



BARNLSLEY

Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0249

To Johnson Brook
Regent House
5 Queen Street
Leeds
West Yorkshire
LS1 2TW

DESCRIPTION Erection of residential development of up to 250 no. dwellings. (Outline - All Matters Reserved) (Resubmission)
LOCATION Land Off Wakefield Road, Mapplewell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 March 2014 and described above.

The approval is subject on compliance with the following conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
 - (a) the layout of the proposed development.
 - (b) scale of building(s)
 - (c) the design and external appearance of the proposed development.
 - (d) means of access
 - (e) landscaping**Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**

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

Signed *Stephen Morales*
Head of Planning, Building Control and Sustainability

Dated 15 April 2014

- 3 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to 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 in accordance with Core Strategy Policy CSP 29, Design.
- 4 Notwithstanding the details provided within the submitted ecological assessment detailed plans shall accompany the reserved matters submission indicating biodiversity mitigation and enhancement measures. Thereafter the development shall proceed in accordance with the approved details.
Reason: In order to ensure that proper biodiversity mitigation and enhancement measures are put in place in accordance with Core Strategy policy CSP36 Biodiversity and Geodiversity.
- 5 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.
- 6 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. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the 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.
- 7 The dwellings shall achieve 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 submitted to the Local Planning Authority certifying that Code Level 3 has been achieved.
Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.
- 8 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures 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 and 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.

- 9 The development hereby permitted shall not begin until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of or enhancement to on site and off-site public open space in accordance with Core Strategy policy CSP 35 and the Open Space Provision on New Housing Developments SPD. The provision or enhancement of the on site and off site open space shall be provided prior to completion of the development in accordance with the approved scheme.
Reason: In the interests of residential and visual amenity to ensure adequate provision of public open space in accordance with Core Strategy Policy CSP 35 and the Open Space Provision on New Housing Developments SPD.
- 10 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- i. The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of housing units/bed spaces;
 - ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii. The arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved) ;
 - iv. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- Reason: To meet identified housing need in accordance with Core Strategy Policy CSP 15.**
- 11 No development shall commence until full details of the measures set out in the Travel Plan and to encourage the use of public transport in accordance with policy CSP25 by providing the first principle occupant of each dwelling a one year annual South Yorkshire Travelmaster pass for the Barnsley area have been submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented until all the dwellings are first occupied.
Reason: To encourage the use of alternative modes of transport to the car in accordance with policy CSP25.
- 12 Details shall accompany the reserved matters submission indicating how it is intended to secure the improvement and retention of or provision of alternative footpaths. Thereafter the development shall proceed in accordance with the approved details.
Reason: In the interests of residential amenity and to ensure that pedestrian access is facilitated in accordance with Core Strategy policy CSP25.
- 13 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 Core Strategy Policy CSP 40, Pollution Control and Protection.

14 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

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.

15 No development works shall begin until the following has been submitted to and agreed with the Local Planning Authority:

A) A report, endorsed by a competent engineer experienced in ground contamination and remediation,

1. A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
3. An appraisal of remedial options, and proposal of the preferred option(s).
4. A remediation statement summarising the works to be undertaken (if required).

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. 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".

B) A Sirius report No.C3982, site investigation works to investigate the mining legacy risks. Suitable engineering/remedial solutions must then be identified to ensure the safe and sustainable development of the site. The site investigation and subsequent development should be undertaken in compliance with CIRIA publication 32 "Construction over abandoned mine workings" where applicable.

Reason: To protect the environment and ensure the site is suitable for the proposed use and in accordance with NPPF section 120 & 121 Land stability and Core Strategy policy CSP39 Contamination and Unstable Land.

16 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 building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.

Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

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 building or structure shall be placed or erected within 4 metres, measured horizontally either side of the centre line of the twin 12" live water mains.
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

18 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% plus an allowance for climate change and a programme of works for implementation have been submitted to and approved in writing by the Local Planning Authority:

(b) A CCTV survey of the section of the culverted watercourse shown on the attached plan is undertaken to demonstrate its adequacy. In the event that the culvert is in need of repair, a scheme shall be submitted to and approved in writing by the Local Planning Authority.

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

(d) 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.

19 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system, which will prevent overloading in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

20 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.

21 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:

- Carriageway widening; radius improvements, carriageway and footway resurfacing; provision of 2 no. pedestrian refuges and associated tactile paving and white lining; alterations to white lining, highway drainage, street lighting and furniture as required; provision of waiting restrictions under Traffic Regulation Order legislation; provision of right turn lane.

- Widening of Lee Lane carriageway to create left and right turn lanes; 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.

- 22 A scheme for disposing of surface water by means of a sustainable drainage system shall accompany the reserved matters application. The scheme shall include the following details:
- Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - A timetable for its implementation; and
 - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.

Reason: To ensure proper, sustainable drainage of the area in accordance with Core Strategy Policy CSP 3.

- 23 No development shall commence until such time as a S.106 agreement substantially in the form of the draft attached has been entered into for the provision of off-site education facilities. The provision of off site education facilities shall be provided in accordance with the approved scheme.

Reason: To ensure children can be accommodated in local primary schools in accordance with policy CSP 42.

- 24 Visibility splays, having the dimensions 2.4m x 120m, shall be safeguarded at the junction of the access spine road with Wakefield Road, 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.

- 25 Prior to commencement of development details of enhancements to the public rights of way linking the site to Paddock Road and Blacker Road shall be submitted to and approved in writing by the Local Planning Authority. Details shall include installation of porous, hardstanding footpaths along unsurfaced sections, necessary repair and resurfacing of existing surfaced sections, necessary installation of lighting and a timescale for implementation. The enhancements shall be carried out in accordance with the approved details.

Reason: In the interests of providing safe pedestrian links to nearby services and public transport in accordance with Core Strategy policy CSP25.

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.

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.