



BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0436

To Mr Steve Gamble
Gleeson Homes & Regeneration
Unit 6
Europa Court
Sheffield Business Park
Sheffield
S9 1XE

DESCRIPTION Variation of Conditions 18 and 22 of application 2014/1219 - Erection of 97 no. dwellings with garages including parking spaces together with the provision of associated roads, sewers and infrastructure.

LOCATION Land at Ellwood, Off Wilson Grove, Lundwood, Barnsley, S71 5JF

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 April 2015 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before 27th February 2018.

Reason: In order to comply with the provision of Section 91 of the Town & Country Planning Act 1990.

- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos.0705-100-B, 0705-101 A, 0705-102-B, 0705-103-A,0705-104-A, 0705-105 Rev A, V0705-L01-A & Birdwell/17), Travel Plan (June 2013), Transport Assessment (June 2013), Air Quality Assessment (AQ0373), Economic, Planning and Retail Statement (July 2013), Design, Access, Site Waste Management and Sustainability Report & Statement of Community Involvement (July 2013) as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality accordance with CoreStrategy Policy CSP 29, Design.

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 and Building Control

Dated 30 June 2015

- 3 The houses hereby approved shall be constructed from the following schedule of materials, Hanson Clumber Red Multi, Hanson Village Harvest Buff Multi Brickwork and flat dark grey concrete tile as shown on the material plan 3035 Mat-01 dated March 2015.

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

- 4 The approved boundary treatment referenced in condition no.2 shall be completed to each plot before the dwellings are occupied.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.

- 5 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.

- 6 The parking/manoeuvring facilities (including private drives), 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.

- 7 Pedestrian intervisibility plays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.

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

- 8 Visibility plays, having the dimensions 2.4m x 43m, shall be safeguarded at the internal road junctions, such that there is no obstruction to visibility and forming part of the adopted highway.

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

- 9 Within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented, in the interests of sustainable development.

Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.

- 10 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.

11 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% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

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

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

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

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

12 Prior to the occupation of the first dwelling details for the provision of grit bins within the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with a timetable to be agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP26.

13 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.

- 14 Within 6 months of the commencement of development full details of both hard and soft landscaping works, including details of management responsibilities and maintenance schedules as well as details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority, the approved hard landscaping details shall be implemented prior to the occupation of the building(s).

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

- 15 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.

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

- 16 Upon construction of the first dwelling full details of the LEAP standard play area including, management responsibilities and maintenance schedules and a programme for installation shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the agreed timetable for installation.

Reason: In the interests of residential amenity to ensure adequate provision of public open space to meet local needs in accordance with Policy CSP35 of the Core Strategy.

- 17 Prior to the commencement of development full details of the mitigation measures identified in the Ecological Survey (Extended Phase 1 Habitat & Reptile Survey SLR 424-03044-00015 dated September 2014) including a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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

- 18 The development shall be carried in accordance with the approved geotechnical and geo-environmental site investigation report ref 36487-001 (I2) March 2014 and subsequent email from Eastwood & Partners dated 21st April 2015.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.

- 19 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by JOC Consultants Ltd, dated 13/01/14 and the revised layouts (drawing no. 1313.04.01 rev k) and following mitigation measures detailed within the FRA:
1. There shall be no development in the "high risk area of surface water flooding" in the Northern corner of the site (unless otherwise agreed by the local authority drainage team).
 2. Limiting the surface water run-off generated by the development so that it will be the equivalent of the Greenfield run-off rate (5l/s/ha). Ensuring no surface water flooding on site for storm events up to the 1 in 30 year return period and not increasing the risk of flooding off-site by ensuring storm events up to and including the 1 in 100 year plus 30% climate change event will be contained within the development site with no flooding of buildings on site. The mitigation measures shall be fully implemented prior to occupation of any dwelling or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Core Strategy policy CSP4.

- 20 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
- Tree protective barrier details
 - Tree protection plan
 - Arboricultural method statement

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

- 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:
- Extension of the existing ghost island and right turn lane into Wilson Grove including the
 - Provision of a 3m wide lane from Pontefract Road.
 - Road markings to denote vehicle priority at the Ellwood/Wilson Grove
 - 2.0m footpath link to Priory Place
 - Provision of/any necessary alterations to street lighting;
 - Provision of/any necessary alterations to highway drainage;
 - Provision of any necessary highway reconstruction/resurfacing
 - 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 interests of highway safety and the free flow of traffic in accordance with CSP 26.

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.