BARNSLEY
Metropolitan Borough Council

# GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1508

**To** Chris Carr Associates
6A Eastgate
Barnsley
S70 2EP

**DESCRIPTION** Residential Development (Outline) (Extension on time limit 2007/0947)
**LOCATION** Land off Hill Top Lane, Redbrook Road, Gawber, Barnsley, S75 2RF

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 16 December 2010 and described above.

The approval is subject on compliance with the following conditions:

1 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) the layout of the proposed development.
(b) scale of building(s)
(c) the design and external appearance of the proposed development.
(d) means of access
(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.**

2 Application for approval of the matters reserved in Condition No. 1 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.**

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 16 March 2011

**Planning and Transportation Service** **Telephone: 01226 - 772000**
**PO Box 604, Barnsley, S70 9FE** **Fax: 01226 - 772591**

3 The development hereby permitted shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
i) the numbers, type, and location on the site of the affordable housing provision to be made;
ii) the timing of the construction of the affordable housing;
iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced.
**Reason: To ensure that suitable affordable housing is provided in accordance with UDP policy H5**

4 The landscaping details to be submitted pursuant to condition no.1 above shall include:
i) proposed finished levels or contours;
ii) indications of all existing trees and hedges to be retained and means of protection thereof during construction;
iii) public open areas;
iv) soft landscaping;
v) means of enclosure;
vi) car parking layouts;
vii) other vehicle and pedestrian access and circulation areas;
viii) hard surfacing materials;
ix) minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); and
x) proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.)
**Reason: In the interests of the visual amenities of the locality.**

5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than small, privately owned, domestic gardens shall be submitted to and approved by the local planning authority prior to the occupation of the development for its permitted use. The landscape management plan shall be carried out as approved.
**Reason: In the interests of the visual amenities of the locality.**

6 The development hereby permitted shall not be commenced until a scheme for provision of a pedestrian route between Barden Drive and Redbrook Road through the site, and the means by which such a route will be maintained and kept permanently available for public use, have been submitted to and approved by the local planning authority. The approved scheme shall be implemented prior to the occupation of the development for its permitted use.
**Reason: In the interests of pedestrian and highway safety**

7 The development hereby permitted shall not begin until details of a scheme for foul and surface water drainage works, including a surface water run-off limitation facility, have been submitted to and approved in writing by the local planning authority. Thereafter no part of the development shall be occupied until the approved scheme has been fully implemented. The approved scheme shall be retained throughout the life of the development.
**Reason: To ensure proper drainage and avoid any increase in the risk of flooding on or off the site**

8 The development hereby permitted shall not commence until details of the means of access for construction traffic have been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in accordance with the approved details, and the approved access shall be retained for the entire construction period.
**Reason: In the interests of highway safety**

9 The development hereby permitted shall not commence until details of measures to prevent mud/debris being deposited on the public highway have been submitted to and approved, in writing, by the Local Planning Authority. The approved measures shall be retained for the entire construction period.
**Reason: In the interests of highway safety**

10 The development hereby permitted shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved, in writing, by the Local Planning Authority, and such areas shall be retained for the entire construction period.
**Reason: In the interests of highway safety**

11 The development hereby permitted shall not commence until details of the siting of the sale cabin, parking for staff and customers visiting the site, have been submitted and approved, in writing, by the local planning authority, and such facilities shall be retained for the entire construction and sale period.
**Reason: In the interests of highway safety**

12 Prior to any works commencing on-site, a methodology for a survey of the existing condition (including structural integrity) of the highways to be used by construction traffic shall submitted to and approved in writing by the local planning authority and the survey shall be carried out in accordance with the approved methodology in association with the Local Planning Authority. On completion of the development a second condition survey 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 defects thus identified shall be remedied, at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority, before first occupation of the last dwelling on the site.
**Reason: In the interests of highway safety**

13 Vehicular and pedestrian gradients within the site shall not exceed 1 in 12.
**Reason: In the interests of highway safety**

**Reason(s) for Granting Permission**

1 Unique The site is allocated for housing development by policy BA1/7 in the Barnsley Unitary Development Plan (UDP), and policy H4 indicates that such sites will be developed primarily for residential purposes.

**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:-**

**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.

**Planning and Transportation Service** **Telephone: 01226 - 772600**
**PO Box 604, Barnsley, S70 9FE** **Fax: 01226 - 772599**