



BARNSLEY
Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0178

To Watson Batty Architects Ltd
Shires House
Shires Road
Guiseley
Leeds
West Yorkshire
LS20 8EU

Proposal Proposed development of 160 dwellings on Reema Site 1 (Reserved Matters of application 2009/1408)

At Land at/adjacent School Street, Thurnscoe, Rotherham, South Yorkshire

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 24 February 2010 and described above, being matters reserved in the permission granted on 13th January, 2010 under Application Outline Number 2009/1408

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

- 1 The development hereby approved shall be carried out in strict accordance with the following plans and specifications, unless prior written consent is given by the Local Planning Authority to any minor variation:-

-application forms received 16 February 2010

-drawing 3835-RM1-001 Rev A 'Site 1 Location Plan' received 25 March 2010

-drawing 3835-RM1-006 Rev A 'Topographical Survey Showing Site 1 Boundary' received 25 March 2010

-drawing 3835-RM1-002 Rev A 'Thurnscoe - Site 1 Planning Layout Affordable Housing Provision' received 25 March 2010

-drawing 3835-RM1-005 Rev A 'Thurnscoe - Site 1 Planning Layout Boundary Treatments' Rev A received 25 March 2010

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed

Stephen Moralee

Assistant Director, Planning and Transportation

Dated 14 April 2010

-drawing 3835-RM1-008 Rev B 'Thurnscoe - Site 1 Planning Layout Solar Collector Locations' received 25 March 2010

-drawing 3835-RM1-House Type A 'Thurnscoe House Type A' received 16 February 2010

-drawing 3835-RM1-House Type B 'Thurnscoe House Type B' received 16 February 2010

-drawing 3835-RM1-House Type C 'Thurnscoe House Type C' received 16 February 2010

-drawing 3835-RM1-House Type D 'Thurnscoe House Type D' received 16 February 2010

drawing 3835-RM1-House Type E 'Thurnscoe House Type E' received 16 February 2010

-drawing 3835-RM1-House Type F 'Thurnscoe House Type F' received 16 -February 2010

-drawing 3835-RM1-House Type G 'Thurnscoe House Type G' received 16 February 2010

-drawing 3835-RM1-House Type H 'Thurnscoe House Type H' received 16 February 2010

-drawing 3835-RM1-House Type I 'Thurnscoe House Type I' received 16 February 2010

-drawing 3835-RM1-House Type J 'Thurnscoe House Type J' received 16 February 2010

Continued...

2 Condition 1 continued:-

-drawing 3835-RM1-House Type K 'Thurnscoe House Type K' received 16 February 2010

-drawing 3835-RM1-House Type L 'Thurnscoe House Type L' received 16 February 2010

-drawing 3835-RM1-House Type M 'Thurnscoe House Type M' received 16 February 2010

-drawing 3835-RM1-Apartments - House Type N 'Thurnscoe House Type N Apartment Elevations' received 16 February 2010

-drawing 3835-RM1-Apartments - House Type N 'Thurnscoe House Type N Apartment Layout Plan' received 16 February 2010

-10% embedded LZC feasibility study and assessment provided by Anderson Goddard Ltd (Revised 16 February 2010) received 16 February 2010

Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

- 3 External facing materials and roofing shall be substantially in accordance with the following plans:-
- drawing no 3835-RM1-007 'Thurnscoe Site 1 Materials Palette' received 16 February 2010
 - drawing no 3835-004-FP-SE2 (Feb-2010) 'Thurnscoe - Proposed North Facing Street Elevations Sheet 1 of 4' received 22nd March, 2010
 - drawing no 3835-004-FP-SE2 (Feb-2010) 'Thurnscoe - Proposed North Facing Street Elevations Sheet 2 of 4' received 22nd March, 2010
 - drawing no 3835-004-FP-SE2 (Feb-2010) 'Thurnscoe - Proposed North Facing Street Elevations Sheet 3 of 4' received 22nd March, 2010
 - drawing no 3835-004-FP-SE2 (Feb-2010) 'Thurnscoe - Proposed North Facing Street Elevations Sheet 4 of 4' received 22nd March, 2010
- No development shall take place until full details of external facing and roofing 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 UDP Policy BE6, Design Standards.**
- 4 The following landscaping plans and specifications are hereby approved and shall be implemented accordingly, unless prior written consent is given by the Local Planning Authority to any minor variation:-
- drawing no 2893.00001.16.001 Rev PL04 'Site 1 -Soft Landscape - General Arrangement Plan received 7th April 2010
 - drawing no 2893.00001.16.003 Rev PL02 'Site 1-Overview Landscaping Plan Sheet 1 of 5 received 7th April 2010
 - drawing no 2893.00001.16.004 Rev PL02 'Site 1-Overview Landscaping Plan Sheet 2 of 5 received 7th April 2010
 - drawing no 2893.00001.16.005 Rev PL02 'Site 1-Overview Landscaping Plan Sheet 3 of 5 received 2010 7th April 2010
 - drawing no 2893.00001.16.006 Rev PL02 'Site 1-Overview Landscaping Plan Sheet 4 of 5 received 7th April 2010
 - drawing no 2893.00001.16.007 Rev PL02 'Site 1-Overview Landscaping Plan Sheet 5 of 5 received 7th April 2010
 - drawing no. 2893.00001.16.D001 Rev PL01 'Construction Details and Edging' received 19 March 2010
 - drawing no. 2893.00001.16.D002 Rev PL01 'Street Tree Planting Details' received 19 March 2010
 - drawing no 2893.00001.16.D003 Rev PL01 'Construction Detail Hardworks and Furniture' received 19 March 2010
- Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.**

