BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/1122

To SLA Design
The Link Building
24A St Andrews Road
Sheffield
S11 9AL

DESCRIPTION Demolition of existing Saw Mill and erection of 5 no. apartments and 9 no. houses with amenity space, integral garages and associated parking. (Part retrospective)

LOCATION Saw Mill, The Green, Penistone, Sheffield, S36 6BG

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 16 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. 002, 003 REV A, 004 REV A, 005 REV B, 006 REV B, 007 REV B, 008 REV B) 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 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 without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: In the interests of the character and appearance of the Conservation Area in accordance with policy CSP30 of the Barnsley Core Strategy.

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 14 January 2013

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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, 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:
-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
-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

6 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: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

7 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.

8 Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
The development shall be carried out in accordance with the approved report including any remedial options.
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 in accordance with Core Strategy Policy CSP 39.

9 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

a) Realignment of the The Green/Green Road junction;
b) Widening of footway on Green Road frontage to 2.0m;
c) Treatment of area of highway outside 101 High Street to prevent parking;
d) All necessary works required by the highway works identified, including
- any necessary signing and lining
- provision of/any necessary amendments to street lighting
- provision of/any necessary amendments to highway drainage
- any necessary resurfacing/reconstruction
Reason: In the interests of highway safety.

10 The dwellings shall achieve Code Level 4, 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 submitted to the Local Planning Authority certifying that Code Level 4 has been achieved.
Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2

11 The walls of the building shall be constructed of coursed squared grit sandstone, matching traditional buildings in the locality in terms of colour, general grain size, type of face dressing, and method of coursing. The pointing proposed to be carried out in connection with the development shall be in lime rich mortar, flush to the face of the stone and finished by brushing off to produce a very slightly recessed and rounded joint. Materials samples shall be submitted to and approved by the local authority prior to the construction of the buildings. The construction of these buildings shall only take place after a one-metre-square sample panel of stonework showing the pointing and coursing has been constructed on site and the details approved in writing by the local planning authority. The approved panel shall be retained on site until construction of the building has been completed. Development shall be carried out in accordance with the approved details.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

12 The rendering of balcony areas on the internal courtyard balconies (Block A and Block B) shall only take place after details of finish and colour to be used has been approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

13 The roof shall be covered by either natural or good quality artificial stone slates (laid in diminishing courses) or Welsh slates with matching ridges bed in mortar, samples of which shall be submitted to and approved by the local authority prior to the construction of the buildings. Development shall be carried out in accordance with the approved details.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

14 All windows to be used in the construction of the building shall be constructed in timber (except rooflights). Full details of their design, construction and finish (including details of heads and cills, means of opening and glazing pattern) shall be submitted to and approved in writing by the local planning authority before the commencement of the relevant site works. Unless otherwise agreed in writing, the details shall include an elevation at 1:20 scale of each door or window type and 1:5 scale cross-sections. Development shall be carried out in accordance with the approved details.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

15 Rooflights shall be genuine conservation style rooflights, with black framing, a single vertical divider, and low profile.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

16 All doors to be used in the construction of the building shall be constructed in timber. Full details of their design, construction and finish (including details of any door surrounds) shall be submitted to and approved in writing by the local planning authority before the commencement of the relevant site works. The details shall include an elevation at 1:20 scale of each door or window type and 1:5 scale cross-sections. Development shall be carried out in accordance with the approved details.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

17 The gutters shall be plastic ogee section on brackets mounted to a timber fascia with circular downpipes - all in black.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

18 The chimneys shall be constructed in matching stone (not GRP) topped with a terracotta pot.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

19 The boundary walls to the development shall be constructed of coursed stone that matches the rest of the development with matching half round coping.
Reason: To protect or improve the character and appearance of the Conservation Area in accordance CSP 30 of the Barnsley Core Strategy.

20 The windows shown on the approved plans to be obscure glass shall be installed prior to the occupation of the dwellings and shall at all times be fitted with obscure glass and retained as such thereafter.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with LDF Core Strategy Policy CSP 29, Design.

Reason(s) for Granting Permission

1	Conservation Areas - Policy BE1/1A	The proposal complies with Policy CSP30 in that it proposes a high quality of design and materials, which will enhance or preserve the character/appearance of Conservation Area.

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 proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.decc.gov.uk

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.gov.uk

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.

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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