



APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0809

To Mr Jamie Moran
The Waterfront
Lakeside Boulevard
Doncaster
DN4 5PL

Proposal: Reserved Matters Application for residential development of 360 dwellings
(Phase 3)

At: Land North of Lingamore Leys, Thurnscoe, Rotherham, S63 0PG

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 22/07/2019 and described above, being matters reserved in the permission granted on 7th March 2018 under Application 2017/1051

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

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	<p>The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved:</p> <p>Planning Layout K 1926.01 Rev P Abbey Working Drawing Pack 1060 Rev 1 Bamburgh Working Drawing Pack 1200 Rev 1 Caddington Plu Housetype H51-CR-001 Rev A Danbury Working Drawing Pack 1080 Rev 1 Hadley Working Drawing Pack 1350 Rev 1 Hardwick Working Drawing Pack 1260 Rev 1 Lawton Working Drawing Pack 2010 Rev 1 Mawlow Working Drawing Pack 2030 Rev 1 Turton Working Drawing Pack 5260 Rev 1 Planning Drawing Twin Garage 1926.G.02 Planning Drawing Single Garage 1926.G.01 Various Boundary Treatments 1926.B.01 Geophysical Survey Report 16831 (MAP Archaeology Ltd January 2020) unless required by any other conditions in this permission.</p>
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	Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.
2	<p>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.</p> <p>Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D, High Quality Design and Place Making.</p>
3	<p>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.</p> <p>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.</p>
4	<p>Upon commencement of development a plan indicating the position of boundary treatment(s) 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.</p> <p>Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.</p>
5	<p>The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. The scheme of sound insulation works installed shall be based on the findings of the noise assessment report, reference NIA/8582/19/8511/v1/Thurnscoe, Phase 3, dated the 26th June 2019, submitted with the application.</p> <p>The scheme of works shall;</p> <p>a) Be based on the findings of the noise assessment report, reference NIA/8582/19/8511/v1/Thurnscoe, Phase 3, dated the 26th June 2019, submitted with the application.</p> <p>b) Be capable of achieving the following noise levels: Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours); Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours); Bedrooms: LAFmax - 45dB (2300 to 0700 hours).</p> <p>c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.</p> <p>Reason: In the interests of residential amenity in accordance with Local Plan Policy Pol1.</p>
6	<p>No development shall be commenced until full engineering, drainage and street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.</p> <p>Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety in accordance with Local Plan Policy T4.</p>

7	<p>Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at School Street in accordance with details of a completion plan to be submitted and approved in writing by the LPA.</p> <p>Reason: To ensure streets are completed prior to occupation and satisfactory development of the site in accordance with Local Plan Policy T4</p>
8	<p>Prior to the commencement of construction works, details of EVCP's shall be submitted to and approved in writing by the LPA. The works shall be installed in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.</p> <p>Reason: In interests of promoting sustainable travel opportunities in accordance with Local Plan Policy T3.</p>
9	<p>Notwithstanding the Landscaping Masterplan (C-1787-01 Rev A) submitted with this planning application, full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees; 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.</p> <p>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.</p>

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	<i>Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 13. They should be constructed to withstand a minimum carrying capacity of 26 Tonnes without deflection.</i>
2	<i>Roads other than agreed shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980). Engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority before works commence on site. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk as soon as possible to arrange the setting up of the agreement.</i>
3	<i>The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.</i>
4	<i>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.</i> <i>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.</i>
5	<i>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.</i> <i>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).</i> <i>Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable,</i>

	<p><i>expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water.</i></p> <p><i>Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:</i></p> <p><i>https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries</i></p>
6	<p><i>Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. 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 a Coal Authority Permit for such activities is trespass, with the potential for court action.</i></p> <p><i>Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.</i></p> <p><i>If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</i></p>
7	<p><i>The applicant/developer's attention is drawn to the need to ensure all relevant conditions on the outline permission (2017/1051) are complied with in particular condition 18 relating to Archaeology</i></p>

Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed

Dated 20/11/2020



Joe Jenkinson
Head of Planning and Building Control

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.