



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1171

To Mr Ben Parkins
Unit 3
Europa Business Park
Sheffield Business Park
Sheffield
S9 1XP

DESCRIPTION Erection of 125 2, 3 and 4 bed dwellings with associated access and landscaping
(Amended Plans)

LOCATION Lockwood Road, Goldthorpe, Rotherham, S63 9JY

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 28/09/2021 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT 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:
- 3228-1-001-KK
 - 250 type – drawing ref. 21-250-U-0001 rev C02 – submitted 28/03/2023
 - 252 type – drawing ref. 21-252-U-0001 rev C03 – submitted 28/03/2023
 - 253 type – drawing ref. 21-253-U-0001 rev C02 – submitted 28/03/2023
 - 350 type – drawing ref. 21-350-U-0001 rev C03 – submitted 28/03/2023
 - 352 type – drawing ref. 21-352-U-0001 rev C03 – submitted 28/03/2023
 - 354 type – drawing ref. 21-354-U-0001 rev C04 – submitted 28/03/2023
 - 355 type – drawing ref. 21-355-U-0001 rev C04 – submitted 28/03/2023
 - 358/359 type – drawing ref. 21-358-U-0001 rev C01 – submitted 28/03/2023
 - 360 type – drawing ref. 21-360-U-0001 rev C03 – submitted 28/03/2023
 - 450 type – drawing ref. 21-450-U-0001 rev C02 – submitted 28/03/2023
 - 451 type – drawing ref. 21-451-U-0001 rev C01 – submitted 28/03/2023
 - 452 type – drawing ref. 21-452-U-0001 rev C03 – submitted 28/03/2023
 - Detailed landscaping plan 1 of 3 ref. 3710-2 rev H – submitted 04/05/2023
 - Detailed landscaping plan 2 of 3 ref. 3710-3 rev H – submitted 04/05/2023
 - Detailed landscaping plan 3 of 3 ref. 3710-4 rev H – submitted 04/05/2023
 - Rear garden analysis drawing ref. 3228-1-002-A – submitted 04/05/2023
 - Trees in relation to development plan ref. 3710-5 rev B – submitted 04/05/2023
 - Affordable Housing Layout – same ref as main layout, but annotated/labelled with AH units – submitted 04/05/2023
 - Location plan 3228-1-000 Rev A – submitted 05/06/2023
 - 3x6m single garage detail ref. SD1700 – submitted 30/03/2023
 - 3x6m double garage detail ref. SD1701 – submitted 30/03/2023
 - 1800mm fence detail
 - 600mm fence detail
 - Swept path analysis drawing T-1008 – submitted 04/05/2023
 - Vis Splay drawing V-1002 Rev B – submitted 28/04/2023
 - Swept path analysis drawing T-1002 Rev B – submitted 28/04/2023
 - Swept path analysis drawing T-1003 Rev C – submitted 28/04/2023
 - Swept path analysis drawing T-1004 Rev B – submitted 28/04/2023
 - Swept path analysis drawing T-1005 Rev B – submitted 28/04/2023
 - Swept path analysis drawing T-1006 Rev C – submitted 28/04/2023
 - LEAP “picture sheet”
 - ECIA and BNG Metric – ref. 424.03044.00188 vers 6 – submitted 15/05/2023
 - AIA ref. 3710 dated 05 May 2023 – submitted 05/05/2023
 - Noise Assessment ref. RK3551/20444/Rev 2 – submitted 04/05/2023

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 Upon commencement of development details of the proposed external materials 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 the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making

- 4 Notwithstanding the details as submitted and prior to the commencement of the development hereby approved, details of boundary treatments to the central area of Public Open Space shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site can be used as a play opportunity and in the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making and the open space provision on new housing developments supplementary planning document.

- 5 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

No development or other operations shall take place except in complete accordance with the approved details and the tree protection fencing shall be installed 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 ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Local Plan Policy BIO1.

