



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0960

To Mr Steve Gamble
Gleeson Regeneration
Unit 6
Europa Court
Sheffield Business Park
Sheffield
S9 1XE

DESCRIPTION Residential development of 58 dwellings with associated garages/parking spaces, roads and sewers.

LOCATION Land off Lowfield Road, Bolton Upon Dearne, Rotherham, S63 2TF

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 30 August 2013 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 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 following plans and specifications as approved unless required by any other conditions in this permission:-

373/G Planning Layout
13/201-02 Type 201 Elevations (Urban 13)
13/201-8 Type 201 Elevations (Rural 13)
201/1D 201 dwellingtype
13/202-02 Type 202 Elevations (Urban 13)
13/202-9 Type 202 Elevations (Rural 13)
P202/1D 202 dwellingtype
13/301-02 type 301 elevations (Urban 13)

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 01 May 2015

13/301-8 type 301 elevations (Rural 13)
 301/1D 301 dwellingtype
 13/302-02 type 302 elevations (Urban 13)
 13/302-9 type 302 elevations (Rural 13)
 302/1E type 302 dwellingtype
 13/303-02 type 303 elevations (Urban 13)
 13/303-9 type 303 elevations (Rural 13)
 303/1E type303 dwellingtype
 13/304-02 type 304 elevations (Urban 13)
 13/304-10 type 303 elevations (Rural 13)
 304/1C type304 dwellingtype
 13/309-02 type 309 elevations (Urban 13)
 13/309-10 type 309 elevations (Rural 13)
 309/1B type309 dwellingtype
 13/310-02 type 310 elevations (Urban 13)
 13/310-10 type 303 elevations (Rural 13)
 310/1B type303 dwellingtype
 13/404-02 type 404 elevations (Urban 13)
 13/404-9 type 404 elevations (Rural 13)
 404/1D type404 dwellingtype
 13/406-02 type 406 elevations (Urban 13)
 13/406-10 type 406 elevations (Rural 13)
 406/1F type406 dwellingtype
 SD701 Detached single garage
 SD100 Boundary Treatments 1200mm high timber fence
 SD103 Boundary details - Post and wire fence

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

- 3 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.

- 4 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: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 5 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
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - 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, in accordance with Core Strategy Policies CSP 26 and CSP 40.**

- 6 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 7 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- a) Provision of 2 vehicle activated signs
- b) Any necessary signing/lining
- c) Measures to control parking and loading
- d) Provision of high friction coloured surfacing
- e) Provision of LED street lighting on the bridge and the approaches to the bridge.
- f) Provision of/any necessary changes to highway drainage
- g) Resurfacing/reconstruction as necessary

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 8 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface 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 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.

- 9 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, in accordance with Core Strategy Policy CSP 29.

- 10 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.

- 11 No development or other operations being undertaken on site shall take place until the following documents, prepared in accordance with BS5837:2012, have been submitted to and approved in writing by the Local Planning Authority:

Tree protective fencing
Tree protection plan (TPP)

No development or other operations shall take place except in complete accordance with the approved methodologies. The erection of fencing 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.

- 12 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.

- 13 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:

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

- 14 The dwellings 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). No dwelling shall 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.
- 15 The development's carbon dioxide emissions shall be reduced by at least 10% via a 'fabric first' approach. Upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 10% reduction in carbon dioxide emissions has been achieved above the applicable Building Regulations requirement.
Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.
- 16 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.
- 17 No building or other obstruction (including trees) shall be located over or within 3 metres either side of the centre line of each of the sewers, i.e. protected strip widths of 6 metres per sewer that cross the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times.
- 18 The development hereby permitted shall not begin until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of the public open space shown on plan no 373/F Planning Layout and for the enhancement of public open space off site in accordance with the Council's greenspace needs assessment carried out on the application and the LDF Supplementary Planning Document 'Open Space Provision on New Housing Developments'. The development shall proceed in accordance with the approved scheme and timescales.
Reason: In the interests of residential amenity to ensure adequate provision of public open space to meet local needs in accordance with LDF Supplementary Planning Document 'Open Space Provision on New Housing Developments'.
- 19 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality.
- 20 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.
- 21 The development shall be carried out strictly in accordance with the noise mitigation measures set out in Spectrum Acoustic Consultants report ref RK1041/13076 'Noise and Vibration Assessment - Phase 2'.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

- 22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (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 on plots 108-118 (excluding 117).

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with Core Strategy Policy CSP 29.

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 applicant should note the informative comments provided in the following formal consultation responses received by the Local Planning Authority:- - Yorkshire Water 20th August 2014
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

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.