BARNSLEY
Metropolitan Borough Council

Place Directorate
Economic Regeneration
Planning and Building Control
Head of Service: Joe Jenkinson

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/0577

To PB Planning Ltd
PO Box 827
York
YO31 6EE

DESCRIPTION Residential development of 278 no dwellings with associated roads, public open space and landscaping

LOCATION Land Off Newland Avenue and Carrs Lane, Cudworth, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 10 May 2017 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 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 and specifications as approved unless required by any other conditions in this permission:-

-YW-04-03, Site Location Plan
-YW-04-03 AA, Proposed Site Layout
-BALD 00CD Drawing 01, Embassy range, Alderney Classic (Det)
-BCSR 00CD Drawing 01, Embassy range, Chester Classic (Det)
-BENN 00CE Drawing 01, Ambassador range, Ennerdale Classic (Det)
-BENN 00CE Drawing 01, Ambassador range, Ennerdale Classic (End)
-BHLN 00CD Drawing 01, Embassy range, Halton Classic (Det)
-BESK 00CS Drawing 01, Embassy range, Eskdale Classic (Semi)
-BESK 00CD Drawing 01, Embassy range, Eskdale Classic (Det)
-BFKS 00CI Drawing 01, Statesman range, Folkestone Classic (Mid)
-BFKS 00CE Drawing 01, Statesman range, Folkestone Classic (End)
-BKEY 00CD Drawing 01, Embassy range, Kingsley Classic (Det)
-BMAI 00CI Drawing 01, Statesman range, Maidstone Classic (Mid)
-BMAI 00CE Drawing 01, Statesman range, Maidstone Classic (End)
-BRAD 00CD Drawing 01, Embassy range, Radleigh Classic (Det)

-BRIP 00CD Drawing 01, Embassy range, Ripon Classic (Det)
-BWAI 00CI Drawing 01, Statesman range, Washington Classic (Mid)
-BWAI 00CE Drawing 01, Statesman range, Washington Classic (End)
-BWIE 00CD Drawing 01, Embassy range, Windermere Classic (Det)
-BBLD 00CS Drawing 01, Statesman range, The Beadle Classic
-BAOD 00CD Drawing 01, Statesman range, The Alford Classic
-Garage Type SSGIS, single detached side gable
-Garage Type SD2S, single semi detached side gable
-Tanalised Timber Post & 4 Rail Stock Proof Fence
-ST-04-04, Boundary Treatment A, 1800mm high screen wall
-ST-04-04, Boundary Treatment B, 1800mm high close-boarded timber fence
-SCP report ref GWB/14923/TA/01 'Transport Assessment'
-SCP report ref GWB/14923/TP/01 'Travel Plan'
-Bryan G Hall stage 1 road safety audit
-SCP/14923/SK014 Rev A, Off site highway works White Cross Road and Low Cudworth Green Footway Improvements
-SCP/14923/SK016 Rev A, Proposed Footway Improvements, Carrs Lane
-ARP report ref 1048/69r1a 'Flood Risk Assessment
-FDA Landscape Ltd 'Landscape Appraisal
-Sirius report ref C6138A Rev 3 'Geo-environmental appraisal'
-Sirius letter C6138/JL/6572 rev 2 'Gas assessment letter (rev 2)
-C6138B/MB/6765 Rev 3, Sirius Supplementary Mining Investigation letter
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 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 Core Strategy Policy CSP 29, Design.

4 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 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: 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 Core Strategy Policy CSP 26, New Development and Highway Improvement.

6 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, including any neccessary mitigation measures such as the provision of signage, or the provision of temporary traffic regulation orders
-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
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

7 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) Footway widening on Carrs Lane
b) Provision of footway on the south side of Low Cudworth
c) Provision of footway to connect the western footway on Low Cudworth to the steps to White Cross road
d) Provision of signs warning of pedestrians in carriageway on Low Cudworth in the vicinity of White Cross Road
e) Provision of new road markings at the Carrs lane/Lunn Road/White Cross Road junction
f) Provision of "junction ahead "warning sign on Lunn Road
g) Measures to control footway parking on Lunn Road Manor Rd/Barnsley Rd need to give this further consideration
h) Provision of/any necessary alterations to street light lighting
i) Provision of/ any necessary alterations to highway drainage
j) Any necessary resurfacing/reconstruction
i) Any necessary signing/lining

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, in accordance with Core Strategy Policy CSP 26.

