecological Assessment from BE Brooks Ecological Ltd report ref BE-R-1091-01.1 received January 2012 and the measures detailed on drawing no 3508/10 Rev E 'Site Layout Plan'.
Reason: To ensure biodiversity considerations are satisfactorily taken into account of in accordance with Core Strategy Policy CSP36 'Biodiversity and Geodiversity'

Reason(s) for Granting Permission

1 Unique In the opinion of the Local Planning Authority the proposed development, as limited by conditions where necessary is acceptable in that:-

The proposed development is considered acceptable in that:-

The site is in a UDP Housing policy area and the principle of re-developing the site for residential purposes has already been established in accordance with saved UDP Policy H8 'Housing Policy Areas'.

The proposals would lead to beneficial use of a previously developed site and bring about environmental improvements in the village as encouraged by Core Strategy policy CSP14 'Housing Mix and Efficient Use of Land'
and PPS1 and PPS3.

The application is not considered harmful the Regionally Important Geological Site as a geological feature given the existing context and the proposals for its enhancement, subject to the imposition of conditions making it acceptable when considered in relation to Policy CSP36 'Biodiversity and Geodiversity'.

It would represent an acceptable form of development with regards to design quality, sustainable construction and other housing considerations, with regards to CSP2 'Sustainable Construction, CSP5 'Including Renewable Energy in Developments' and Policy CSP29 'Design'.

The proposal also satisfactory addresses residential amenity considerations for existing and future residents in terms of the LDF Development Plan Document 'Designing New Residential Development'

It is considered acceptable with regards to highway safety considerations CSP26 'New Development and Highway Improvement'

The proposal is also acceptable with regards to other considerations including flood risk, drainage, ground conditions, ecology.

In the opinion of the Local Planning Authority, there are no other material considerations to indicate a decision against the above policies and guidance.

Informative(s)

1 The developer should contact Highways & Engineering tel. 01226 773555 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.

2 The granting of planning permission does not affect the status of species such as birds during the breeding season which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

3 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

4 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

5 The Environment Agency has recommended that the applicant:-

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

3) Refer to our website at www.environment-agency.gov.uk for more information.

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.

Planning and Regulatory Services **Telephone: 01226 - 772600**
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