



BARNSLEY
Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0405

To Michael A Clynch
Architect & Town Planner
14 Huddersfield Road
Ingbirchworth
Sheffield
S36 7GF

DESCRIPTION Residential development (Outline) (2008/0435 Extension of Time Limit).
LOCATION Land adj 81 Sheffield Road, Penistone, Sheffield, S36 6HL

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 11 April 2011 and described above.

The approval is subject on compliance with the following conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 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.

Signed

Stephen Moralee

Assistant Director, Planning and Transportation

Dated 24 May 2011

- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

(a) the layout of the proposed development.

(b) scale of building(s)

(c) the design and external appearance of the proposed development.

(d) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

- 3 No development shall take place until full foul and surface water drainage details 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. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper drainage of the area.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 6 metres, measured horizontally, of the culverted watercourse, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent damage to the existing culvert.

- 5 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.

- 6 No development works shall commence until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed in writing by the Local Planning Authority. The report shall, amongst other matters, include the following:-

- 1) A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
- 3) An appraisal of remedial options, and proposal of the preferred option(s).
- 4) A remediation statement summarising the works to be undertaken (if required).

The above 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 thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

Reason - to protect the environment and ensure the site is suitable for the proposed use.

- 7 No development shall commence until full details of the exact route of the watercourse through the property in relation to the proposed works have been submitted to and approved in writing by the Local planning Authority to demonstrate its adequacy and clearance is maintained.
Reason: To maintain the structural integrity and proper functioning of the existing culverted watercourse.
- 8 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
 - 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.**

Reason(s) for Granting Permission

1	Unique	Residential Areas - Policy H8A The proposal complies with Policy H8A in that the proposal represents an acceptable use of previously developed land within a Housing policy Area. Subject to compliance with the attached conditions, and the submission of reserved matters, it is considered that a scheme can be proposed which would adequately protect neighbouring amenities, visual amenities, and highway safety. In addition, the proposal is considered to comply with Greater Flexibility for Planning Permissions (2009) in that there are not considered to have been a significant change in circumstances since the original, outline permission was granted (2008/0435).
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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	Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). There should be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters

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.