BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/1109

To Mr Colin Leith
Bowker Sadler Architecture
Hatherlow House
Hatherlow
Romiley
Stockport
SK6 3DY

DESCRIPTION Demolition of existing garages and erection of 11 no. dwellings with an extension to the existing access road and retention of the existing pedestrian through route.
LOCATION Land adj to 12 The Post Office, Worsbrough View, Pilley, Barnsley, S75 3AH

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 23 October 2012 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 (Nos.12-052 dwg no 102, 103 (rev B), 104, 105, 110, 111, 112, 113, 114, 115 Rev A, 1612 dwg no 01, 02 Rev A,) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

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 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 Core Strategy Policy CSP 29, Design.

Stephen Moralee

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed
Assistant Director, Planning and Regulatory Services

Dated 17 January 2013

Planning and Regulatory Services **Telephone: 01226 - 772000**
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4 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.

5 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.

6 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.

7 Prior to the commencement of any development works, a remediation scheme, endorsed by a competent engineer experienced in ground contamination, shall be submitted to the local Planning Authority for approval. This report shall, amongst other matters, include the following:-
1. Methodology to identify and remove any contaminated material.
2. Measures to test and evaluate any imported soils onto the site to ensure they are suitable for the intended use.
3. Chemical testing suite, frequencies and threshold levels.
4. Procedures to confirm capping levels have been achieved on plots.
5. The subsequent validation that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied.
The development shall thereafter be undertaken in full accordance with the submitted reports
Reason: To ensure that the developer has demonstrated that the development can be undertaken and occupied in a safe and secure manner.

8 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.

9 All on-site vehicular areas shall be hard surfaced and drained in an approved manner and the parking/manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interests of road safety and to prevent mud/debris from being deposited on the public highway.

10 No development 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 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;
Measures to prevent mud/debris being deposited on the public highway;
Measures to control the emission of dust and dirt during construction
Measures to control noise levels during construction
Reason: In the interests of road safety.

11 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 state of the existing 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 any defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developers expense in accordance with a scheme to be agreed, in writing by the Local Planning Authority.
Reason: In the interests of road safety.

12 The dwellings shall achieve Code Level 3, in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.

13 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 Core Strategy Policy CSP 29, Design.

14 The boundary treatments indicated on the approved layout plan shall be implemented prior to the occupation of any of the approved dwellings.
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.

Reason(s) for Granting Permission

1 Unique The proposal represents a welcomed investment in the affordable housing stock within Pilley Village. The development meets sustainable credentials by delivering 11 affordable units built to code level 3 and Lifetime Home Standards. The development is considered to be of an appropriate design, scale and massing which will create a very comfortable residential environment for new residents whilst protecting the amenity of existing residents.

It is considered that the proposed development has sufficient regard to PPS3 'Housing' Core Strategy polices CSP2, CSP4, CSP5, CSP14, CSP16, CSP26, CSP29, CSP35, CSP40 and saved UDP policy H4 and H8A to warrant approval.

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.

1 The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Core Strategy and saved policies of the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

Core Strategy Polices
CSP2 'Sustainable Construction'
CSP4 'Flood Risk'
CSP5 'Including renewable Energy in Developments'
CSP14 'Housing Mix and Efficient Use of Land'
CSP15 'Affordable Housing'
CSP16 'Affordable Housing Rural Exception Policy'
CSP26 'New Development and Highway Improvement'
CSP29 'Design'
CSP35 'Green Space'
CSP40 'Pollution Control and Protection'
Saved UDP Polices
H4 'Development on Housing Sites'
H8A 'Existing Residential Areas'
Supplementary Planning Guidance
'Designing New Residential Development'
'Parking'
The South Yorkshire Residential Design Guide
This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

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 applicant is advised that Condition 13, relating to the Code for Sustainable Homes, applies specifically to the aspects of the Code not covered by the Building Regulations. The development will therefore need to comply with the standards applicable under the Building Regulations, which may be higher than Code 3 if Building Regulations Approval is obtained from 2013 onwards.

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.

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