



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2022/1165

To Prism Agriculture Ltd
PO Box 208
Castleford
WF10 9EA

DESCRIPTION Demolition of existing dwelling and erection of replacement dwelling with solar PV panels, air source heat pump, package treatment plant, and detached garage

LOCATION 56 Hill End Road, Mapplewell, Barnsley, S75 6DX

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 29/11/2022 and described above.

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 amended plans and associated documents:

- Dwg. nos. PRA--14-01,
- PRA-14-30 Rev. A,
- PRA-14-10 Rev. A,
- PRA-14-20 Rev. A,
- PRA-14-60
- Preliminary Ecological Appraisal
- Arboricultural Implication Study (Dated November 2022)
- Design & Access Statement (Dated November 2022)
- Contamination land Risk Assessment (Ref. TH/HillEnd/Bldng2/REP/PHASE1/02/Oct2022/v01)
- Coal Mining Risk Assessment (TH/HillEnd/Bldng2/Rep/CMRA/01/Oct2022/v01)
- TCP/4644/Y/100
- TCP/4644/Y/200
- TCP/4644/Y/300
- TCP/4644/Y/400) 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.

3 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping scheme (TCP/4644/Y/100, TCP/4644/Y/200, TCP/4644/Y/300, TCP/4644/Y/400) shall be carried out on the development plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To conserve and enhance the biodiversity and geological features of the borough, in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

4 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.

5 Prior to the occupation of the development, or it being taken into beneficial use, 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: In order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the NPPF.

- 6 No development shall commence (excluding the demolition of existing structures and site clearance) until:
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow 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: In order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the NPPF.

- 7 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**

- 8 Prior to the first occupation of the development, details of measures to facilitate the provision of high speed 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.

- 9 Any gate must be hung so as to only open inwards into the site and not out onto the adopted highway.

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

- 10 The development shall be undertaken in strict accordance with the impact assessment, mitigation and residual effects (sections 4.1-4.4.3) and biodiversity enhancement measures within the Ecological Impact Assessment provided by Whitcher Wildlife Ltd. (Ref. no. 220528/EcIA/REV1 dated 8th January 2023) and the mitigation measures and biodiversity enhancement measures shall be implemented prior to the development being brought into use and shall be retained for the lifetime of the development.

Reason: To conserve and enhance the biodiversity and geological features of the borough, in line with Local Plan Policy BIO1: Biodiversity and Geodiversity.

- 11 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: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.

- 12 The gradient of the vehicular access shall not exceed 1:12.
Reason: In the interest of highways safety, in accordance with Local Plan Policy T4: New Development and Highways Safety.
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no additional garages or other outbuildings (with exception to the one approved as part of this development) shall be erected.
Reason: To protect the openness of the Green Belt, in accordance with Local Plan Policy GB1.
- 14 The site shall be developed with separate systems of drainage for foul and surface water on and offsite. The separate systems should extend to the points of discharge to be agreed.
Reason: In the interest of satisfactory and sustainable drainage.
- 15 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.
- 16 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished 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 and in accordance with Local Plan Policy D, High Quality Design and Place Making.
- 17 Prior to the first occupation of the proposed development hereby approved, the existing dwelling (Hill End House, 56 Hill End Road, Mapplewell, Barnsley, S75 6DU) shall be demolished and cleared from site in accordance with the approved plans.
Reason: To protect the openness of the Green Belt, in accordance with Local Plan Policy GB1: Protection of Green Belt.

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 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

- 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 The development must comply with Building Act 1984: Section 80 and a Notice of Demolition will need to be submitted to the Local Authority. There is a 6 week notice period which may affect the proposed development's timescale.

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 01/02/2023



Joe Jenkinson
Head of Planning, Policy and Building Control

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.