- 6 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:

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

- 7 Prior to the occupation of the development hereby approved, the noise mitigation measures described in report 'Noise Assessment produced by Spectrum Acoustic Consultants dated 03.05.23 ref: RK3241/20444/Rev 2, shall be implemented so that environmental noise does not cause significant adverse impacts on health or the quality of life as required by noise planning policy, especially to those living and working in the vicinity. This includes:
- 2m high close boarded timber fences around the gardens of Plots 69, 81, 82, 86, 89, 90, 91.
- The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.
- Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**
- 8 No development (including construction, land raising and demolition if required) shall be carried out other than in accordance with a Construction Environment Management Plan (CEMP) that is first submitted to, and approved in writing by, the local planning authority. The CEMP is expected to include measures to control noise and dust.
- Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**
- 9 Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre 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 with Local Plan Policy I1.**
- 10 Upon commencement of construction works, details of electric vehicle charge points (EVCPs) shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.
- Reason: To ensure the new units are provided with infrastructure that conforms with the requirements of LP Policy T3 – New Development and Sustainable Travel.**
- 11 No building or use hereby permitted shall be occupied until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths, and landscaped areas not put forward for adoption as maintainable at public expense within the site have been submitted to and approved in writing by the LPA. On occupation of the first dwelling (or building) within the site, the streets shall be maintained in accordance with the approved management and maintenance details.
- Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4.**

- 12 No works shall commence on the site until the status and future maintenance of any footpaths / cycleways / bridleways on site are resolved. Constructional details and future maintenance plans shall be submitted and agreed in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.
Reason: In the interests of the accessibility of the site and its surroundings in accordance with Local Plan Policy T1.
- 13 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following: -
- A survey of the extent, scale and nature of contamination.
 - An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
 - An appraisal of remedial options, and proposal of the preferred option(s).
 - A remediation statement summarising the works to be undertaken (if required).
 - The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".
- Reason - To protect the environment and ensure the site is suitable for the proposed use in accordance with Local Plan Policy POLL1.**
- 14 The development shall be carried out in strict accordance with the details indicated within the submitted Flood Risk Assessment Report- 20/032.01 Revision 01, dated 16th January 2023.
Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.
- 15 The site shall be developed with separate systems of drainage for foul and surface water on and off site, details of which shall have been submitted to and agreed in writing prior to the commencement of development, with the maximum surface water discharge rate shall be restricted to no greater than 5 (five) litres per second, to the public surface water sewer network. The separate systems should extend to the points of discharge to be agreed. The development shall then proceed in accordance with the approved details.
Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.

- 16 No building or other obstruction including landscape features shall be located over or within:

- 3 (three) metres either side of the centre line of the 225 mm diameter public surface water sewer that crosses the site i.e. a protected strip width of 6 (six) metres;
- 3.5 (three point five) metres either side of the centre line of the 525 mm diameter public surface water sewer, that crosses the site i.e. a protected strip width of 7 (seven) metres.

Furthermore, no construction works in the relevant area (s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority.

The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and maintaining the public sewer network in accordance with Local Plan Policy POLL1 and CC3.

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no ancillary building structures shall be constructed to the rear of plots 118, 119 and 120.

Reason: To ensure the protection of the sewer for the lifetime of the development in accordance with Local Plan Policy CC3.

- 18 Development shall not commence until arrangements have been entered into to secure such works set out below to mitigate the effect of the development. Thereafter the approved works shall be completed prior to the development being brought into use. Such works shall comprise of:

1. Measures for controlling parking on the access road within the development.
2. Any necessary amendments to signing/lining

Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.

- 19 No development shall commence until full construction, engineering, drainage and street lighting details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Local Plan policy T4 New Development and Transport Safety.

- 20 Before any dwelling is first occupied, the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway in accordance with details submitted to and subsequently approved in writing by the LPA.
Reason: To ensure satisfactory development of the site and in the interests of highway safety, in accordance with Local Plan policy T4 New Development and Transport Safety.
- 21 The gradient of individual vehicular accesses/driveways shall not exceed 1 in 12 as measured from edge of the adjacent carriageway.
Reason: In interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4.
- 22 Pedestrian visibility splays having dimensions of 2m x 2m shall be safeguarded at driveway entrances/exits. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6m to the rear of the footway/verge which would obstruct the visibility splay. The visibility splay shall be maintained free of obstruction at all times thereafter for the lifetime of the development.
Reason: In the interests of highway safety, in accordance with Local Plan policy T4 New Development and Transport Safety.
- 23 Areas to be used by vehicles shall be surfaced in a solid bound material (i.e. not loose chippings) and adequate measures shall be so designed into these areas to avoid the discharge of surface water from the site on to the highway.
Reason: To ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 24 Prior to the first occupation of the development hereby permitted, visibility splays at internal junctions shall be provided in full accordance with the details indicated on the approved plans. The splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.
Reason: In interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 25 No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.
Reason: In the interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T5.

