



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/0648

To Alistair Flatman Planning
24 West End Grove
Horsforth
Leeds
LS18 5JJ

DESCRIPTION Demolition of existing commercial buildings and redevelopment of site to form detached dwelling

LOCATION Manor Farm, Stainborough Lane, Hood Green, Barnsley, S75 3HA

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 01/07/2020 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 strictly in accordance with the amended plans (below) and specifications as approved unless required by any other conditions in this permission.

20.05 Dwg No. P02 Rev C received on 12th October 2020

20.05 Dwg No. P01 Rev F received on 3rd November 2020

20.05 Dwg No. P6 received on 12th October 2020

20.05 Dwg No OS1 Rev A received on 12th October 2020

Bat and Bird Survey Report dated 5th May 2020 prepared by Middleton Bell Ecology

Coal Mining Risk Assessment Prepared by Rogers Geotechnical Services Ltd dated May 2020

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 Prior to the commencement on site, a Phase 1 Desk Study to identify any potential contamination risks shall be submitted to and approved in writing by the Local Planning Authority.
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: In the interest of Ground Conditions and Pollution of the NPPF sections 178 to 180.
- 4 Prior to the commencement on site, an intrusive site investigation must be undertaken by a suitably qualified person to evaluate the ground conditions and determine any actual mining legacy risks. The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned mine workings manual" where applicable. A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. In the case of further stabilisation works being required, then the condition will not be discharged until details of such works have also been submitted. Responsibility for securing a safe development rests with the developer and/or landowner.
Reason: In the interest of Land Stability of the NPPF sections 170 € and (f) 178 (a), (b) and c and 179.
- 5 Prior to commencement of development tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing 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.
- 6 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the entire construction period, in the interest of road safety.
Reason: In the interests of highway safety and the free and safe flow of traffic, and in accordance with Local Plan Policy T4.
- 7 Upon commencement of development details of the proposed external materials 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 the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 8 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 9 Upon commencement of the development full details of the mitigation measures identified in Section 6.3 of the Bat and Bird Survey Report dated 5th May 2020 prepared by Middleton Bell Ecology, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.
- 10 Prior to first occupation of the development hereby permitted, full details of electric vehicle charging points have been submitted and approved by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details prior to the development being brought into use
Reason: In the interest of air quality, in accordance with Local Plan Policy POLL1.
- 11 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 Local Plan Policy Poll1 Pollution Control and Protection.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1 Protection of Green Belt.
- 13 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 Local Plan Policy T4 New Development and Transport Safety.

- 14 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.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.
- 15 The boundary treatments indicated on the approved site plan ref 20.05 Dwg No. P01 Rev E received on 12th October 2020 shall be completed before the dwelling is occupied and shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property, in accordance with Local Plan Policy GD1 General Development.
- 16 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

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.

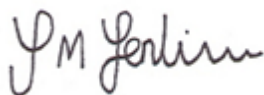
Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- 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.

Signed

Dated 03/11/2020



Joe Jenkinson
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 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.