



GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2024/0192

To ADP Architecture and Design Ltd
The Old Police Station
16 Bridge Lane
Holmfirth
HD9 7AN

DESCRIPTION Outline application (including details of access and layout) for 4 dwellings and associated works (Amended Description and Plans)

LOCATION Land to the rear of 32 Queens Road, Barnsley, S71 1AR

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 10/05/2024 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) scale of building(s)
 - (b) the design and external appearance of the proposed development.
 - (c) 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.

- 3 The development hereby approved shall be carried out strictly in accordance with the amended plans:

Location Plan, Drawing: 22062D-05-P01, Rev: P01

Site Plan, Drawing No: 22062D-10-P06, Rev: P06, Received: 16/9/2024

and specifications as approved unless required by any other conditions in this permission.

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

- 4 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage.

- 5 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but

not be exclusive to:

i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and

ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

- 6 No development shall commence until;
- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure that adequate information pertaining to ground conditions and coal mining legacy is available and enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

- 7 Prior to the occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure that appropriate remedial and mitigatory measures have been carried out to rectify land stability issues in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

8 No development shall take place unless and until:

(a) Full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. 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 unless otherwise agreed in writing with the Local Planning Authority.

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

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways are all approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory drainage of the area in accordance with Local Plan Policy CC3.

9 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced in a bound permeable material and adequate measures shall be so designed into the proposed access 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.

10 Prior to any work commencing a noise impact assessment shall be submitted and agreed by the local planning authority which shall have been used to inform the layout and design of the scheme such that mitigation is implemented to achieve the following sound levels within all dwellings;

- Bedrooms: LAeq (8 hours) - 30dB (2300 to 0700 hours);
- Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
- Bedrooms: LAFmax - 45dB (2300 to 0700 hours). 10 events
- Rear Gardens: Laeq (16 hours) - 50dB - 55dB (0700 to 2300 hours)

Where the above noise criteria cannot be achieved with windows partially open, the scheme shall include a system of alternative acoustically treated ventilation to all habitable rooms if appropriate. The assessment shall be accompanied by a plan which clearly identifies the different types of mitigation measures proposed, where each type of mitigation is proposed and a programme of implementation. Thereafter the development shall be carried out in accordance with the approved measures.

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

11 No works shall take place, 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 period of engineering operations and construction.

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;
- Details of the provision of an on-site water supply or water storage facility;
- Measures to control the emission of dust and dirt during earthworks or cut/fill; viii Measures to control noise emissions during earthworks or cut/fill;
- A scheme for recycling/disposing of waste resulting from earthworks or cut/fill

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

12 During works, construction or demolition related activity shall only take place onsite 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

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 Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 13.

- 2 Dwellinghouses should be designed to achieve the following security standards:
 - Doors are to comply with PAS24, LPS1175SR2 (or equivalent) as a minimum.
 - Windows (including any curtain walling) under 2.4m in height are to comply with the PAS24 specification (where the PAS specification is a draft British Standard).

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: 24 September 2024



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 given 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.