BARNSLEY
Metropolitan Borough Council

# APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0531

**To** Mr Keith Southernwood
Watson Batty Architects Ltd
Shires House
Shires Road
Guiseley
Leeds
West Yorkshire
LS20 8EU

**Proposal: Substitution of house types on plots 61-67 (Reserved Matters of application 2010/0178)**

**At: Land at/adjacent School Street, Thurnscoe, Rotherham, South Yorkshire**

**Approval is hereby given** for the proposals which were the subject of the Application and Plans registered by the Council on 21 May 2014 and described above, being matters reserved in the permission granted on 13 January 2010 under Application 2009/1408.

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to 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 following plans and specifications as approved unless required by any other conditions in this permission:-

-Drawing no 3835-RM1-001 'Location plan'
-Drawing no 3835-PL01 'Re-plan of plots 61-67'
-Drawing 3835-PL02-House Type-B 'Thurnscoe House Type B'
-Drawing 3835 PL03- House Type - D 'Thurnscoe House Type D'
-Drawing 3835 PL04- House Type - E 'Thurnscoe House Type E'
-Drawing 3835 PL05- House Type - M 'Thurnscoe House Type E'

Stephen Moralee

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, Building Control and Sustainability

Dated 15 July 2014

**Development Service**
**PO Box 604, Barnsley, S70 9FE**
**Telephone: 01226 - 772000**
**Fax: 01226 - 772591**

-Drawing 3835-EX04-Rev G 'Boundary Treatments'
-Drawing c-1175-01 'Detailed landscape proposals, plots 61-67
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

3 The dwellings shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
**Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.**

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 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.**

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 Core Strategy Policy CSP 40.**

6 The boundary treatment shall be completed in accordance with approved plan reference 3835-EX04-Rev G 'Boundary Treatments' before any of the dwellings are occupied. Development 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 Core Strategy policy CSP 29.**

7 Finished floor levels of all dwellings shall proceed in accordance approved plan reference QD308-03-01 Rev G
**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.**

8 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.**

**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.*

**NOTES:-**

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.