



BARNSELEY
Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0783

To ID Planning
Atlas House
31 King Street
Leeds
LS1 2HL

Proposal Substitution of house types on plots 67-72 - 6 plots (Reserved Matters permission B/05/0307/BA).

At Land at Burton Road, West Green, Barnsley

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 01 July 2010 and described above, being matters reserved in the permission granted on 08/12/2004 under Application B/04/0769/BA

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to 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.

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

Signed

Stephen Moralee

Assistant Director, Planning and Transportation

Dated 11 August 2010

- 2 The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved, unless required by any other conditions in this permission or if prior written consent is given by the Local Planning Authority to any variation.

- planning application forms
- drawing no 2131/31-SH 'Location Plan - Show Homes
- APS Surveying Services drawing no BBH03-48 'Topographical Survey
- drawing no 2131/01 Rev U 'Site Layout'
- drawing no 2131/11 Rev F 'Landscape Layout'
- drawing no 2131/PS-SH 'Planning Section/Street Scene
- drawing no ME/Planning/09 'Meteor Planning Layout'
- drawing no Ww/Planning/09 'Whitworth Planning Layout'
- drawing no Tn/Planning/09 'Tornado Planning Layout'
- drawing no Tc/Planning/09 'Tresco Planning Layout'
- drawing no Hy/Planning/09 'Handley Planning Layout'
- drawing no 7.5 Garage x 2
- drawing no GARAGE/07/01 'Detached Single Garage'
- drawing no 0.45dm '0.45m High Demarcation Fence'
- drawing no 1.2m High Feature Railings (2008)
- drawing no 1.8sf High Screen Fence
- drawing no 1.8p&p '1.8m High Pier & Panel Wall (2008)

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

- 3 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: In the interest of highway safety.

- 4 Unless otherwise agreed in writing no dwelling shall be occupied until a 1 year Travel Master Pass has been provided to the first occupier of each dwelling in accordance with details to be submitted and agreed in writing with the Local Planning Authority.

Reason: In the interests of reducing the need for car travel to and from the site.

- 5 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, unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the locality.

- 6 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 UDP Policy ES1, Pollution.

- 7 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

- 8 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of sustainable development.

Reason(s) for Granting Permission

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

BA40 West Green Regeneration Area

H8A Existing Residential Areas

BE6 Design Standards

T2 Development and the Highway Network

SPG2 Design and Layout of New Residential Development

In the opinion of the Local Planning Authority the proposed development is in accordance with the above policies in that:-

-Residential development is the most appropriate use of the site given the existing planning permission and surrounding form of development

-The proposal has been designed to a sufficiently high standard with regards to the layout, buildings and landscaping and is acceptable from a visual amenity point of view.

-It would lead to the construction of high quality new housing which would utilise modern and sustainable construction methods and be energy efficient.

-The proposal would deliver acceptable standards of residential amenity for new and existing residents, due to the space standards between buildings and provision of adequate private garden areas

-The proposal has been satisfactorily designed to meet design and safety standards, encompassing the design of the private drive, access points and junctions and parking provision.

Informative(s)

- 1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.