BARNSLEY
Metropolitan Borough Council

GRANT OF LISTED BUILDING CONSENT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990

APPLICATION NO. 2014/1489

To Mrs Susan Lord
Executors of K Birkinshaw
93 Bence Lane
Darton
Barnsley
S75 5DX

Proposal: Conversion of existing barns to form 3 no. dwellings and erection of 1 no. dwelling, including alterations to existing bungalow and associated access and external works (Listed Building Consent)

At Oaks Farm, Oaks Wood Drive, Darton, Barnsley, S75 5PT

Consent is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 26 November 2014 and described above.

The consent 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 plans (Nos P1 Rev A, P2 Rev A, P3 Rev A and P4 Rev A) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

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

Signed
Service Director Economic Regeneration, Development, Environment & Culture

Dated 20 January 2015

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3 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 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 Core Strategy Policy CSP 29, Design.

4 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 details of the species, 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 building(s).
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

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.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

6 Prior to the commencement of the development a report, endorsed by a competent engineer experienced in ground contamination shall be submitted to the Local Planning Authority. The report shall, amongst other matters, include the following:

1. Measures to physically identify the extent of made ground and measures to test and evaluate the area for the purposes of identifying the extent of any contaminated areas requiring remediation
2. Measures to treat or remove any contaminated material identified
3. Measures to test and evaluate any imported soils or capping material imported onto the site to ensure they contain no levels of contamination which would render any part of the site unsuitable for its intended use
4. The subsequent certification that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied. The development shall thereafter be undertaken in full accordance with the submitted reports.

Reason: To ensure that the site is properly assessed for ground contamination and subsequently suitably remediated to enable the site to be subsequently safely developed and occupied and in accordance with Policy CSP40, Contaminated Land.

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 The patent glazing system with aluminium framing to the engine house shall be black in colour.
Reason: In the interests of visual amenity in accordance with CSP29

9 All openings (door and window frames) shall be mounted with 75mm in the reveal.
Reason: In the interests of visual amenity in accordance with CSP29

10 All new stone and stone repairs shall match the existing as near as possible in terms of type, colour, grain size, face dressing and coursing style.
Reason: To ensure the use of appropriate materials in the interests of visual amenity and good design in accordance with CSP29

11 Pointing shall be cement: NHL: sand - mortar mix of parts 1:1:6 or 1:2:9 with sand comprising 3 parts soft to 3 parts sharp grit sand. Pointing to be finished slightly back from arms of surrounding stonework and brushed off to remove laitance and expose aggregate to a depth of 2 or 3 mm to match existing in every respect.
Reason: In the interests of visual amenity in accordance with CSP29

12 Prior to the commencement of any development a dusk emergence bat survey shall be carried out and the findings, along with any necessary means of mitigation submitted to the Local Planning Authority and agreed in writing.
Reason: To ensure the development does not adversely affect protected bats which may be present, in the interests of biodiversity

13 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.

14 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
-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.

15 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 visual amenity and to protect the character of the Listed Building in accordance with CSP29 and CSP 30.

16 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.

17 The dwelling shall achieve Code Level 3, 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 3 has been achieved.
Reason: In the interest of sustainable development and in accordance with Barnsley LDF Core Strategy Policy CSP2, Sustainable Construction.

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 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

2 The granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

3 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:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.

2. If listed building consent is refuse 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 Council of the district a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

   Extract from Planning (Listed Buildings and Conservation Areas) Regulations 1990.

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