BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning and Building Control

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/1284

To JR Planning
40 Northern Common
Dronfield Woodhouse
Dronfield
S18 8XJ

DESCRIPTION Outline application for 20 dwellings (All Matters Reserved)
(Amended Redline and Description of Development)

LOCATION Land to the south of South View, Darfield, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 24/11/2020 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

The approval is subject on compliance with the following conditions:

1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

(a) access
(b) the layout of the proposed development.
(c) scale of building(s)
(d) the design and external appearance of the proposed development.
(e) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

3 Offsite highway works to improve the footpath on Snape Hill Road, along the site frontage, shall be investigated and submitted with the reserved matters application. Any suitable works identified will be completed in accordance with the approved arrangements and a timetable to be agreed by the Local Planning Authority
Reason: In the interests of safe, secure and convenient access and movement, in accordance with Local Plan Policy T3 Sustainable Travel and T4 Highway Safety.

4 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to 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 in accordance with Local Plan Policy D1 High Quality Design and Place Making.

5 The reserved matters application shall include details of secure and covered parking for bicycles for every dwelling. The scheme shall be fully implemented before the development is first occupied (or brought into use).
Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T3.

6 The reserved matters application shall include full details of on site and off site ecological mitigation to address the loss of habitats as identified in the Biodiversity Metric 2.0 submitted with the application. The details shall include: full details of the proposed mitigation, timescale for implementation and appropriate management plan alongside an updated biodiversity metric demonstrating that the proposed mitigation will secure 'no net loss'. The development shall be carried out in accordance with the approved details.
Reason: To ensure the impacts on habitats are fully mitigated in accordance with Local Plan Policy BIO1.

7 The layout provided with the reserved matters application, as required by condition 2 of this permission, shall include no more than 20 dwellings with provision of onsite greenspace and a pedestrian cycle link to the adjacent Inkerman Recreation Ground.
Reason: To improve the provision of and access to greenspace in the local area, in accordance with Local Plan Policy GS1.

8 The reserved matters application shall include 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.

9 Upon commencement of 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.

10 Upon commencement of construction works, details of electric vehicle electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.
Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.

11 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
3. Geotechnical assessment of ground conditions by a suitably qualified person
4. An appraisal of remedial options, and proposal of the preferred option(s).
5. A remediation statement summarising the works to be undertaken (if required).
6. A Validation Report to confirm remediation works have been undertaken (if required).
The development shall thereafter be undertaken in full accordance with the submitted report.

For further information, see BMBC's Supplementary Planning Guidance, "Development on Land affected by Contamination".
Reason: To ensure compliance with Local Plan Policy CL1 'Contaminated and Unstable Land'.

12 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.

13 No development shall take place unless and until 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 unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal in accordance with Local Plan Policies CC3 and CC4.

14 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority under condition 12. If discharge to public sewer is proposed, the information shall include, but not be exclusive to the means of discharging to the public sewer network at a maximum rate of 3.5 litres a second.
Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal in accordance with Local Plan Policies CC3 and CC4.

15 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:

i. The parking of vehicles of site operatives and visitors
ii. Means of access for construction traffic
iii. Loading and unloading of plant and materials
iv. Storage of plant and materials used in constructing the development
v. Measures to prevent mud/debris being deposited on the public highway.
vi. Measures to reduce noise and dust disturbance.

Reason: In the interests of highway safety and residential amenity in accordance with Local Plan Policies T4 and POLL1.

16 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

i. A plan to a scale of 1:1250 showing the location of all defects identified
ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety.

17 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.

18 Prior to the first occupation of the development hereby permitted a suitable vehicular access, details of which shall have been agreed and approved at reserved matters stage, shall be provided and thereafter retained, and constructed in accordance with the BMBC highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. **Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water from or onto the highway and in the interests of highway safety in accordance with Local Plan Policy T4.**

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 development hereby approved includes the creation of/carrying out of alterations to vehicular access (es). You are advised that before undertaking work on the adopted highway you will require a Section 184 licence from the Highway Authority. The works shall be to the specification and constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the BMBC website at https://www.barnsley.gov.uk/services/roads-travel-and-parking/parking/dropped-kerbs/ or please contact at email Streetworks@barnsley.gov.uk or call to 01226 773555.

2 The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.

3 Whilst no information is given at this stage about the method of disposal of highway drainage, I am mindful of restrictions on surface water disposal and the emphasis on the use of sustainable solutions. The use of a soakaway system has to be located outside the carriageway and at least 5m from any building which may affect the layout shown. It should be noted that a commuted sum to be used towards the future maintenance costs of each highway drain soakaway, shall be agreed with and paid to the Council, prior to the issue of the Part 2 Certificate.

4 It should be noted that no pipes, culverts, water attenuation tanks or similar greater than 900mm can be placed beneath the area to be defined as public highway. All drainage installed under the Highway is to be adopted by the sewerage undertaker or, in the case of highway drainage, the Local Highway Authority.

5 Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with the authorities Street Lighting Team, Tel 01226 770770. Email. Streetlightingdesign@barnsley.gov.uk as soon as possible.

6 Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 13. They should be constructed to withstand a minimum carrying capacity of 26 Tonnes without deflection.

7 Fees associated with the required condition survey together with any necessary remedial works and any relevant s278 agreement are to be borne by the developer. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk for further information prior to commencement.

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 09/09/2022



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.