BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0784

To ID Planning
Atlas House
31 King Street
Leeds
LS1 2HL

DESCRIPTION Substitution of house types to extant permission 2005/1980 for Plots 168-172 inc. (5 Plots in total)
LOCATION Wombwell Foundry, Hough Lane, Wombwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 01 July 2010 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.

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

Stephen Moralee
Signed
Assistant Director, Planning and Transportation

Dated 11 August 2010

Planning and Transportation Service **Telephone: 01226 - 772000**
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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 or if prior written consent is given by the Local Planning Authority to any variation.

-planning application forms
-drawing no 2461/31-SH 'Location Plan - Show Homes'
-APS Surveying Services drawing no BBH05-33 'Topographical Survey
-drawing no 2461/01 Rev S 'Site Layout'
-drawing no 2461/11 Rev A 'Landscape Layout'
-drawing no 2461/PS-SH 'Planning Section/Street Scene
-drawing no Cm/Planning 09 'Cheltenham House Type Range'
-drawing no AE (E)/Planning 'Aintree (end) 2009 House Type Range
-drawing no DH/Planning/09 'Durham 2009 House Type Range'
-drawing no Ep/Planning/09 'Epsom 2009 House Type Range'
-drawing no Fe/Planning/09 'Folkstone 2009 House Type Range
-drawing no 7.5 Garage x 2
-drawing no 0.45dm '0.45m High Demarcation Fence'
-drawing no 1.2fr '1.2m High Feature Railings (2008)
-drawing no 1.8sf High Screen Fence
-drawing no 1.8p&p '1.8m High Pier & Panel Wall (2008)
-the measures set out in the Statement of Sustainability
-email 05/08/10 from Tom Cook, ID Planning regarding the correct allocation of car parking spaces

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

3 The access/parking/garaging/manoeuvring facilities indicated on the approved plan shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times in perpetuity
Reason: In the interest of highway safety.

4 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 above the nearside channel level of the adjacent highway
Reason: In the interest of highway safety.

5 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 other of similar size and species, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

6 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 UDP Policy ES1, Pollution.

7 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
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

8 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of sustainable development.

Reason(s) for Granting Permission

1 Unique The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations including Supplementary Planning Guidance:-

H8A Existing Residential Areas

BE6 Design Standards

T2 Development and the Highway Network

SPG2 Design and Layout of New Residential Development

In the opinion of the Local Planning Authority the proposed development is in accordance with the above policies in that:-

-Residential development is the most appropriate use of the site given the existing planning permission and surrounding form of development

-The proposal has been designed to a sufficiently high standard with regards to the layout, buildings and landscaping and is acceptable from a visual amenity point of view.

-It would lead to the construction of high quality new housing which would utilise modern and sustainable construction methods and be energy efficient.

-The proposal would deliver acceptable standards of residential amenity for new and existing residents, due to the space standards between buildings and provision of adequate private garden areas

-The proposal has been satisfactorily designed to meet design and safety standards, encompassing the design of the private drive, access points and junctions and parking provision.

Informative(s)

1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

2 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(s) to the highway.

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.

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