BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/1143

To Mrs Charlotte Copley
Redrow Homes Yorkshire
Redrow House
Wakefield
West Yorkshire
WF2 0XG

DESCRIPTION Variation to condition 2 of application 2012/1054 to include an additional house type (Minor Material Amendment)
LOCATION Land off Higham Lane, Dodworth, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 October 2013 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved unless required by any other conditions in this permission:-

-drawing no 4707:16:01:01 'Location Plan'
- drawing no 4707-16-02-01 Rev B 'Planning Layout'
- drawing no 4707-16-02-02 Rev B 'Boundary Treatment'
- drawing no 4707-16-02-03 Rev B 'Materials Layout'
- drawing no 4707-16-02-07 'Surface Treatment Plan'
- Type 1 and 4 D Series (DAFSB01, D2AF068 & D3AF081) Elevations and Layout
- Type 2, 3 and 5 D Series (DHSB03, D3H081, D2H068, D3H078) Elevations and Layout
- Type 2, 3 and 5 D Series Render (DHSB03, D3H081, D2H068, D3H078) Elevations and Layout
- Type 6 (Cnr) D Series (D3H098) Elevations and Layout
- Type 7 D Series Brick (D3H095) Elevations and Layout
- Type 7 D Series Render (D3H095) Elevations and Layout
- Type 8 D Series Brick (D3H102) Elevations and Layout
- Type 9 D Series Brick (D4H107) Elevations and Layout
- Type 9 D Series Render (D4H107) Elevations and Layout
- Type 9 Plot 30 and 36 only D Series Brick (D4H107) Elevations and Layout
- Type 10 (Cnr) D Series Brick (D4H111) Elevations and Layout
-Type 10 plots 32 and 35 only D series Brick Elevations and Layout

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
Head of Planning, Building Control and Sustainability

Dated 17 December 2013

Development Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

- Type 11 D Series Brick (D4H114) Elevations and Layout
- Type 12 D Series Brick (Y4707NB-1) Elevations and Layout
- Double Garage Type 1 2011 Release Elevations and Layout
- Single Garage Type 1 2011 Release Elevations and Layout
- Benchmark Land Surveys drawing BM2131/01 'Topographical Survey
- James Eaton Design Plot Level Strategy Plan drawing no 12/569/6020

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

2 The development shall be carried out in accordance with the following details approved under the requirement for a construction method statement:-

4707-16-04-06 'Construction Management Plan
4707-16-09-01 'Sales Area Layout'

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.

3 The development shall be carried out in accordance with the following details approved under the requirement to submit plans to show the finished floor levels of all buildings and structures:-

13/569/6155-C External works sheet 1 of 2
13/569/6156-B External works sheet 2 of 2

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential properties in accordance with Core Strategy Policy CSP 29.

4 A highway condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority within 28 days following the occupation of the 41st dwelling, which shall identify 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.

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: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

6 The development shall be carried out in accordance with the following details approved under the requirement to provide details of both hard and soft landscaping details and boundary treatments:-

Smeeden Foreman landscaping layout SF2059-LL
drawing no 4707-16-02-07 'Surface Treatment Plan'

The approved hard landscaping details shall be implemented prior to the occupation of the buildings.

Reason: In the interests of the visual and residential amenities of the locality, in accordance with Core Strategy Policy CSP 29.

7 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 others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

8 The development shall be carried out in accordance with the following details approved under the requirement for a landscape management plan:-

Smeeden Foreman landscaping management plan SF2059 March 2013 and email from Redrow 23/08/2013 confirming that management company will manage the areas of the site that falls outside of plot boundary ownership
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

9 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.

10 The development shall be carried out in accordance with the following details approved under the requirement for tree protective barrier details, a tree protection plan and an arboricultural method statement:-

4707-16-08-01 Tree Protection Plan

The erection of a barrier for the protection of any retained tree shall be undertaken in accordance with the approved plans and methodologies 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.

