



BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0785

To Tom Cook
c/o ID planning
Atlas House
31 King Street
Leeds
LS1 2HL

DESCRIPTION Amended layout and proposed substitution of house types to extant planning permission 2005/1980 for residential development. Proposed substitution of 77 units (plots 84-94, plots 97-111, plots 117-122, plots 127-129, plots 132-139, plots 144-167, plots 173-180 inc)

LOCATION Former Wombwell Foundry, Hough Lane, Wombwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 02 July 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.

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 06 August 2012

- 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 or if prior written consent is given by the Local Planning Authority to any variation.

planning application forms

drawing 2461/31 Location Plan

APS Surveying Services drawing no BBH05-33 Rev C Topographical Survey

drawing no 2461/01 Rev T Site Layout

drawing no 2461/11 Rev B Landscape Layout

drawing no Ae(E)/Planning Aintree End Planning Drawing

drawing no Ns/Planning/09 Newstead Planning Drawing

drawing no Nt/Planning/09 Norton Planning Drawing

drawing no Mt/Planning/09 Montrose Planning Drawing

drawing no 12/Planning/09 Ilston2 Planning Drawing

drawing no FI/Planning/09 Fontwell Planning Drawing

drawing no Fe/Planning/09 Folkestone Planning Drawing

drawing no Ep/Planning/09 Epsom Planning Drawing

drawing no Dh/Planning/09 Durham Planning Drawing

drawing no Cm/Planning 09 Cheltenham Planning Drawing

drawing no Jr/Planning 09 Jarrow2 Planning Drawing

drawing no GARAGE/07/01 Detached Single Garage

drawing no GARAGE/07/05 Detached Double Garage

drawing no GARAGE/07/04 Right Hand Side Single Garage

drawing no GARAGE/07/03 Mid Single Garage

drawing no GARAGE/07/02 Left Hand Side Single Garage

drawing no 0.45dm 0.45m High Demarcation Fence

drawing no 1.2m High Feature Railings (2008)

drawing no 1.8sf High Screen Fence

drawing no 1.8p&p 1.8m High Pier & Panel Wall (2008)

drawing no 2.0asf 2.0m High Acoustic Screen Fence

drawing no 2.1p&p (ac) 2.1m High Pier & Panel Wall with acoustic boarding

drawing no 1.2&4r 1.2m High Post6 & 4 Rail Fence (2008)

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

- 3 No development shall take place until full details of the proposed external materials have been 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 UDP Policy BE6, Design Standards.

- 4 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.

- 5 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with UDP Policy BE6, Design.
- 6 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
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Wheel washing facilities
 - Measures to control the emission of dust and dirt during construction
 - Measures to control noise levels during construction
 - A scheme for recycling/disposing of waste resulting from demolition and construction works
- Reason: In the interests of highway safety, residential amenity and visual amenity.**
- 7 A scheme for the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, shall be included with any application for outline reserved matters. The drainage works shall be completed in accordance with the details and timetable agreed.
Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
- 8 Visibility splays, having the dimensions 2.4m x 90m and 2.4m x 83m shall be safeguarded at the junction of Hough Lane with the access road, such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: In the interest of road safety.
- 9 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use, to prevent mud/debris from being deposited on the public highway to the detriment of road safety.
Reason: In the interest of road safety.
- 10 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.

- 11 Unless otherwise agreed in writing with the Local Planning Authority no building or other obstruction shall be located over or within 6.0 metres either side of the centre line of the sewer which crosses the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times.
- 12 Unless otherwise approved in writing by the Local Planning Authority there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made their disposal.
- 13 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.
Reason: In the interest of satisfactory drainage.
- 14 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 15 The development shall be carried out in full accordance with the recommendations and findings of the Revised Noise Assessment prepared by Kirby Charles Associates Limited, dated May 2010.
Reason: In the interests of residential amenity and to ensure that the development can be satisfactorily occupied.
- 16 Any impact piling shall only take place between the hours of 10:00 to 12:00 and 14:00 to 16:00.
Reason: To safeguard the amenities of existing residents.
- 17 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.
Reason: To ensure that the site is properly drained.
- 18 The access/parking/garaging/manoeuvring facilities indicated on the approved plan shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times in perpetuity
Reason: In the interests of highway safety.

- 19 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway
Reason: In the interest of highway safety.
- 20 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety.
- 21 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.
- 22 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 23 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of sustainable development.
- 24 NB Additional condition about footpath surfacing
- Unless otherwise agreed in writing with the Local Planning Authority, no dwelling shall be occupied until a 1 year Travel Master Pass has been provided to the first occupier of each dwelling in accordance with details to be submitted and agreed in writing with the Local Planning Authority.
Reason: In the interests of reducing the need for car travel to and from the site.

Reason(s) for Granting Permission

- 1 Unique 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:-

H8A Existing Residential Areas

H6 Open Space Provision

BE6 Design Standards

T2 Development and the Highway Network

SPG2 Design and Layout of New Residential Development

In the opinion of the Local Planning Authority the proposed development is in accordance with the above policies in that:-

Residential development is the most appropriate use of the site given the existing planning permission and surrounding form of development

The proposal has been designed to a sufficiently high standard with regards to the layout, buildings and landscaping and is acceptable from a visual amenity point of view.

It would lead to the construction of high quality new housing which would utilise modern and sustainable construction methods and be energy efficient.

The proposal would deliver acceptable standards of residential amenity for new and existing residents, due to the space standards between buildings and provision of adequate private garden areas

The proposal has been satisfactorily designed to meet design and safety standards, encompassing the design of the private drive, access points and junctions and parking provision.

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 The applicant is advised to contact Mr G Handley - Highways & Engineering prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of permanent or temporary vehicular access(es) to the highway.

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.