



GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/0793

To Mr Ian Mawson
14 Willow Brook Close
Darton
Barnsley
S75 5PX

DESCRIPTION Erection of detached dwelling (Outline with all matters reserved)

LOCATION Land adjacent to 166 Midland Road, Royston, Barnsley, S71 4PX

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 11/09/2020 and described above.

The approval is subject on compliance with the following conditions:

1	<p>The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-</p> <ul style="list-style-type: none">(a) the layout of the proposed development.(b) scale of building(s)(c) the design and external appearance of the proposed development.(d) means of access(e) landscaping <p>Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.</p>
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2	<p>Application for approval of the matters reserved in Condition No. 1 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The scale of the reserved matters submission is restricted to no more than two storeys in height.</p> <p>Reason: To ensure conformity with the scale of the surrounding built environment in accordance with Local Plan Policy D1 High Quality Design and Place Making.</p>
4	<p>Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels, proposed landscaping and boundary treatments. Thereafter the development shall proceed in accordance with the approved details.</p> <p>Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1 High Quality Design and Place Making.</p>
5	<p>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.</p> <p>Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.</p>
6	<p>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.</p> <p>Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1 Protection of Green Belt.</p>
7	<p>Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.</p> <p>Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.</p>
8	<p>The parking/manoeuvring facilities on the site shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.</p> <p>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 Local Plan Policy T4 New Development and Transport Safety.</p>

9	<p>All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.</p> <p>Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.</p>
10	<p>No development shall take place unless and until the following details are submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The details are as follows:</p> <p>(a) Full foul and surface water drainage details, including a scheme to reduce surface water run-off by at least 30%, including Yorkshire Water Permission to discharge, and;</p> <p>(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways with;</p> <p>(c) Calculations based on the results of these porosity tests prove that adequate land area is available for the construction of the soakaways.</p> <p>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.</p> <p>Reason: To ensure the proper drainage of the area in accordance with LP Policies GD1 - General Development and CC3 - Flood Risk.</p>
11	<p>All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.</p> <p>Reason: In the interests of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.</p>
12	<p>Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: In order to ensure compliance with Local Plan Policy I1.</p>
13	<p>Upon commencement of construction works, details of an Electric Vehicle Charging Point shall be submitted to and approved in writing by the LPA. The ECVP shall have a minimum 'Mode 3' [7kW (32AMP)] capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.</p> <p>Reason: To ensure the new residential unit is provided with Infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.</p>

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

- 1 A window is located on the side elevation of 166 Midland Street that would directly overlook the proposed amenity space of the site. The layout and scale of the site is yet to be determined and therefore the LPA does not wish to pre-determine matters that are reserved, though it should be acknowledged that the current indicative site layout would result in refusal under residential amenity grounds as the proposed amenity space would be significantly overlooked to an unacceptable level. Nevertheless windows on side elevations are subject to less protection and negotiations may be able to be entered into with the adjoining land owner to re-position the window to a more sympathetic location. The LPA consequently take the view that the outline for development of this parcel of land for residential purposes is possible in outline form only subject to overlooking issues being overcome.
- 2 The window layout of the residential unit will need to abide by the requirements of the Supplementary Planning Document - Design of Housing Development. This document can be found here: <https://www.barnsley.gov.uk/services/planning-and-buildings/supplementary-planning-documents/>
- 3 Consideration will need to be given at submission of reserved matters as to the noise impact of the area. A noise assessment in line with the criteria stipulated under BS4142:2014 should be conducted to ensure that the dwelling is sufficiently insulated from noise impacts to preserve the amenity of future occupants.
- 4 Definition:
What is full-fibre? Full-fibre networks use fibre optic cables to connect the exchange directly to each premises. Full-fibre connections are capable of delivering speeds greater than 1 gigabit per second (Gbps; 1 Gbps is equal to 1000 Mbps). Full-fibre networks are more reliable than copper-based networks and cheaper to maintain and operate. Full-fibre networks are also important for supporting high capacity mobile broadband networks, particularly future 5G networks. Full-fibre networks, also referred to as fibre-to-the-premises (FTTP) or fibre-to-the-home (FTTH), consist of fibre optic cables running from the local exchange directly to each premises. Fibre optic cables transmit data using light and can carry more data with faster speeds and significantly less signal loss with distance compared to copper cables.
- 5 The developer must contact Highways, Engineering & Transportation on 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.
- 6 The applicant/developer should be aware that the Council maintains a register of people who are interested in self-build or custom build projects in Barnsley. If you are interested in making your land available for self-build and custom housebuilding we can, with your permission, pass your contact details on to those people on the list so they have the opportunity to get in touch. For more information on this, please refer to the Councils self-build register website at <https://www.barnsley.gov.uk/services/planning-and-buildings/local-self-build-register/> or contact Planningpolicy@barnsley.gov.uk or telephone 01226 772606

- 7 Details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for approval in accordance with Land Drainage Bye-Laws.
- 8 The applicant is reminded that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner. Although the Local Planning Authority has used its best endeavours to determine the application on the basis of the information available to it, this does not mean that the land is free from instability. The question of instability has been a material planning consideration and resolution of this issue does not necessarily imply that the requirements of any other controlling authority would be satisfied; in particular, the granting of planning permission does not give a warranty of support or stability.

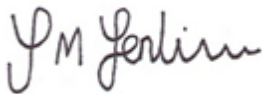
Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *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 the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed

Dated 18/02/2021



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 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 given 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.