- 26 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:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic including measures to prevent, so far as is reasonably practicable, the arrival/departure of construction traffic at school drop-off/pick-up times.
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.
- vi. Measures to minimise dust.

Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety and to reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby in accordance with Local Plan Policy POLL1.

- 27 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety in accordance with Local Plan Policy T4.

- 28 The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of first occupation, evidence of the implementation of measures set out in the Travel Plan shall be prepared, submitted to, and agreed in writing with the LPA, unless alternative timescales are agreed in writing.

Reason: To support sustainable transport objectives, reduce reliance on the private motor car as a primary form of transport and to reduce the impact of travel and transport on the environment in accordance with Local Plan Policy T3.

- 29 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 interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 30 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 and in accordance with Local Plan Policy BIO1.
- 31 Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority.

The CEMP-B shall include, but not necessarily be limited to, the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- Detail of pre-commencement surveys required;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

- 32 Prior to commencement of the development, an appropriately experienced and qualified Ecological Clerk of Works (ECoW) shall be appointed by the applicant/developer. The ECoW shall be in post during appropriate stages of the development, as agreed in writing with the Local Planning Authority. The ECoW's scope of work shall include monitoring compliance with the mitigation measures as detailed within the Report, and the conditions of the planning permission.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

- 33 A Biodiversity Enhancement Management Plan (BEMP) for on-site habitats, completed by a suitably qualified ecologist will be submitted to the Local Planning Authority prior to the commencement of works on site. The BEMP will include the following:

- A recent landscape plan detailing the location of mitigation works and the size of each habitat area to be enhanced and/or created;
- Management aims and prescriptions detailing the methods required to create and/or enhance each habitat at the required quality for a period of 30 years;
- A timetable of delivery for each habitat created and/or enhanced;
- A schedule of ecological monitoring for a minimum 30-year period, identifying when key indicators of habitat maturity should be achieved;
- Details on the monitoring of habitats and the provision of a report, which shall be provided to the LPA on the 1st November of each year of monitoring (years one three after creation, years five, and ten and every ten years thereafter), which will assess the condition of all habitats created and/or enhanced and any necessary management or replacement/remediation measures required to deliver the Net Gain values set out in the BEMP for each habitat;
- A schedule of actions to be undertaken in case signs of failing are identified; the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.

The BEMP will also include a scheme for biodiversity enhancement such as the incorporation of permanent bat roosting feature(s) and nesting opportunities for birds (in 50% of proposed units) and access for hedgehogs.

The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

The scheme shall include, but not limited to, the following details:

- Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- Materials and construction to ensure long lifespan of the feature/measure;
- A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and,
- When the features or measures will be installed within the construction, occupation, or phase of the development.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

34 Notwithstanding the submitted details, before above ground works commence, details of external/internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be provided by a suitably qualified ecologist and clearly demonstrate that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:

- A drawing showing sensitive areas, dark corridors and buffer areas;
- Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- A description of the luminosity of lights and their light colour;
- A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
- Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.

35 During construction or demolition works, activity 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: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

36 Before use of the development commences, the noise mitigation measures described in report 'Noise Assessment produced by Spectrum Acoustic Consultants dated 03.05.23 ref: RK3241/20444/Rev 2, shall be implemented so that environmental noise does not cause significant adverse impacts on health or the quality of life as required by noise planning policy, especially to those living and working in the vicinity. This includes:

2m high close boarded timber fences around the gardens of Plots 69, 81, 82, 86, 89, 90, 91.

The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 1 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.

- 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 Roads other than agreed shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980). Engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority before works commence on site. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk as soon as possible to arrange the setting up of the agreement.
- 4 The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.
- 5 Street lighting design and installation is undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with the authorities Street Lighting Team, Tel 01226 770770. Email. Streetlightingdesign@barnsley.gov.uk as soon as possible.
- 6 Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 13. They should be constructed to withstand a minimum carrying capacity of 26 Tonnes without deflection.

- 7 Fees associated with the required condition survey together with any necessary remedial works and any relevant S278 agreement are to be borne by the developer. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk for further information prior to commencement.
- 8 Agreement should be sought for all pipes, culverts, water attenuation tanks or similar greater than 900mm that are proposed to be placed beneath the area to be defined as public highway. All drainage installed under the Highway is to be adopted by the sewerage undertaker or, in the case of highway drainage, the Local Highway Authority.
- 9 In accordance with the recently adopted Sustainable Travel SPD, there is a requirement for the applicant to provide a contribution towards sustainable transport and active travel measures.