11 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 1300 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.

12 The dwellings shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (and any order revoking and re-enacting the order) no additional windows or other openings to those shown on the approved plans shall be formed in the side facing walls of plots 28, 29, and 37 facing existing properties located on Hawthorne Crescent.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential properties in accordance with Core Strategy Policy CSP 29.

14 The development shall be carried out in accordance with the following details approved under the requirement to provide full foul and surface water drainage details:-

13/569/6142-C Engineering Layout'
13/569/6144-C Manhole and Pipeline schedules
13/569/6146-A Manhole general arrangement
13/569/6147-C S104 plan
13/569/6150-A hydrobrake manhole S10 construction details
13/569/6151-B hydrobrake manhole S12 construction details
13/569/6152-A manhole construction details
13/569/6187 domestic drainage sheet 1
13/569/6188 domestic drainage sheet 2

No part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and 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 CSP4.

15 All external windows shall be recessed by a minimum 50mm.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP29 'Design'.

16 All works undertaken on site must, without exception, be carried out in strict adherence with the recommendations contained in paragraphs 51 and 53 of the Brooks Ecological report reference BE-R-1349-01.1 dated January 2013.
Reason: To safeguard the protected species in accordance with Core Strategy policy CSP36 Biodiversity and Geodiversity.

17 The development shall be carried out in accordance with the following details approved under the requirement to provide a scheme for biodiversity enhancement:-

Drawing 4707-16-09 biodiversity enhancement plan

The approved details shall be implemented prior to occupation of the building and retained as such thereafter.
Reason: In the interests of enhancing biodiversity in accordance with Core Strategy policy CSP36 Biodiversity and Geodiversity.

18 The development's carbon dioxide emissions shall be reduced by at least 15% by incorporating the measures identified in the submitted Energy Statement Revision A, 4707-16-02-10 Rev A' PV Location Plan and JJM Building supplies PV description & manufacturers details. Upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

19 Sightlines, having the dimensions 2.4m x 45m, shall be safeguarded at the junction of the site with Higham Lane, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

20 The development shall be carried out in accordance with the following scheme of highway improvement works approved under planning application 2012/1054:-

- 13/569/6142-C Engineering Layout
- 13/569/6143-C Road Layout - Centreline Levels
- 13/569/6147 -C S104 Plan
- 13/569/6149-B Road & Sewer Long Sections
- 12/569/6150-A Hydrobrake Manhole S10 - Construction Details
- 12/569/6151-B Hydrobrake Manhole S12 - Construction Details
- 13/569/6152-A Manhole Construction Details
- 13/569/6153-B Highway Construction Details
- 13/569/6154-A Highway Details
- 13/569/6180- Road Layout - Kerb types
- 13/569/6181-B S38 Plan

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

21 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

22 The development shall be carried out strictly in accordance with the noise mitigation measures set out in report ref 7581/0049/RDC/1 'Noise Impact Assessment' by Philip Dunbavin Acoustics Ltd.
Reason: In the interests of the amenities of future residents in accordance with Core Strategy policy CSP40 'Pollution Control and Protection'.

23 No building or other obstruction shall be located over or within 5.0 (Five) 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.

24 Written arrangements shall be entered into within 4 months of the date of this decision which ensure that this development is subject to the same affordable housing requirements that was granted planning permission under planning application reference 2012/1054.
Reason: To meet identified housing need in accordance with Core Strategy Policy CSP 15.

25 Written arrangements shall be entered within 4 months of the date of this decision which ensure that this development is subject to the same public open space requirements that was granted planning permission under planning application reference 2012/1054.
Reason: To ensure adequate provision of public open space in accordance with Core Strategy Policy CSP 29.

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.

1	The granting of planning permission does not affect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.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 applicant should note the informative comments provided in the following formal consultation responses received by the Local Planning Authority:- - Network Rail 03/10/2012 - Yorkshire Water 15/01/2013

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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