BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1034

To ID Planning
Atlas House
31 King Street
Leeds
LS1 2HL

DESCRIPTION Variation of condition 14 (timescale for highway improvement works) of planning permission 2010/1013 - Residential development of 200 dwellings and associated works.

LOCATION Former Yorkshire Traction Site, Vernon Works, Upper Sheffield Road, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 22 August 2011 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 shall commence on or before 9th November 2013.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

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 12 December 2011

Planning and Regulatory Services **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

2 Unless prior written consent has been given by the Local Planning Authority to any minor variation, the development hereby approved shall be carried out in strict accordance with the following plans and specifications:

Planning Layout - P09:4234:01 Rev E
Boundary Treatments - P09:4234:03 Rev A
Site Sections - P09:4234:05 Rev A
Street Scenes - P09:4234:06 Rev A
Bin Stores - P09:4234:08
Structural Details for Standard Retaining Wall - 3322-S-D-001
House Types - P09:4234:100, P09:4234:101, P09:4234:102, P09:4234:103, P09:4234:104, P09:4234:105, P09:4234:106, P09:4234:107, P09:4234:108, P09:4234:109 Rev A, P09:4234:110, P09:4234:111, P09:4234:112 Rev A, P09:4234:113, P09:4234:114, P09:4234:115, P09:4234:116, P09:4234:117 Rev A, P09:4234:118, P09:4234:119, P09:4234:120 Rev A, P09:4234:121, P09:4234:122, P09:4234:123, P09:4234:124, P09:4234:125, P09:4234:126, P09:4234:127, P09:4234:128, P09:4234:129, P09:4234:130, P09:4234:131, P09:4234:132, P09:4234:133 Rev A, P09:4234:134, P09:4234:135, P09:4234:136, P09:4234:137, P09:4234:138, P09:4234:139, P09:4234:140, P09:4234:141, P09:4234:142, P09:4234:143, P09:4234:144, P09:4234:145, P09:4234:146, P09:4234:147, P09:4234:148, P09:4234:149, P09:4234:150, P09:4234:151, P09:4234:152, P09:4234:153, P09:4234:154, P09:4234:155, P09:4234:156, P09:4234:157, P09:4234:158, P09:4234:159, P09:4234:160.
Reason: For avoidance of doubt.

3 The site compound and sales area shall be laid out in accordance with Materials, Sales and Compound Plan (DWG:YT/AS/01) unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety, residential amenity and visual amenity.

4 The measures to control noise, dust and to prevent mud on the road set out in the letters from Sirius (dated 19th and 23rd March 2010) and the Memo from Matt Oldfield (dated 24th March 2010) shall be implemented throughout the duration of the development, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of residential amenity and highway safety.

5 The development shall be carried out in accordance with the approved external materials schedule (Dwg: YT/AS/01).
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

6 Prior to the commencement of any development works on plots 90-141, 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 protect the environment and ensure the site is suitable for the proposed use.

7 The remediation of the part of the site that includes plots 1-89 & 142-200 shall be undertaken in accordance with the Geoenvironmental Appraisal, Remediation Strategy and Verification Plan. On completion of the remediation for this part of the site a Validation Report shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To protect the environment and ensure the site is suitable for the proposed use.

8 No part of the development shall be occupied or brought into use until the approved scheme drainage scheme (Dwg Nos. 3322_C-D1-01 Rev K) 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

9 The development shall proceed in accordance with the approved arboricultural method statement and the approved fencing (Dwg: 1683/9 Rev A) shall be installed before 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 safeguard existing trees, in the interest of visual amenity.

10 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.

11 The route of the footpath running diagonally across the public space (as shown on the approved layout plan P09:4234:01 Rev E) is indicative only. The exact route of the footpath and full construction details shall be submitted to and approved in writing by the Local Planning Authority prior to the transfer of the area of public open space. The footpath shall be installed in accordance with the approved details prior to transfer of the area of public open space.
Reason: In order to ensure that the route of the footpath correlates with the position of the play area.

12 All planting, seeding or turfing comprised in the approved details of landscaping (Dwg Nos: 1683/6 Rev D, 1683/7 Rev D and 1683/8 Rev C) 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.

13 Development shall proceed in accordance with the approved highway construction details and retaining walls (3322-C-D3-01, 5967-23-19-01), unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety.

14 Prior to occupation of the 50th dwelling, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

Carriageway widening; radius improvements; relocation of bus stops, provision of new bus shelters, bus border kerbing and ribbed tactile paving slabs; carriageway and footway resurfacing; provision of 2 no. pedestrian refuges and associated tactile paving and white lining; alterations to white lining, highway drainage and street furniture as required; measures to restrict waiting of vehicles on Upper Sheffield Road; provision of right turn lane.

The works shall be completed in their entirety in accordance with the approved details prior to occupation of the 50th dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.

15 Prior to the occupation of the development the developer shall implement the Travel Plan by Sanderson (consulting engineers) Ltd, dated June 2010.
Reason: To encourage sustainable travel

16 Prior to the occupation of the dwellings a report detailing the findings of the archaeological survey shall be submitted to and approved in writing by the local planning authority.
Reason: To ensure that arrangements are made to record archaeological remains.

17 Unless otherwise agreed in writing by the Local Planning Authority, the dwellings located on plots 57-169 (inclusive), as detailed on the approved plan (DWG: P09:4234:01 Rev E), shall not be occupied until the scrap yard use located on the eastern part of the site (shown as plots 90-141) has completely ceased and the site has been remediated in its entirety
Reason: In the interests of the amenities of the future occupiers and highway safety.

18 Within three months of the occupation of the development, the developer shall provide each household with a public transport season ticket
Reason: To encourage the use of sustainable transport modes

19 Windows and glazing to the doors of Plots 1 to 28, 186 to 195 & 200, facing Upper Sheffield Road, shall be double glazed and capable of 34dBA sound reduction. Such windows shall be provided with trickle vents capable of the same level of sound attenuation.
Reason: To safeguard the amenities of future residents.

20 The boundary treatment to each plot as shown on the approved plans shall be completed before the plot is occupied.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with U.D.P. Policy BE6, Design Standards.

21 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 UDP Policy ES1, Pollution.

22 Unless otherwise agreed in writing by the local planning authority no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the sewer, which crosses the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times

23 Unless otherwise agreed in writing by the local planning authority no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the water main, which crosses the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times

24 No piped discharge of surface water from the application site shall take place until work to provide a satisfactory outfall for surface water has been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.
Reason: To ensure that the site is properly drained.

25 Visibility splays, having the dimensions 2.4m x 90m, shall be safeguarded at the junction of the access road with Upper Sheffield Road, such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: In the interest of road safety.

Reason(s) for Granting Permission

1 Unique The proposed variation of condition 14 will not prejudice highway safety or the free flow of traffic in accordance with Core Strategy policy CSP 26.

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.

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PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772599**