



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0669

To Chris Carr Associates
6A Eastgate
Barnsley
S70 2EP

DESCRIPTION Wortley Village Master Plan Proposals (Site 2A Garages), (Site 5 Parking and Private Gardens), (Site 12 Holiday Cottage), (Sites 14 and 14A Highway Improvements), (Sites 15 and 16 Car Parking and Allotments) – Full

LOCATION Wortley Village Master Plan Proposals (Site 2A Garages), (Site 5 Parking and Private Gardens), (Site 12 Holiday Cottage), (Sites 14 and 14A Highway Improvements), (Sites 15 and 16 Car Parking and Allotments)

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 16 June 2011 and described above.


THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT/UNILATERAL UNDERTAKING MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 5 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.

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 16 June 2015

- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Nos.) and specifications as approved unless required by any other conditions in this permission.

- drawing no P2/A Rev A 'site 2 garages adjacent the old school house proposals'
- drawing no P3 'sites 3, 15 and 16 village centre proposals'
- drawing no P5 Rev A 'site 5 parking to rear Church View'
- drawing no P12 'site 12 animal shelter'
- drawing no P14 'Proposals site 14 and 14A Reading Room Lane & The Wortley Arms Car Park'
- drawing no P3A 'Site 15 Village Centre Parking'
- drawing no P17 'Home Land Farm'

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 details of the following have been submitted to and approved in writing by the Local Planning Authority:-

- Samples of walling (stone and brick respectively) and roofing materials (slate or good quality artificial)
- Samples of render (where proposed) finish and colours
- Sample of proposed window design, colour and material
- Hard landscaping materials
- Boundary treatments

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 CSP29 'Design' and CSP30 'The Historic Environment'.

- 4 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; road levels; 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.

- 5 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
- i) proposed finished levels or contours;
 - ii) indications of all existing trees and hedges to be retained and means of protection thereof during construction;
 - details of the species, positions and planted heights of proposed trees and shrubs;
 - 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, indicating lines, manholes, supports etc.)

The approved landscaping details shall be implemented in accordance with the approved details and phasing arrangements.

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

- 6 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:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o 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.

- 7 No development shall take place until an intrusive site investigation and the results to assess the risk of land instability arising from historical coal mining activity have been submitted to and approved in writing by the Local Planning Authority. In the event that the site investigations confirm the need for remedial works to treat areas of shallow mine workings, further details shall be provided to the Local Planning Authority for approval that shall require implementation prior to the commencement of the approved development

Reason: In order to ensure safety and stability of the proposed development.

- 8 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a safe and adequate highway network, in the interest of road safety.

- 9 No development shall take place, including any re-grading and reclamation engineering operations, until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Method Statement shall be adhered to throughout the re-grading/ reclamation and construction periods. 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
 - Wheel washing facilities
 - Measures to control the emission of dust and dirt
 - Measures to control noise levels during construction

Reason: In the interests of highway safety, residential amenity and visual amenity.

- 10 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure highway improvement works comprising measures to control and restrict the flow/parking/loading of vehicles to reflect the arrangements shown on drawing no P3 'sites 3, 15 and 16 village centre proposals'. The works shall be completed in accordance with the approved details and timescales.

Reason: In the interest of highway safety.

- 11 Vehicular and pedestrian gradients within the sites shall not exceed 1:12 to ensure safe and adequate access.

Reason: In the interest of highway safety.

- 12 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use

Reason: In the interest of highway safety.

surveys (including an assessment of the impact of the proposed development and any appropriate measure to alleviate any effects) shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with any specific mitigation measures that are agreed.

Reason: To enable proper consideration of the impact of the development of the contribution of nature conservation interests to the amenity of the area.

- 14 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- " The programme and method of site investigation and recording.
- " The requirement to seek preservation in situ of identified features of importance.
- " The programme for post-investigation assessment.
- " The provision to be made for analysis and reporting.
- " The provision to be made for publication and dissemination of the results.
- " The provision to be made for deposition of the archive created.
- " Nomination of a competent person/persons or organisation to undertake the works.
- " The timetable for completion of all site investigation and post-investigation works.

The Written Scheme of Investigation shall be carried out in accordance with the approved details.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

- 15 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 CSP40 'Pollution Control and Protection'.

- 16 Site 17 shall be used for informal recreational use only. No formal events or sporting uses shall occur without the prior permission of the Local Planning Authority.

Reason: In order to minimise the amount of traffic generated, in the interests of road safety.

- 17 Prior to the commencement of development on site 17, details of the re-routing of the existing electricity pylon route on site 17 shall be submitted to and approved in writing with the Local Planning Authority. Thereafter, the re-routing of the pylon route shall be carried out in accordance with the approved details.

Reason: In order to improve the openness of the Green Belt and to make the site suitable for the proposed use.

18 No development shall take place until:

(a) Full foul and surface water drainage details and a programme of works for implementation (surface water run off rates to be reduced by 30% on brownfield sites and to be maintain or reduce run off rates on greenfield sites), 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, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure proper drainage of the area and in accordance with CSP3 'Sustainable Drainage Systems' and CSP4 'Flood Risk'

19 No development shall be located over or within 3m either side of any water mains that cross any of the sites should their existence be confirmed by prior site investigations.

Reason: To ensure proper drainage of the area and in accordance with CSP3 'Sustainable Drainage Systems' and CSP4 'Flood Risk'

20 Site 15 shall be available for use as holiday accommodation only and shall not be occupied by any person exceeding four consecutive weeks. Any such person shall not return within two weeks of such period.

Reason: In order to comply with UDP Policy GS8A 'The Re-use & Adaptation of Buildings in the Green Belt'

21 Prior to commencement of development on Site 12, proposed details of a means of screening outside refuse bins shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the building and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the setting of Wortley Hall as a listed building

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 granting of planning permission does not effect the status of species such as birds during the breeding season 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
- 2 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:
 - Collapse of shallow coal mine workings;
 - Collapse of, or risk of entry into, mine entries (shafts and adits);
 - Gas emissions from coal mines including methane and carbon dioxide;
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
 - Transmission of gases into adjacent properties from underground sources through ground fractures;
 - Coal mining subsidence
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 3 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
- 4 The applicant is advised to contact Mr G Handley - Highways & Engineering prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of permanent or temporary vehicular access(es) to the highway.

demolish any building in the village Conservation Area exceeding 115 cubic metres, or to take down any wall, gate or fence which is more than 1 metre high where abutting a highway, or more than 2 metres high elsewhere.

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.