



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0225

To Self Architects
Quayside House
Furnival Road
Sheffield
S4 7YA

DESCRIPTION Variation of Condition 2 of application 2015/0380 (Residential development of 30 no. 2, 3 and 4-bed dwellings (Reserved Matters to application 2013/0813))

LOCATION Land off Sheffield Road, Penistone, Sheffield, S36 6HH

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 04 March 2019 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT/UNILATERAL UNDERTAKING MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the amended plans numbered:-

4145-00
4145-01 Rev F
4145-03
4145-04
4145-05
4145-06
4145-07 Rev A
4145-08
4145-09
4145-10

Specifications:-

Landscape Management Specification Document and plan R/1848/1
Design and Access Statement
Phase I Habitat and Protected Fauna Survey dated 23rd February 2015
Flood Risk Assessment prepared by Ecus.
Acoustic Report prepared by Blue Tree Acoustics.
Transport Statement prepared by LDA Limited.
Tree Survey by James Royston, Arboricultural Consultant
as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality accordance with Local Plan Policy D1.

- 2 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: 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.
- 3 The development shall be carried out in accordance with the approved Arboricultural Method Statement by James Royston, submitted with the discharge of conditions application 2017/0530 (condition 4) on the 28th April 2017.
Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality, in accordance with Local Plan Policy BIO1.
- 4 Within one month of the date of this permission, 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 shall be submitted to and approved in writing by the Local Planning Authority. 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 and in accordance with Local Plan Policy BIO1.
- 5 Within one month of the date of this permission, a plan indicating the position of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before any dwelling is 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 the amenities of occupiers of adjoining property and in accordance with Local Plan Policy D1.
- 6 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1.
- 7 All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the development shall be carried out in accordance with the approved details and timescales.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.
- 8 Prior to the occupation of the dwellings, details of the management responsibilities for the landscaped area adjacent to the River Don shall be submitted to and agreed in writing with the Local Planning Authority. The landscape management of the site shall be carried out in accordance with the approved Landscape Management Specification Document.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1.

- 9 Prior to the occupation of the dwellings, the public parking area adjacent to Queen Street shall be laid out as shown on the approved plan and details of the management responsibilities for the parking area shall be submitted and approved in writing by the Local Planning Authority. The car park shall then be maintained in accordance with that agreement and retained for public/residents use for the lifetime of the development.
- Reason: In the interests of road safety in accordance with Local Plan Policy T4.**

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.

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.

1	<p>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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.</p> <p>Further information is also available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com</p>
2	<p>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.</p> <p>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.</p>

Signed
Joe Jenkinson



Dated 21 February 2020

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.