BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Property
Planning and Building Control
Head of Service: Joe Jenkinson

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2018/0128

To Lichfields
3rd Floor
15 St Paul's Street
Leeds
LS1 2JG

DESCRIPTION Variation of condition 2 of app 2015/1367 (Demolition of existing buildings and erection of 11 no. detached dwellinghouses, access, landscaping, drainage and associated works) to allow retention of some of the features of the listed building and erection of porch.

LOCATION Nether Mill House, Barnsley Road, Penistone, Barnsley, S36 8AD

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 February 2018 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 27th June 2016.
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 plans and specifications as approved (including the external facing materials specified for walls, guttering, verges, roof slates) unless required by any other conditions in this permission:-
-PS-012 rev E, Site Location Plan
-PS-001 rev T, Proposed Site Plan
-PS-007 rev F, Enclosures
-PS-008 rev K, Landscaping and Tree Protection
-PS-009 rev K, Materials
-PS-010 rev D, Fences and Walls
-PS-013 rev E, Demolition Plan
-PS-014 rev B, Site Section
-PS-016 rev C, Contract Demolition Drawing
-PS-Type -D-001 rev C, Type D Elevations
-PS-Type -D-002 rev C, Type D Ground Floor Plan
-PS-Type -D-003 rev C, Type D First Floor Plan
-PS-Type -E-001 rev E, Type E Elevations
-PS-Type -E-002 rev D, Type E Ground Floor
-PS-Type E-003 rev C, Type E First Floor Plan
-PS-Type -F-001 rev C, Type F Elevations
-PS-Type -F-002 rev C, Type F Ground Floor Plan

-PS-Type -F-003 rev C, Type F First Floor Plan
-PS-Type -G-001 rev C, Type G Elevations
-PS-Type -G-002 rev C, Type G Ground Floor Plan
-PS-Type -G-003 rev C, Type G First Floor Plan
-PS-DH-G1 rev A, Garage DH-G1 Elevations, Plan and Sections
-PS-DH-G4 rev A, Garage DH-G4 Elevations, Plan and Sections
-PS-DH-G5 rev A, Garage DH-G5 Elevations, Plan and Sections
-FH-004 rev B, Farmhouse Proposed Ground Floor
-FH-005 rev B, Farmhouse Proposed First Floor
-FH-006 rev B, Farmhouse Proposed Elevation
-FH-101 Rev A, Farmhouse Proch Details
-D-2371-03.1, Bat Bird Box Plan
-38208/001 rev D, Drainage Principles Plan
-38208/003 rev A, Levels Principles Plan
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 Floor levels of all buildings and structures; road levels; existing and finished ground levels shall be constructed in accordance with Eastwood and Partners drawing number 38208/003 rev A 'levels principles plan'.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.

4 The parking/manoeuvring facilities, indicated on the submitted plan (reference PS-001 rev T), 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.

5 Pedestrian intervisibility splays 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.

6 Sightlines for adopted roads within the site, having the dimensions 2.4m x 120m, shall be safeguarded at the junctions with Barnsley 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.

7 The development hereby approved shall be constructed in accordance with those measures detailed in the construction method statement and accompanying plan ref PS-018 'Construction Management' received 16th March 2016 relating to the following matters throughout the time of the demolition and construction period:-
-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
-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, in accordance with Core Strategy Policies CSP 26 and CSP 40.

8 The development shall be undertaken in accordance with Eastwood and Partners drawing number 38208/001 rev D 'drainage principles plan' and the Flood Risk Assessment dated November 2015 which details how surface water run off will be reduced by at least 30%.
Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.

9 Improvement works to the highway shall be carried out in substantial accordance with the principles indicated on Eastwood and Partners drawing number 38208/004 rev A 'S278 principles plan' in accordance with detailed arrangements to be submitted to and approved in writing by the Local Planning Authority. These works shall be completed prior to the occupation of any part of the development.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

10 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

11 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

12 Hard and soft landscaping for the development shall be carried out in accordance with the details shown on plan refs PS-009 rev G, Materials and PS-008 rev G, Landscaping and Tree Protection. The approved hard landscaping details shall be implemented prior to the occupation of the buildings.
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

13 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.

14 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.

15 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.

16 The boundary treatment shall be completed in accordance with the details shown on plan- PS-001 rev S, Proposed Site Plan 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.

17 Remediation of the development site shall be carried out in accordance with the recommendations contained in Eastwood and Partners reports ref 38208-003 PHASE 1 & 2 GEOTECHNICAL AND GEO-ENVIRONMENTAL SITE INVESTIGATION and 38208-006 REMEDIATION IMPLEMENTATION PLAN. Prior to the occupation of any of the dwelling, the appropriate verification report shall be submitted to the local Planning Authority for approval. This report shall confirm the remediation measures to address the contamination risks have complied with, as detailed within Eastwood and Partners Remediation Implementation Plan (Ref 38208-006).
The development shall be carried out in accordance with the approved report including any remedial options.
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.

18 The recommendations stated in Brooks Ecological report refs R-2371-01.2 Preliminary Ecological Appraisal and R-2371-04 'Bat Emergence Survey' shall be implemented throughout the demolition and construction period. Thereafter the enhancements indicated on plan ref D-2731-03.1 'Bird Bat Box plan' shall be provided prior to first occupation of the dwellings.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

19 The development shall take place in accordance with the approved WSI ("Land at Nether Mill Farm, Penistone, Barnsley Written Scheme of Investigation for an Archaeological Excavation April 2016") and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.
Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Core Strategy Policy CSP 30.

20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or other obstruction shall be provided within 3m either side of the centre line of the water main that passes through the site.
Reason: In order to allow sufficient access for maintenance and repair works at all times.

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.

Signed JM Jenkinson Dated 13 April 2018
Joe Jenkinson
Head of Planning 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 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.