



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/1490

**To** Mark Johnson  
Johnson Mowat  
Coronet House  
Queen Street  
Leeds  
LS1 2TW

**DESCRIPTION** Residential development of 164 no. dwellings and associated works (Amended Plans)

**LOCATION** Land at Lee Lane, Royston, Barnsley, S71 4RT

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 December 2016 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 plans, documents and specifications as approved (see below) unless required by any other conditions in this permission.

Plans;  
Planning Layout Drawing - LL-PL/01-E  
Materials Layout - LL-ML/01  
Construction Management Plan - LL-CMP/02  
Alderney Plans and Elevations - BALD 00CD  
Barton Plans and Elevations - BBAT 00CE, C1  
Collaton Plans and Elevations - BCLA 00CD  
Ennerdal Plans and Elevations - BENN 00CE  
Eskdale Plans and Elevations - BESK 00CD, CS  
Kenley Plans and Elevations - BKNL 00CE, C1  
Kingsley Plans and Elevations - BKEY 00CD  
Maidstone Plans and Elevations - BMAI 00CE, C1

Palmerstone Plans and Elevations - BPMS 00CE, C1  
Ripon Plans and Elevations - BRIP 00CD  
Windermere Plans and Elevations - BWIE 00CD  
Woodcote Plans and Elevations - BWOO 00CE, C1

Documents;

Bat Survey - R-2722-02

Geoenvironmental Appraisal - 2366/1

Flood Risk Assessment Report - November 2016

Arboricultural Report & Impact Assessment - AWA1741

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

- 3 The external materials shall be in accordance with the approved materials layout Ref: LL-ML/01. 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 CSP 29, Design.**
- 4 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.  
**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.**
- 5 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 Core Strategy Policy CSP 29, Design.**
- 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 Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 7 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 and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**

- 8 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 areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 9 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 10 Vehicular and pedestrian gradients within the site shall not exceed 1:12.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 11 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.**
- 12 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 accordance with Core Strategy Policy CSP 26.**
- 13 Prior to commencement of development full highway engineering construction details, (including highway retaining structure, and phasing of the highway works) shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 14 No development shall take place until full foul and surface water drainage details, including a scheme to reduce surface water run-off by at least 30%/maintain or reduce existing Greenfield run-off rates and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:  
  
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.**

- 15 No development shall take place until a scheme for disposing of surface water by means of a sustainable drainage system is approved by the Local Planning Authority. The scheme shall include the following details:
- Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - A timetable for its implementation; and
  - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.

**Reason: To ensure proper, sustainable drainage of the area in accordance with Core Strategy Policy CSP 3.**

- 16 Upon commencement of development full details of the LEAP standard play area (include a minimum 5 items of play equipment) and Youth Provision, alongside management responsibilities and maintenance schedules and a programme for installation, shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the agreed timetable for installation.

**Reason: In the interests of residential amenity to ensure adequate provision of public open space to meet local needs in accordance with Policy CSP 35 of the Core Strategy.**

- 17 Upon commencement of the development the following landscaping details shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be retained thereafter:

- i) proposed finished levels or contours;
- ii) public open areas;
- iii) soft landscaping;
- iv) means of enclosure;
- v) other vehicle and pedestrian access and circulation areas;
- vi) hard surfacing materials;
- vii) minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); and
- viii) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, indicating lines, manholes, supports etc.)

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

- 18 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.**

- 19 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of ( ) 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.

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

- 20 No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the sewer i.e. a protected strip width of (6) metres, that traverses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.  
**Reason: In order to allow sufficient access for maintenance and repair work at all times.**
- 21 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.  
**Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.**
- 22 No development within any phase, 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 within that phase 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.
- Thereafter each phase of the development shall only take place in accordance with the approved WSI and each phase shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled for that phase or alternative timescales agreed.  
**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.**
- 23 No development shall commence until full details of the structural condition (including CCTV survey of any culverted section) and the exact route of the watercourse have been submitted to the Local planning Authority. In the event that any culverted section is in need of repair, or that the watercourse channel is in need of clearance/dredging works, then a repair scheme / works schedule shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To demonstrate its fitness for purpose and proper functioning of the existing watercourse.**
- 24 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the dwellings hereby permitted, including a timescale for implementation, 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 order to ensure compliance Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.**

25 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:

- Provision of a roundabout at the junction of the site access with Lee Lane;
- Measures to reduce speeds on Lee Lane;
- Measures to prevent parking at the new junction;
- Provision of /any necessary alterations to street lighting;
- Provision of / any necessary alterations to highway drainage;
- Any necessary resurfacing/reconstruction;
- Any necessary signing/lining

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 interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**

## 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.*

*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.*

1	<p>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.</p> <p>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). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: <a href="https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries">https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries</a></p> <p>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.</p> <p>Property specific summary information on past, current and future coal mining activity can be obtained from: <a href="http://www.groundstability.com">www.groundstability.com</a></p> <p>If any of the 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 website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>
2	<p>The granting of planning permission does not effect the status of species such as owls and bats 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 &amp; Transportation Services, on 01226-772576, or directly from <a href="http://www.naturalengland.org.uk">www.naturalengland.org.uk</a></p>
3	<p>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.</p> <p>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.</p>

Signed  
Joe Jenkinson

A handwritten signature in black ink, appearing to read 'J M Jenkinson', written in a cursive style.

Dated 16 February 2018

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.