BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0533

To Windle Cook Architects
927 Chesterfield Road
Sheffield
South Yorkshire (Met County)
S8 0SS

DESCRIPTION Erection of 4 no. detached dormer bungalows with associated access, garages and landscaping.

LOCATION Land off Edmunds Road, Worsborough Bridge, Barnsley, South Yorkshire, S70 7TD

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 11 May 2015 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.

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

Signed
Head of Planning and Building Control

Dated 13 May 2016

Development Service
PO Box 634, Barnsley, S70 9GG

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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 'Location and Block Plans', numbered 15-185-C01 Rev B and dated April 2015;
b) Drawing titled 'Site and Floor Plans', numbered 15-185-C02 Rev A and dated April 2015;
c) Drawing titled 'Elevations', numbered 15-185-C03 and dated April 2015;
d) Design & Access Statement prepared by Windle Cook Architects;
e) Arboricultural Report to BS 5837:2012 at Edmunds Road, Worsbrough, Barnsley, dated June 2015;
f) Initial Ecological Appraisal for Land off Edmunds Road, Barnsley, produced by Quants Environmental Ltd and dated July 2015;
g) Letter from Middleton Ecological Consultancy dated 4 May 2016;
h) Desk Study and Preliminary Environmental Risk Assessment for Land off Edmunds Road, Worsbrough, produced by ECUS, reference AG/2096/081001/P1, dated October 2008;
i) Phase 2 Site Investigation Report for Land off Edmunds Road, Worsbrough, Barnsley, produced by ECUS, reference RZ/4236/150415/P2 Revision Final, dated April 2015;
j) Ground Gas Monitoring Report produced by ECUS, reference AG-4236-150625-WH-E, dated 29 June 2015; and
k) Odour Assessment, Edmunds Road, Barnsley, produced by REC (Resource & Environmental Consultants Ltd), reference AQ101468R1 and dated 18 March 2016.
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, H8D and H8F, the relevant planning policy statements in the NPPF relating to requiring good design and SPD - Designing New Housing Development.

3 No development shall commence until details of a scheme for widening to a minimum width of 5.0m and resurfacing of the private road (Powder Mill Lane) between Edmunds Road and the access has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and shall thereafter be maintained in accordance with the approved details.
Reason: In the interests of the safety of persons using the access and users of the highway and to accord with CS policy CSP26.

4 No development shall take place until a report detailing a lighting scheme for the private road (Powder Mill Lane) and the shared private drive; and predicted light levels at the new residential properties, has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented and operational prior to the first occupation of the development hereby permitted and all equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with that approval.
Reason: In the interests of the safety of persons using the access and users of the highway and to accord with CS policy CSP26.

5 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 of the adjacent shared private drive.
Reason: To ensure safe and adequate access and to accord with CS policy CSP26.

6 Visibility splays, having the dimensions 2.4m x 33m, shall be safeguarded at the junction of the private shared drive and the private road (Powder Mill Lane), such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: To ensure safe and adequate access and to accord with CS policy CSP26.

7 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety 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 interest of highway safety and to accord with CS policy CSP26.

9 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.

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;
f) Warning signage of the construction work for users of the Trans Pennine Trail; and
g) 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 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.

12 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.

13 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.

14 No development shall commence until details of a remediation scheme (in accordance with the conclusions and recommendations of the approved Phase 2 Site Investigation Report), endorsed by a competent engineer experienced in ground contamination, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include, but not be limited to, the following:
a) Methodology to identify and remove any contaminated material;
b) Measures to test and evaluate any imported soils onto the site to ensure that they are suitable for the intended use;
c) Chemical testing suite, frequencies and threshold levels;
d) Procedures to confirm capping levels have been achieved on the plots; and
e) 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 thereafter shall be undertaken in full accordance with the approved scheme.
Reason: To protect the environment and ensure that the site is suitable for the proposed end use and in accordance with CS policy CSP39.

15 Prior to the occupation of any property, a validation report shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall include the following:
a) Details of who carried out the remediation work;
b) Details and justifications of any changes from the original remediation scheme;
c) Records of chemical characteristics of any imported capping soils/materials (Any testing suite and threshold levels must be agreed with the Local Planning Authority, prior to any sampling being undertaken. Although it is prudent to test any material prior to importation to the site, soil that has been placed on gardens must be tested. This validation can be undertaken at the same time as the depth of the capping layer is confirmed. Further details will be required on the proposed on site testing frequency, and this will need to be approved prior to the work taking place);
d) Confirmation that capping levels have been achieved;
e) Laboratory and in situ test results;
f) Records of any materials disposed of off-site and their disposal locations; and
g) Confirmation that remediation objectives have been met.
Reason: To protect the environment and ensure that the site is suitable for the proposed end use and in accordance with CS policy CSP39.

16 Prior to the occupation of any property, an independent report shall be submitted to, and approved in writing by, the Local Planning Authority, which certifies that the vapour protection measures identified as being required in the conclusion and recommendations of the approved reports (Phase 2 Site Investigation Report and Ground Gas Monitoring Report as listed under Condition 2 above) have been correctly installed within the dwellings and garages.
Reason: In the interests of the safe development of the site and in accordance with CS policy CSP39.

17 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 (which must be native), 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 buildings.
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.

18 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.

19 Prior to the occupation of any property, two small cavity bat boxes or tubes integral to the fabric of the dwellings shall be installed high on west or south facing gables or under eaves (but not over windows or doors) and shall thereafter be maintained.
Reason: In the interests of biodiversity and to accord with CS policy CSP36.

20 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.

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out, and no garages or other outbuildings shall be erected.
Reason: In the interests of the safe future development of the site and in accordance with CS policy CSP39.

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 developer's attention is drawn to the conditions of this planning permission and in particular Conditions 3, 4, 10, 12, 13, 14, and 17 which need to be discharged prior to the commencement of any development. Conditions 14 and 15 relate to the need for a remediation scheme and validation report respectively and together with condition 16 cover proposals submitted by the applicant's consultants which need to be undertaken for the safe development of the site. As normal, the development must be carried out in accordance with all of 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 developer must contact Mr G Handley - Traffic Co-ordination and Strategic Maintenance on 01226 772026 prior to any work commencing on site, to gain all necessary technical and legal approvals relating to works in the highway and the creation/alteration/reinstatement and removal of permanent or temporary vehicular acess(es) to the highway.

3 Artificial lighting must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

4 Surface water drainage from the site should not discharge into the tree belt to the south due to existing drainage problems.

5 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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

6 In relation to Condition 3, the Council has received a plan, reference 15-185-C04 indicating works to the site access. Whilst the plan is acceptable in principle, it only shows part of the area as being constructed/surfaced/resurfaced. A plan has previously been supplied by the Council showing the extent of the public highway. The submitted plan needs to be amended to reflect this. The Council would be happy to supply a copy of plan 15-185-C04 annotated to reflect what is required for the plan to be acceptable. The drawing needs to clearly show the extents of the public highway, the extents of the shared private drive (this lies wholly within the red line boundary of the site and abuts the shared access road) and the extents of the shared access road; clearly showing the areas of existing surfacing and proposed widening/surfacing/resurfacing of the shared access road.
In addition, the Council needs to see details of the proposed depths of construction/surfacing of this area and types of materials to be used (as this stretch of private shared access road also serves as an access route to the waste water treatment works and an area of adhoc parking beyond). This is to ensure that the proposed construction/surfacing of the access road is a hard bitument bound surface which will be suitable for all traffic using it.

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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