



BARNSELEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0265

To M Booth Design Ltd
11 Crowden Walk
Pogmoor
Barnsley
South Yorkshire
S75 2LU

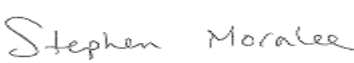
DESCRIPTION Demolition of building and erection of 5 no. dwellings
LOCATION Flouch Inn, Flouch, Hazlehead, Sheffield, S36 4HH

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 06 March 2012 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 (Dwg No's: P3 Rev. A; P2 Rev. A; P1 Rev. B) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with the NPPF paragraph 89 and Barnsley LDF Core Strategy Policy CSP 29, Design.
- 3 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 the NPPF paragraph 64 and Barnsley LDF Core Strategy Policy CSP 29, Design.

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 30 May 2012

- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the design and materials of any boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are occupied. 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 in accordance with the NPPF paragraph 89 and Barnsley LDF Core Strategy Policy CSP 29, Design.

- 5 The parking/manoeuvring facilities, indicated on the submitted plan, 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.

Reason: In the interest of highway safety and in accordance with Barnsley LDF Core Strategy Policy CSP 26, Design.

- 6 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- a. The closure of and reinstatement of the two [2] access points on Whams Road (A616).
- b. The closure of and reinstatement of the single access point of Old Manchester Road.
- c. The provision of a 2 metre wide footway on Old Manchester Road within the existing grass verge fronting the development.

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.

- 7 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
- " 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 and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.

- 8 No development or other operations being undertaken on site shall take place until the following document has been submitted to and approved in writing by the Local Planning Authority:

- " Tree Protective Fencing
- " Tree Protection Plan (TPP)
- " Arboricultural Method Statement (AMS)

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality and in accordance with the NPPF paragraph 64 and Barnsley LDF Core Strategy Policy CSP 29, Design.

- 9 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 dwellings.

Reason: In the interests of the visual amenities of the locality and in accordance with the NPPF paragraph 64 and Barnsley LDF Core Strategy Policy CSP 29, Design.

- 10 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 dwellings 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 and in accordance with the NPPF paragraph 64 and Barnsley LDF Core Strategy Policy CSP 29, Design.

- 11 A landscape management plan for the landscape area adjacent to Whams Road and Old Manchester Road for a minimum of 5 years, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the dwellings. The landscape management plan 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 the NPPF paragraph 64 and Barnsley LDF Core Strategy Policy CSP 29, Design.

- 12 The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment.

- 13 The recommendations contained in Section 5 paragraphs 5.2, 5.4, 5.6 and 5.7 of the Bat Survey (Produced by Whitcher Wildlife Ltd. Dated the 21st March 2011 Ref: 110331) and shall be fully adhered to, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To conserve protected species and their habitat and in accordance with the NPPF paragraph 118 and Barnsley LDF Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

- 14 No development shall take place until a bat dusk emergence survey has been undertaken and the results, along with any mitigation measures, have been submitted to and approved in writing by the Local Planning Authority.
Reason: To conserve protected species and their habitat and in accordance with the NPPF paragraph 118 and Barnsley LDF Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (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.
Reason: To safeguard visual amenities of the Green Belt in accordance with the NPPF paragraph 89 and Barnsley LDF Core Strategy Policy CSP 34, Protection of Green Belt.
- 16 Demolition or construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 09:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of residential amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.

Reason(s) for Granting Permission

- 1 Unique The proposal complies with the NPPF and Barnsley LDF Core Strategy Policies CSP 26, CSP 29, CSP 34, CSP 36 in that it does not adversely affect openness or conflict with the purposes of including land in the Green Belt and is not therefore considered to be inappropriate development in the Green Belt. Further it will not harm the amenities of any existing residential occupiers, or adversely affect highway safety or any protected species.

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 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 3 The effluent discharge to surface water associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted. Additional 'Environmental Permitting Guidance' can be accessed via our main website (<http://www.environment-agency.gov.uk>).
- 4 That the developer must contact Highways, Engineering & Waste contact 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.

- 5 Under the Building Act 1984, the Council is required to be notified of any demolition exceeding 50 cubic metres to be carried out within the Borough. To do this, contact Highways, Engineering & Waste 01226 772009.

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.