



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0490

To Mr Glen Dunkley
Taylor Wimpey Yorkshire
Sandpiper House
Peel Avenue
Calder Park
Wakefield
West Yorkshire
WF2 7UA

DESCRIPTION Substitution of house types to 17 no. dwellings on previously approved application 2010/1013
LOCATION Former Yorkshire Traction Site and Vernon Works, Upper Sheffield Road, Barnsley, South Yorkshire,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 30 April 2012 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.
- 2 The development hereby approved shall be carried out in strict accordance with the following plans and specifications:

Planning Layout - 374/01C, received on 16th May 2012
House Types - Dwg Nos P09:4234:254, 255, 258, 259, 262, 263, 286, 287, 288, 289
External Materials - MAT 374A
Reason: For avoidance of doubt.

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 Regulatory Services

Dated 08 June 2012

- 3 The site compound shall be laid out in accordance with the Compound Layout submitted on 31st May 2012.
Reason: In the interests of highway safety, residential amenity and visual amenity in accordance with Core Strategy policies CSP 26 & CSP 40.
- 4 The measures to control noise, dust and to prevent mud on the road set out in the letters from Sirius (dated 19th and 23rd March 2010) and the Memo from Matt Oldfield (dated 24th March 2010) shall be implemented throughout the duration of the development.
Reason: In the interest of residential amenity and highway safety in accordance with Core Strategy policies CSP 26 & CSP 40.
- 5 The remediation of the site shall be undertaken in accordance with the Specification for Remedial & Preparatory Works (Sirius Report No. C3987A, dated December 2011). On completion of the remediation a Validation Report shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To protect the environment and ensure the site is suitable for the proposed use in accordance with Core Strategy policy CSP 39
- 6 No part of the development shall be occupied or brought into use until the approved scheme drainage scheme (Dwg Nos. 3322_C-D1-01 Rev K) and associated connection of private house drainage has been fully implemented. The scheme shall be retained throughout the life of the development.
Reason: To ensure proper drainage of the area
- 7 The development shall proceed in accordance with the approved arboricultural method statement and the approved fencing (Dwg: 1683/9 Rev A) shall be installed before 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 safeguard existing trees, in the interest of visual amenity and in accordance with Core Strategy policy CSP 29.
- 8 The approved hard landscaping details shall be implemented prior to the occupation of the dwellings and all planting, seeding or turfing comprised in the approved soft landscaping details shall be carried out in the first planting and seeding seasons following the occupation of the dwellings 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 in accordance with Core Strategy policy CSP 29.
- 9 The approved highway construction details, retaining walls (3322-C-D3-01, 5967-23-19-01) and boundary treatments shall be completed prior to occupation of the dwellings.
Reason: In the interest of highway safety and visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy policies CSP 26 & CSP 29.

- 10 Unless otherwise agreed in writing by the Local Planning Authority, the dwellings located on plots 163-169 (inclusive) shall not be occupied until the scrap yard use located on the eastern part of the site has completely ceased and the site has been remediated in its entirety
Reason: In the interests of the amenities of the future occupiers and highway safety.
- 11 Within three months of the occupation of the development, the developer shall provide each household with a public transport season ticket
Reason: To encourage the use of sustainable transport modes in accordance with Core Strategy policy CSP 25.
- 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 Unless otherwise agreed in writing by the local planning authority no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the sewer and water main, which cross the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times
- 14 No piped discharge of surface water from the application site shall take place until the outfall for surface water has been completed in accordance with the approved details (Drg No: 3322-C-D1-01 Rev K).
Reason: To ensure that the site is properly drained.

Reason(s) for Granting Permission

- 1 Unique The proposed substitution of house types would not adversely affect existing or future residents and would provide adequate levels of amenity for occupants of the specific plots. When compared with the approved development, the scheme does not materially alter the impact on highway safety, visual amenity or other material planning considerations and is compliant with relevant Core Strategy policies (CSP 4, 14, 26, 29 & 40), SPD Designing New Housing Development and the advice in the NPPF.

Informative(s)

- 1 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.

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.

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.