



APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/1270

To DMA Design Management Ltd
6 New Hall Way
Flockton
Wakefield
WF4 4AX

Proposal Reserved matters application for the erection of 3 dwellings (in connection with outline approval granted at appeal under reference APP/R4408/W/17/3180755 (2017/0027 Demolition of existing house and erection of 3 new houses (Outline with all matters reserved)).

At The Laurels, 24 Viewlands, Silkstone Common, Barnsley, S75 4QP

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 04/12/2020 and described above, being matters reserved in the permission granted on 28/04/2027 under Application 2017/0027

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 2 years from the date of this permission.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

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

Plan References

Existing Site Location, Site Plan and Sections 18/544 EX-01

Proposed Plans and Elevations Plot 2 and 3 PL03B received 18th August 2023

Proposed Site Plan and Plot 1 Plans and Elevations PL02C received 18th August 2023

Proposed Site Plan PL06B received 18th August 2023

Proposed Site Plan, Block Plan and Sections PL01C received 18th August 2023

Arboricultural Impact Assessment received 10th May 2023

Arboricultural Implications Plan 16023 Rev B received 29th January 2024

Tree Constraints Plan received 10th May 2023

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details

Tree protection plan

Arboricultural method statement

No development or other operations shall take place except in complete accordance with the approved details and the tree protection fencing shall be installed 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 wellbeing of the trees in the interests of the amenity of the locality.

- 4 Upon commencement of development details of the proposed external materials shall be 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 Local Plan Policy D1 High Quality Design and Place Making.

- 5 Upon commencement of development, 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 shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping details shall be implemented prior to the occupation of the dwelling.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 6 Upon commencement of development a plan indicating the position of boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Local Plan Policy GD1 General Development
- 7 Prior to the development being brought into use, the proposed access shall be surfaced in a bound material for a length of 10m from its junction with Viewlands.
Reason: To prevent the migration of loose material on to the public highway to the detriment of road safety in accordance with Local Plan Policy T4.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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: To safeguard the amenity of surrounding residents in accordance with Local Plan Policy GD1 General Development.
- 9 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 are provided, in the interests of highway safety and the free and safe flow of traffic, and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 10 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.
Reason: To ensure that satisfactory off-street parking/manoeuvring are provided in the interests of highway safety and the free and safe flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 11 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, 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 Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 1 The applicant/developer should be aware of the need to also comply with the conditions imposed on the corresponding outline application approved at appeal under reference APP/R4408/W/17/3180755.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 9 May 2024



Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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

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 given 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.