BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0722

To Pegasus Planning Group
4215 Park Approach Avenue
Thorpe Park
Leeds
LS15 8GB

DESCRIPTION Residential development for erection of 35 dwellings (Resubmission)
LOCATION Land at Lee Lane/High Street, Royston, Barnsley, S71 4RS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 June 2010 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 in strict accordance with the amended plans and specifications (Drawing No. Site plan 147/K&K/03 Rev D, House Types: Type 7 DRG NO. 09/393/14, Type 9a DRG NO. 09-393-10, Type 13 DRH NO. 09/393/08, Type 14 DRG NO. 09/393/12/a, Type 16a DRG NO. 09/393/09, Type 17a DRG NO. 09/393/11, Darwin Plots 12-14 DRG NO. 147/12-14), unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

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 12 November 2010

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3 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.

4 Visibility splays, having the dimensions 4.5m x site boundaries, shall be safeguarded at the junction of Lee Lane with the site access such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: In the interest of highway safety.

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;
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.

6 Within 28 days of 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. Within 28 days of 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 developers expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety.

7 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it 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;

Reason: To protect the environment and ensure that the site is suitable for the proposed use.

No development shall take place until:

8 (a) Full foul and surface water drainage details, including a scheme for surface water run-off limitation 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. The scheme shall be retained throughout the life of the development, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure proper drainage of the area.

9 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.
Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

10 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.

11 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.

Reason(s) for Granting Permission

1 Unique The site has a longstanding allocation for housing development. It has been identified within the five year housing supply and falls within a recognised sustainable location within the Green Corridor regeneration area. It is considered that the proposal will form an attractive residential development that will enhance the visual amenities of the locality, deliver much needed affordable housing and ultimately contribute positively to the aims and objectives of the Green Corridor regeneration programme.

Informative(s)

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1 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:

- Collapse of shallow coal mine workings;
- Collapse of, or risk of entry into, mine entries (shafts and adits);
- Gas emissions from coal mines including methane and carbon dioxide;
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
- Transmission of gases into adjacent properties from underground sources through ground fractures;
- Coal mining subsidence
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vacinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

2 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:

National Planning Guidance
PPS1 'Sustainable Communities'
PPS3 'Housing'
PPS25 'Development and Flood Risk'

UDP Polices
H4 'Development on Housing Sites'
H6 'Open Space Provision'
H8 'Existing Residential Areas'
H8A 'Existing Residential Areas'
BE6 'Design Standards'
GS22, 22A, 22B 'Woodland Hedgerows & Trees'

Supplementary Planning Guidance
SPG20 'Open space provision on new housing developments'
SPG21 'The design and layout of open space on new developments'
PAN30 'Sequential approach guidelines for residential development'
PAN34 'Affordable housing in new residential development'.

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

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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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