BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/1039

To Mr Richard Beevers
Gladedale (South Yorkshire) Ltd
First Floor, Icon
First Point
Balby Carr Bank
Doncaster
DN4 5JQ

DESCRIPTION Residential development of 62 no. dwellings.
LOCATION Former MP Burke Depot, Park Street, Wombwell, Barnsley,, S73 0HS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 August 2009 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 strict accordance with the amended plans and specifications (Drawing No's: 2361.1/01 Rev. A; 2361.1/01 Rev. B; Cedar-PD-Mid Rev. A; Oak-PD-End; Hawthorne-PD Rev. A; Alder-PD-Semi Rev. A; Aspen-PD-End Rev. A; Aspen-PD-Mid Rev.A; Cedar-PD-End Rev. A; 1.8p&p; 1.8sf; 0.45dm; 1.2fr; 1.8bw) unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with Barnsley UDP Policy BE6, Design Standards.

3 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.

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
Assistant Director, Planning and Transportation

Dated 02 November 2009

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4 All planting, seeding or turfing comprised in the approved details of landscaping (Entitled: Landscape Layout DRG No. 2361.1/11 Rev. B) 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. The approved hard landscaping details shall be implemented prior to the occupation of the dwellings.
Reason: In the interests of the visual amenities of the locality.

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.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (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 privacy and amenities of the occupiers of adjoining residential property and in accordance with Barnsley UDP Policy BE6, Design Standards.

8 Unless otherwise agreed in writing by the Local Planning Authority, the approved remediation scheme (Ref: Encia Environmental Limited Report No. 6177/4A) must be carried out in accordance with the approved details. The developer must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to the Local Planning Authority for approval.
Reason: In the interests of residential amenity and in accordance with SPG28.

9 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment prepared by Opus International Consultants Limited, dated August 2009, reference J-D0340 and the following mitigation within the FRA:

Limiting the surface water run-off so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. As the FRA states that the surface water from the new development will utilise the same connections on a like for like basis as stated in section 6.1.3 'Adopted Drainage' on page 10 of the document.
Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

10 No development shall take place unless and until full foul and surface water drainage details (including land drainage) with levels and cross sections, have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the proper drainage of the area.

11 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 for their disposal.

12 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge to the public sewer. Roof drainage should not be passed through any interceptor.
Reasons: In the interest of satisfactory drainage.

13 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority in relation to the trees which lie close to the southern boundary of the site and are protected by TPO 05/1992.

- Root Protection Areas (RPA)
- Tree Constraints Plan (TCP)
- Tree Protection Plan (TPP)
- Arboricultural Implication Assessment (AIA)
- Arboricultural Method Statement (AMS)

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 Visibility splays, having the dimensions 2.4m x 90m, shall be safeguarded at the junction of Park St 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.

15 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of: -

a) Provision of 2m wide footway along the entire site frontage;
b) Relocation/provision of any necessary street furniture including signs, lighting columns etc;
c) Any necessary alterations to drainage;
d) Any necessary alterations to lining and Traffic Regulation Orders.

Reason: In the interest of road safety.

16 Prior to any 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. On 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 interests of road safety.

17 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.

Reason: In the interest of road safety.

18 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrances/exits such that there is no obstruction to visibility at a height exceeding 1m.

Reason: In the interest of highway safety.

Reason(s) for Granting Permission

1 Unique The proposal complies with Policies H8A and H5 in that the scale, layout, height and design of the dwellings will not cause any significant detriment to residential amenity for new or existing residents and the scheme, as proposed, will improve the quality and variety of the boroughs housing stock.

Informative(s)

1	The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included: - Collapse of shallow coal mine workings; - Collapse of, or risk of entry into, mine entries (shafts and adits); - Gas emissions from coal mines including methane and carbon dioxide; - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide; - Transmission of gases into adjacent properties from underground sources through ground fractures; - Coal mining subsidence - Water emissions from coal mine workings. Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated. The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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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