BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0835

To Nathaniel Lichfield & Partners
3rd Floor
15 St Paul's Street
Leeds
West Yorkshire
LS1 2JG

DESCRIPTION Variation of conditions 2 and 17 of app 2014/0198 Erection of 13 detached dwellinghouses with associated access, car parking and landscaping.

LOCATION Land at Wellthorne Lane, Ingbirchworth, Sheffield, S36 7GJ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 15 July 2015 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 25th June 2014.

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 following plans and specifications as approved unless required by any other conditions in this permission:-

-14/109-P03B Site Layout Plan Rev B
-14/109-P119-C119.2E Type A - Construction Drawing Elevations
-14/109-C119.1G House Type A -Construction Drawing Floor Plans
-14/109-C129F House Type B - Construction Drawing
-14/109-P135C House Type C-Construction Drawing
-14/109-P149-C.1C House Type D - Construction Drawing Floor Plans
-14/109-C149.1D House Type D - Construction Drawing Elevations and Sections
-14/109-P174.2D House Type E - Construction Drawing Elevations
-14/109-C174.1D House Type E - Construction Drawing Floor Plans

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed
Head of Planning and Building Control

Dated 23 September 2015

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-14/109-P191.2C House Type F - Construction Drawing Sections and Elevations
-14/109-C191.1D House Type F - Construction Drawing Floor Plans
-14/109-C215D House Type G- Construction Drawing
-14/109-C215.C.2C House Type H - Construction Drawing Section and Elevation
-14/109-C215.1C House Type H - Construction Drawing Floor Plans
-14/109-P100 'Detached Garages - Planning Drawing
-14/109-P101 'Boundary treatment - Planning Drawing
-14/109-C200C Twin Garages - Construction Drawing plots 2 and 3

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

3 Finished floor levels of all buildings and structures; road levels; existing and finished ground levels shall proceed in accordance with MPJ Design plan 14/109-P104 'Existing and Proposed Levels'.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.

4 The development shall be carried out in accordance with the external facing material details detailed on plan ref 14/109-P104C 'External Facing Materials and Boundary Treatment'.

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

5 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, in accordance with Core Strategy Policy CSP 26.

6 Sightlines, having the dimensions 2.4m x 43m, shall be safeguarded at the junction of the site, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

7 Construction works are to be carried out in accordance with the measures detailed on 'Construction Phase Plan' prepared by Conroy Brook (Developments) Limited.

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.

8 Works are required which secure the following highway improvement works:-

a) provision of 2.0 metre wide footway;
b) provision of parking laybys;
c) extension of 30 mph speed limit;
d) parking restrictions to site frontage access;
e) any necessary signing and lining;
f) provision of/any necessary amendments to street lighting;
g) provision of/any necessary amendments to highway drainage;
h) any necessary resurfacing/reconstruction

These works shall be completed in accordance with the approved details and a timetable approved in writing by the Local Authority.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

9 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.

10 On completion of the development a highways 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.

11 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface surface water run-off by at least 30% 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 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.

12 No piped discharge of surface water from the application site shall take place prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that the site is properly drained and surface water is not discharged to any off site drainage system, which will prevent overloading, in accordance with Core Strategy policy CSP4.

13 Development shall be carried out in accordance with details prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) and shown on Brooks Ecological plan ref R-1630-02.1 'Ecological Mitigation and Tree Protection'. No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

14 Development shall be carried out in accordance with the approved landscaping scheme details for which are detailed on the following plans and particulars:-

14/109-P104C 'External Materials and Boundary Treatment'
ECUS Environmental Consultants plan ref L5159/01 'Soft Landscaping - Planting Plan'
'5 Year Maintenance Plan' ref: L5159/02

The approved hard landscaping details shall be implemented prior to the occupation of the buildings.

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

15 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.

16 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.

17 The development's carbon dioxide emissions shall be reduced by at least 15% by incorporating the measures identified in the Energy Statement. Upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.

Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

18 The development shall be carried out in accordance with the recommendations detailed in Brooks Ecological plan ref R-1630-02.1 'Ecological Mitigation and Tree Protection'

Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

19 The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details shown on plan ref 14/109-P104C 'External Facing Materials and Boundary Treatment'

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.

20 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 enlargement, improvement or other alteration to the rear of the dwellings of plots 5,6,7 and 8 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 Core Strategy Policy CSP 34, Protection of Green Belt.

21 The development shall be carried out in accordance with the principles set out in Drainage Strategy (reference SR/SH11118/LET-003 dated 21/01/2014 that has been prepared by Wardell Armstrong).

Reason: In the interest of satisfactory and sustainable drainage.

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.

1 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.

2 The applicant should note the comments provided in the following consultation responses to the original application, ref 2014/0198:-

-Senior Engineer - Drainage and Highways
-Highways
-Yorkshire Water

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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