Contributions will be sought on developments of 10 dwellings or more. The following formula will be used to determine the level of contribution:

Number of residential units' x person trip rate x £figure to be determined x reduction factor

For residential schemes the proposed scheme cost is £101.26 per trip. It is proposed to round this

figure to £100 per trip (Scheme costs divided by total number of trips. ($14,824,908 / 146410 = 101.26$))

The £100 per trip figure will then be applied to individual residential schemes of 10 dwellings or over.

Where applicable this may be reduced, depending on location.

In line with the above, a contribution, the sum of which is to be determined, will be required from the applicant that will be used to help finance and deliver the programme of public transport improvements and enhancements identified in the Infrastructure Delivery Plan, the updated Barnsley Rail Vision, and other relevant documents.

- 10 No hoarding shall be erected on or within the extent of the public highway without the prior approval of the Local Highway Authority and the necessary licencing being obtained. Applications for licences can be made via: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/licences-for-scaffolding-and-hoardings/>
- 11 Road Licences- You are advised that the development hereby permitted requires you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers), or to place any equipment, materials in, on, above or abutting a highway requiring you to have a licence. No such works shall be undertaken on the public highway without the requisite licences and permissions in place. Further details are available on the BMBC website at: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/> or by contacting Streetworks@barnsley.gov.uk

- 12 The Barnsley Permit Scheme applies to all streets in Barnsley and is designed to minimise any delay, disruption and inconvenience to road users caused by roadworks. Anyone carrying out works in a street must apply for a permit. Agreement under the Barnsley Permit Scheme's provisions must be granted before any works can take place. There is a fee involved for the coordination, noticing and agreement of the works. Details relating to the scheme, fees and payment methods are available via www.barnsley.gov.uk/services/roads-travel-and-parking/roadworks-and-road-maintenance/yorkshire-common-permit-scheme/ or by contacting the Streetworks team via Streetworks@barnsley.gov.uk.
- 13 You are advised that a Traffic Regulation Order (TRO) is necessary. You must submit a plan to a scale of at least 1:1250 of the indicative scheme, along with timescales for the commencement and completion of the development hereby approved. Please be aware that the process is statutory and involves public advertisement of the proposals and the resolution of objections. The outcome of the process cannot be guaranteed. Time based fees are payable for the administrative process, including legal costs, and are separate from the costs of lining, signing and resurfacing required by the TRO. You should expect a minimum of six months to elapse between the LHA's Traffic team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed. For more information and arrangements contact Traffic by emailing Traffic@barnsley.gov.uk.
- 14 The contractor shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the public highway is an offence under provisions of the Highways Act 1980.
- 15 On the Statutory Sewer Map, there is a 225 mm diameter and a 525 mm diameter public surface water sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme.
- 16 It may not be acceptable to raise or lower ground levels over the sewer and we will not accept any inspection chambers on the sewer to be built over. No buildings, or other obstructions, are to be erected within 3 (three) metres of the centre-line of the 225 mm diameter sewer, and within 3.5 (three point five) metres of the centre-line of the 525 mm diameter sewer. In addition, no trees are to be planted within at least 5 (five) metres of either sewer.
- 17 A proposal by the developer to alter/divert a public sewer will be subject to Yorkshire Water's requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.
- 18 From the information supplied, it is not possible to determine if the whole site will drain by gravity to the public sewer network. If the site, or part of it, will not drain by gravity, then it is likely that a sewage pumping station will be required to facilitate connection to the public sewer network. If sewage pumping is required, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second.
- 19 The surface water discharge from the proposal to the public surface water sewer network must be restricted so as not to exceed 5 litres per second.

- 20 Public Rights of Way may be affected during the construction stage of this development, and you should contact the Public Rights of Way team to discuss the possible need for a temporary closure or diversion.

Contact details are as follows: -

Post: Public Rights of Way, Barnsley MBC, PO Box 601, Barnsley, S70 9FA.

Telephone: (01226) 787650

Email: publicrightsofway@barnsley.gov.uk

- 21 Your attention is drawn to the contents of the attached letter from the Coal Authority, which identifies possible instability issues.

- 22 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water.

Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

- 23 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, excavations for 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.

If any 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 the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Please be aware that the Council monitors construction sites and open land within the vicinity of 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 any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 30 October 2023

A handwritten signature in black ink, consisting of a stylized 'G' and 'H' followed by a horizontal line.

Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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.