BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1150

To Astrum Planning Ltd
161 Bilton Lane
Harrogate
HG1 3DQ

DESCRIPTION Residential development of 83no dwellings and associated works
LOCATION Land North of Wood Walk, Platts Common, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 21/09/2021 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 substantial accordance with the plans and specifications as approved unless required by any other conditions in this permission.
The approved plans are;
00-001-P10 - Proposed Site Plan
A-01 - House Type A (The Ingleborough)
A-01 - House Type A (The Ingleborough) (detached)
B-01 - House Type B (The Lilac)
C-01 - House Type C (The Laurel)
D-01 - House Type D (The Sandringham)
E-01 - House Type E (The Harewood)
F-01 - House Type F (The Winterley)
G-01 - House Type G (The Whernside)
H-01 - House Type H (3nr) (The Beamsley)
H-01 - House Type H (4nr) (The Beamsley)
JK-01 - House Type J/K (The Eastern/The Kelham)
L-01 - House Type L (The Buckden)
GD-01 - Proposed Separated Double Garage
GS-01 - Proposed Single Garage
Y19072-D900-Rev 6 - Overall Engineering Schematic Plan
Y19072-D901-Rev 5 - Engineering Schematic Plan 1
Y19072-D902-Rev 4 - Engineering Schematic Plan 2

Y19072-D300 Rev 3 - Proposed Long Sections 1
Y19072-D301- Rev 3- Proposed Long Sections 2
Y19072 -D0302-1 Rev 2 - Private Drives
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.

3 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.

4 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, 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 order to ensure compliance with Local Plan Policy I1.

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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

6 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs - 064.01.01-B, 02-B, 03-B, 04-B, 05-B, 06-B & 07-A) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, 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 Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

7 All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs 064.01.01-B, 02-B, 03-B, 04-B, 05-B, 06-B & 07-A) shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

8 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

9 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.

10 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

11 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:
i.The parking of vehicles of site operatives and visitors
ii.Means of access for construction traffic
iii.Loading and unloading of plant and materials
iv.Storage of plant and materials used in constructing the development
v.Measures to prevent mud/debris being deposited on the public highway.
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.

12 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

13 No drainage works shall commence until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure the proper drainage of the area.

14 Prior to the first occupation of the development hereby permitted, a vehicular access shall be provided and thereafter retained in the position shown on the approved plan and constructed in accordance with the BMBC highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water from or onto the highway and in the interests of highway safety.

15 No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing with the LPA.
Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety.

16 No building or use hereby permitted shall be occupied (or use commenced) until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption as maintainable at public expense within the site have been submitted to and approved in writing by the LPA. On occupation of the first dwelling (or building) within the site, the streets shall be maintained in accordance with the approved management and maintenance details.
Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users.

17 Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at Wood Walk in accordance with details of a phasing and completion plan to be submitted and approved in writing by the LPA.
Reason: To ensure streets are completed prior to occupation and satisfactory development of the site.

18 Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4m x 90m shall be provided as measured back from the centre line of the access or give way point and extending 90m along the nearside carriageway edge of Wood Walk to each side of the access and such splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.
Reason: In the interests of highway safety.

19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order), the garages/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the LPA.
Reason: To retain the garages/car parking spaces for parking purposes.

20 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

i. A plan to a scale of 1:1250 showing the location of all defects identified
ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety.

21 No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.
Reason: In interests of encouraging use of sustainable modes of transport.

22 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Noise Impact Assessment carried out by Deltasimons, dated January 2022, Project Number 16-0406.08 and retained as such thereafter. Prior to the commencement of development, precise details of the required noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details which shall be retained thereafter for the lifetime of the development.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

23 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Air Quality Assessment carried out by Deltasimons, dated August 2021, Project Number 16-0406.05 and retained as such thereafter.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

24 The development hereby approved shall be carried out in strict accordance with the mitigations/recommendations set out in section 6 of the Preliminary Ecological Appraisal by Deltasimons dated August 2021 (Ref: 16-0406.07). Prior to the commencement of development, precise details of the required mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.
Reason: In the interest of Biodiversity and in accordance with Local Plan Policy BIO1.