8 Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at the junction of the access road with Carrs Lane, such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

9 Development shall not commence until details of the siting of the sales cabin, and parking for staff and customers visiting the site, have been submitted and approved in writing by the Local Planning Authority, and such facilities shall be retained for the entire construction period.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

10 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.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

11 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

12 Prior to any works commencing on site, a condition survey (including structural integrity) 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. The Local Planning Authority may require further surveys during the course of the development if in the opinion of the Local Highway Authority there appear to be new defects attributable to the traffic ensuing from the development that require remedial action prior to the completion of

the development. Any remedial works identified by the Local Highway Authority as a result of these further surveys shall be completed within a reasonable period of time specified by the local highway authority at the developer's expense. On completion of the development a final condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify any remaining defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

13 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
Reason: To ensure a safe and adequate highway network, in accordance with Core Strategy Policy CSP 26.

14 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to limit surface water run off to the greenfield run off rate and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

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.

Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

15 Notwithstanding the Landscape Masterplan (R/1789/1B) submitted with this application, 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 (updated to reflect ecological mitigation measures); 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 building(s).
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

16 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.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

17 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

18 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details
Tree protection plan
Arboricultural method statement

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity.

19 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, 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.

20 Deliveries shall be only take place between the hours of 0800 & 1800 Monday to Friday and 0900 & 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 Core Strategy Policy CSP 40.

21 The boundary treatment as shown on the Landscape Masterplan (R/1789/1B) shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29

22 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 of plots 90, 91, 140-145, 153, 154, 172, 173, 191-192, 195-197, 200-201, 215-217 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 the openness and visual amenities of the Green Belt in accordance with Core Strategy Policy CSP 34, Protection of Green Belt.

23 Notwithstanding the details shown on the Landscape Masterplan (R/1789/1B), prior to the completion of the surface water attenuation pond, a plan indicating the position of boundary treatment to be erected for the area located around the attenuation pond should be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the pond is brought into operation or in accordance with a timescale to be agreed. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29

24 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey (SLR Ref: 424-03696-00024), including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

25 No construction of buildings or other structures within 5m of the sewer that is laid within the site shall take place until measures to divert or otherwise formally close those lengths of sewer that would otherwise conflict with the proposed development have been implemented in accordance with details that have been submitted to and approved by the local Planning Authority.
Reason: In the interests of satisfactory and sustainable drainage

26 The development shall be carried out in accordance with the recommendations in Sirius report ref C6138A Rev 3 'Geo-environmental appraisal', and Sirius Supplementary Mining Investigation letter C6138B/MB/6765 Rev 3
Reason: In order to ensure safety and stability of the proposed development in accordance with CSP39

27 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

o The programme and method of site investigation and recording.
o The requirement to seek preservation in situ of identified features of importance.
o The programme for post-investigation assessment.
o The provision to be made for analysis and reporting.
o The provision to be made for publication and dissemination of the results.
o The provision to be made for deposition of the archive created.
o Nomination of a competent person/persons or organisation to undertake the works.
o The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Core Strategy Policy CSP 30.

28 Notwithstanding the Landscape Masterplan (R/1789/1B) and Proposed Site Layout Plan (YW-04-03 AA) submitted with this application, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of bin storage areas. The approved bin storage shall be implemented in accordance with the approved details prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29 and in the interest of highway safety, in accordance with Core Strategy Policy CSP 26

29 Upon commencement of development details of measures to facilitate the provision of high speed 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.
Reason: In order to ensure compliance Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

30 No development shall commence until details for the provision of grit bins within the development have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented prior to occupation of the dwellings, or an alternative timetable to be agreed with the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

31 The hereby approved Travel Plan prepared by SCP (amended version dated June 2017) shall be implemented in accordance with an implementation strategy to be submitted and approved in writing by the Local Planning Authority prior to the occupation of the residential development hereby permitted. Reports demonstrating the progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of first occupation to the Local Planning Authority for a period of 5 years from first occupation of the residential development hereby permitted.
Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.

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	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.
2	The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place. It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

	If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on website at: www.gov.uk/government/organisations/the-coal-authority
3	If upon development it was proposed to discharge surface water to a suitable watercourse, then it is recommended that flow should be restricted to no more than the existing rates of discharge to avoid flooding problems.
4	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.
5	Public Rights of Way may be affected during the construction stage of this development, and you should contact Mrs Sarah Ford (tel: 01226 772696) or Mr Mike Gibson (tel: 01226 772569) to discuss the possible need for a temporary closure or diversion.

Signed  Dated 28 June 2017
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 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.