



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/1409

**To** NYP Architectural Services  
The Grove High Street Dodworth Barnsley S75 3RQ

**DESCRIPTION** Erection of 2 no. semi detached dwellings (Resubmission).  
**LOCATION** 97 Wentworth Road, Blacker Hill, Barnsley, S74 0RL

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 November 2016 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun within 3 years from the date of this permission.  
**Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.**
- 2 The development hereby permitted shall only be carried out in accordance with the following documents unless amended by the conditions below which shall take precedence:  
a) Drawing titled '2 no. Proposed Dwellings', numbered 02/77 01 revision A and dated October 2016; and  
b) Drawing titled 'Site Plan', numbered 02/77 02 and dated January 2017.  
**Reason: For the avoidance of doubt and in the interests of the character of the locality and residential amenity in accordance with CS policy CSP29, UDP policies H8A and H8D, the relevant planning policy statements in the NPPF relating to requiring good design and SPD - Designing New Housing Development.**
- 3 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development thereafter 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 CS policy CSP29.**
- 4 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 600mm above the nearside channel level of the adjacent highway.  
**Reason: In the interest of highway safety and to accord with CS policy CSP26.**
- 5 No construction or planting shall take place, on a strip of land along the frontage of the development and measuring 2.4m from the adjacent channel line of the highway, which exceeds 1.05m in height above the level of the adjacent channel.  
**Reason: In the interests of highway safety in accordance with CS policy CSP26.**

- 6 The development shall not be brought into use until the parking/manoeuvring facilities, shown on the approved plan, have been surfaced in a solid bound material (i.e. not loose chippings) and made available for the parking and manoeuvring of motor vehicles and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off street parking/manoeuvring are provided, in the interests of highway safety and the free and safe flow of traffic and to accord with CS policy CSP26.**
- 7 Vehicular and pedestrian gradients within the site shall not exceed 1:12.  
**Reason: To ensure safe and adequate access and to accord with CS policy CSP26.**
- 8 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.  
**Reason: In the interests of highway safety in accordance with CS policy CSP26.**
- 9 Any access gate, bollard, chain or other means of obstruction shall be hung to open inwards.  
**Reason: In the interests of highway safety in accordance with CS policy CSP26.**
- 10 No development shall commence, 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:
- a) The parking of vehicles of site operatives and visitors;
  - b) Means of access for construction traffic;
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development;
  - e) Measures to prevent mud/debris being deposited on the public highway; and
  - f) Measures to be deployed to mitigate potential dust and noise nuisance.
- Reason: In the interest of highway safety and residential amenity, and to accord with CS policy CSP26 and UDP policies H8A and H8D.**
- 11 No development shall commence 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;
  - b) Porosity tests have been carried out in accordance with BRE 365, to demonstrate that the subsoil on the site is suitable for soakaways; and
  - c) Calculations based on the results of the porosity tests to prove that adequate land area is available for the construction of the soakaways have been submitted to, and approved in writing by the Local Planning Authority.
- Reason: To ensure the proper drainage of the area and to accord with CS policy CSP3.**
- 12 Construction work within the site comprising the use of plant, machinery or equipment, and deliveries of materials shall be limited to the hours between 0800 hours and 1800 hours on Monday to Friday and 0900 hours and 1300 hours on Saturdays, and not at all on Sundays, Bank and Public Holidays.  
**Reason: In the interests of local amenity and to accord with UDP policy H8D.**
- 13 Prior to the occupation of the first property, full details of the proposed refuse and recycling storage facilities shall be submitted to, and approved in writing by, the Local Planning Authority. Details shall include a method statement indicating how the facilities will be managed and serviced and how occupiers of the proposed development will be encouraged to maximise the use of the proposed recycling facilities to reduce general waste arisings. Prior to the occupation of the first property, the approved facilities shall have been implemented in conjunction with the approved method statement and shall thereafter be retained.  
**Reason: In the interests of encouraging recycling and visual amenity in accordance with CS policy CSP29 and JWP policy WCS7.**

- 14 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including boundary treatments and 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. 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 to accord with CS policy CSP29 and UDP policy H8A and the relevant planning policy statements in the NPPF relating to requiring good design.**

- 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 to accord with CS policy CSP29 and UDP policy H8A and the relevant planning policy statements in the NPPF relating to requiring good design.**

### **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.*

*Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.*


- 1 The development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.
- 2 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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

- 3 The developer must contact Highways and Engineering (telephone 01226 773555 prior to

any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.

Signed   
Joe Jenkinson  
Head of Planning and Building Control

Dated 19 January 2017

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 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.