



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0185

To Mille Design
4 Stonecrest Rise
Thurgoland
Sheffield
S35 7BP

DESCRIPTION Erection of 1 no. detached bungalow
LOCATION Pilatus, Cote Lane, Thurgoland, Sheffield, S35 7AE

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 26 February 2013 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 Mille Design plan no 2013:02 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.
- 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 LDF Core Strategy Policy CSP 29, Design.
- 4 Sightlines, having the dimensions 2.4m x the site boundaries, shall be safeguarded at the entrance/exit, such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

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*
Head of Planning, Building Control and Sustainability

Dated 24 April 2013

- 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 1m.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 6 The parking/manoeuvring facilities, indicated on the submitted plan including the proposed garage shall be 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, in accordance with Core Strategy Policy CSP 26.
- 7 No development shall take place until:
- (a) Full foul and surface water drainage details, including a scheme to maintain existing surface water run-off rates 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 and 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 CSP4.
- 8 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 9 No development or other operations being undertaken on site shall take place until the following document has been submitted to and approved in writing by the Local Planning Authority:
- Tree protective barrier details
Tree protection plan

No development or other operations shall take place except in complete accordance with the approved methodologies. The erection of barrier's for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

- 10 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.

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

- 11 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 others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

- 12 The dwelling shall achieve a 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).The dwelling shall not be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.

Reason(s) for Granting Permission

- 1 In the opinion of the Local Planning Authority the application is acceptable in that:-

The site is part of an area designated as Safeguarded Land in the UDP by saved policies GS10 and WR11.

However the UDP is now classed as being out of date by the National Planning Policy Framework which states a presumption in favour of sustainable development. In this context permission should be granted unless:-

-any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or
-where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Having afforded consideration to these matters, it is considered that the application would not result in any adverse impacts in planning policy terms for the reasons explained below:-

The site is included as a very small part of a housing proposal in the LDF Development Sites and Places consultation draft 2012. Whilst the amount of weight this can be afforded is limited at this stage prior to it becoming adopted, this indicates that housing development is being considered on this site and the adjoining land which makes up the majority of the proposed allocation. In this case, the site is small and self-contained and would not prejudice development of the vast majority of the Safeguarded Land/proposed LDF allocation, or the openness of that land should that be the outcome of the LDF process and would not result in any harm on that basis. In these circumstances it is considered that the presumption in favour of sustainable development stated in the NPPF would apply in this case.

The plans are judged acceptable with regards to visual and residential amenity taking into account standards set out in the Design and Layout of New Housing SPD, Core Strategy Policy CSP29 'Design' and the effect on trees.

- 2 The application has been judged to be acceptable in highway safety terms taking into account Core Strategy policy CSP 26 subject to the imposition of appropriate conditions.

In the opinion of the Local Planning Authority there are no other material considerations which indicate a decision should be made at variance to the above policies and guidance.

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 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.
- 2 The developer must contact Environmental Services prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation of permanent vehicular access to the highway tel. 01226 773555.
- 3 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 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

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

- 4 Condition 7 - The applicant is advised that 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.
- 5 Condition 8 - The applicant is advised that vehicular and pedestrian gradients within the site must not exceed 1:12.

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.