- 5 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.
- 6 Unless otherwise agreed in writing with the Local Planning Authority, all windows and doors shall be recessed 75mm.
Reason: In the interests of the visual amenity of the locality and in accordance with UDP Policy BE6, Design Standards
- 7 The parking/manoeuvring facilities, indicated on the approved 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 dwellings being occupied, and shall thereafter be retained for that sole purpose at all times.
Reason: In the interest of highway safety.
- 8 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 including decorative displays and facilities for public viewing, where appropriate
-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.
- 9 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety.
- 10 Prior to any works commencing on site, a condition survey 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.

- 11 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 UDP Policy BE6, Design
- 12 All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details.
Reason: In the interests of health and safety
- 13 Prior to occupation of the building/commencement of the use, full details of security lighting to parking courts and the bridleway shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to occupation of the building/commencement of the use and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light and in the interests of public safety
- 14 Implementation of boundary treatment details shall be carried out in accordance with drawing 3835-RM1-005 Rev A 'Thurnscoe - Site 1 Planning Layout Boundary Treatments' received 25 March 2010 apart from on the southern boundary of the site with properties Thornlea and Thornhill where plots 11-17 shall not be occupied until details of a suitable acoustic boundary treatment have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained in perpetuity.
Reason: In the interests of the reasonable residential amenity for the occupiers of adjacent properties.
- 15 No development shall commence until a timetable for the provision of the affordable housing units approved on drawing 3835-RM1-002 Rev A 'Thurnscoe - Site 1 Planning Layout Affordable Housing Provision' received 25 March 2010 and its phasing in relation to the occupancy of market housing has been submitted to and approved in writing with the Local Planning Authority. The development shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure satisfactory provision of affordable housing to meet the needs of the development in accordance with the Council's approved Planning Advice Note 34 on Affordable Housing.

Reason(s) for Granting Permission

1 Unique In the opinion of the Local Planning Authority, the proposal is acceptable in that:-

-It meets design standards on layout, privacy, quality of buildings, landscaping, highway design, car parking and garden sizes in accordance with SPG2 standards and Building for Life and Manual for Streets principles.

-It would lead to the construction of high quality new housing which would utilise modern and sustainable construction methods and be energy efficient.

-It would provide an accommodation mix suitable to meet a range of needs, including those identified by Strategic Housing on current shortages and properties intended to attract new people into the area.

-It would deliver a good mixture of market and affordable housing in the interests of creating a more balanced and sustainable community than has the previous Reema Estate and is National Planning Policy in PPS3: Housing

-It would provide acceptable relationships between existing and proposed properties when considered against SPG standards and would therefore not be materially harmful to residential amenity.

-The design of the proposed highway access is safe, as is the design of the roads within the site and sufficient parking would be provided.

-It would have an acceptable impact on the highway network with surrounding roads operating within capacity

Accordingly Approval of Reserved Matters of 2009/1408 Site 1 is in accordance with the Barnsley UDP (principally policies BE6 and T2), National Planning Policies (principally PPS1 Delivering Sustainable Development and its Supplement Planning and Climate Change, PPS3 Housing and PPG13 Transport), the 2008 Yorkshire and Humber Regional Spatial Strategy and Planning Advice Note 34. In the opinion of the Local Planning Authority, there are no other material planning considerations which would indicate a decision should be made at variance to the above considerations.

Informative(s)

- 1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
- 2 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.
- 3 The application is advised of the following comments from Network Rail:-

Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Outside Parties Engineer should be undertaken.

- 4 Security of Mutual Boundary

Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Territory Outside Parties Engineer.

Fencing

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Engineer at the below address for approval prior to works commencing on site. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Territory Outside Parties Engineer and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

5 Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

The method statement will need to be agreed with:

Network Rail's Territory Outside Parties Engineer
Network Rail (London North Eastern)
2nd Floor
George Stephenson House
Toft Green
York
YO1 6JT

E-mail: opelondonnortheastern@networkrail.co.uk

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions 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 a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.