25 Prior to commencement, a Biodiversity Enhancement Management Plan (BEMP) which would include the following shall be submitted to, and approved in writing by the Local Planning Authority:
- a plan of the areas to be maintained, enhanced and/or created;
- a schedule of actions to create or enhance and maintain each habitat at the required quality for a period of 30 years;
- a schedule of ecological monitoring for the 30 year period identifying when key indicators of habitat maturity should be achieved. Monitoring would be required within years 2, 5, 10, 20 and 30; and
- schedule of actions to be undertaken in case signs of failing are identified.

- the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.

Thereafter the approved scheme shall be carried out in accordance with the approved details and timescales.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1.

26 No development or other operations being undertaken on site shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority:

- Tree protective fencing
- Tree protection plan (TPP)
- Arboricultural Method Statement

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.

27 The site is located within a Coal Authority coal mining referral area due to the presence of opencast backfill and highwalls. As detailed in the Delta Simons Geo-Environmental report ref 16-0406.03 dated August 2021 the land could therefore be at risk from mining legacy risks such as ground instability. The development must therefore be undertaken in compliance with the conclusions and recommendations of the Delta Simons report. For the avoidance of doubt this shall include but not be limited to the following -

- No dwellings shall be constructed over the opencast highwall exclusion zone.
- An earthworks ground improvement scheme shall be implemented, and the foundations of the proposed dwellings shall be suitably designed as advised by a suitably qualified engineer.
- The access roadways shall be designed by a suitably qualified engineer. Additional design/mitigaion measures shall be implemented where they cross the opencast highwall to ensure differential settlement does not affect long-term sustainability and integrity.

The development shall be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned Mine Workings Manual" where applicable.

Responsibility for securing a safe and sustainable development rests with the developer and/or landowner"

Reason: Land stability NPPF sections 183 a,b,c. 184 and 174 e & f

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

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.

2 The granting of planning permission does not affect the status of species such as owls and bats, which have protection under other legislation. These may be present and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

3 S278 Works on the Public Highway - The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.

4 S38 Streets to be Adopted - The development hereby approved includes the construction of new highway. To be considered for adoption and on-going maintenance at public expense, it must be laid out and constructed to the BMBC engineering standard details and to the terms of phasing of the development. You are advised that you must enter into a highway agreement under s38 of the Highways Act 1980. The development will be bound by the Sections 219 to 225 of the Highways Act 1980 (the Advances Payments Code). Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control on email HighwaysDC@barnsley.gov.uk or call to 01226 773555 prior to any work commencing on site. Please note that it is necessary to gain all technical and legal approvals for all street road details from the LHA prior to submission of such approved details to the LPA to discharge condition 16 of this consent.

5 Road Licences - You are advised that the development hereby permitted requires you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers), and / or to place any equipment, materials in, on, above or abutting a highway for which you need to have a licence. Further details are available on the BMBC website at: https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/ or my contacting Streetworks@barnsley.gov.uk

6 Parks' approval should be sought before a new access is constructed to the recreation ground. If, as appears to be the case, the pedestrian links are to be privately maintained, steps should be taken to make that clear to the public. The Public Rights of Way Officer strongly suggest that notices are erected and maintained at the start of each privately maintained route stating the following or similar:

Notice under the Highways Act 1980 section 31(3)
Public access is provided with the permission of the owner. No public right of way.
Please note that this path is private property and the owner has no intention to dedicate it as a public highway.
Name of landowner
Date notice erected

Please be aware that the Council monitors construction sites and open land within the vicinity of 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 any development is disposed of via approved methods and that documents are retained to prove this.

Signed Dated 09/11/2022



Joe Jenkinson
Head of Planning, Policy 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.