



APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/0501

To J S Bloor (Services) Ltd
Ashby Road
Measham
Swadlincote
DE12 7JP

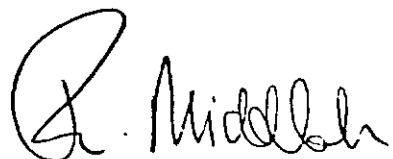
Proposal Residential Development of 60 No. dwellings with associated access road and public open space (Reserved Matters)
At Land at Canal Street, Barnsley

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 05 April 2006 and described above, being matters reserved in the permission granted on OutlineApplicationDate under Application OutlineApplicationNumber

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 approved shall be carried out in strict accordance with the amended plans and specifications received on 17 & 21 July 2006, 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 UDP Policy BE6, Design Standards.
- 2 The development shall be carried out in accordance with the recommendations of the Acoustic Consultants Reports, dated 3 March 2006 & 4 May 2006, prepared by Kirkby Charles Association Limited.
Reason: In the interests of residential amenity.
- 3 The development shall be carried out in accordance with the materials schedule indicated on the Finishes Layout Plan, drawing no. M89/FL/1, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity.

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 20 October 2006

- 4 The boundary treatments indicated on the plans hereby approved shall be completed before the dwellings are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with U.D.P. Policy BE6, Design Standards.
- 5 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.
- 6 No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that any archaeological remains are recorded or are preserved in accordance with an agreed scheme.
- 7 Prior to the commencement of development a noise action plan shall be submitted to and approved by the Local Planning Authority, it should detail the best practicable means to control the noise from each phase of the sites development and take account of the guidance in the 'Guide to Noise & Vibration Control on Construction and Open Sites - BS5228: Parts I & II. The operations shall be undertaken in full accordance with the approved plan.
Reason: In the interests of residential amenity.
- 8 Prior to the commencement of development a dust action plan shall be submitted to and approved by the Local Planning Authority, it should detail the best practicable means to control the dust arising from operations. Such measures may include where necessary the use of water bowzers, sprayers (mobile & fixed), hosepipes or similar equipment, the sheeting up of loaded vehicles the use of wheel washers etc. The operations shall be undertaken in full accordance with the approved plan.
Reason: In the interests of residential amenity.
- 9 Construction or remediation work, or deliveries of materials shall only take place between the hours of 0800 & 1800 Monday to Friday and 0900 & 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of residential amenity.
- 10 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 building or structure shall be placed or erected within 6 metres of the sewer crossing the site.
Reason: To prevent damage to the existing sewer.
- 11 The site shall be developed with separate systems of drainage for foul and surface water.
Reason: In the interests of satisfactory drainage.
- 12 No development shall take place until details of the foul and surface water drainage 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.

- 13 Surface water discharge from the site shall be limited to a rate of 5 litres/second/hectare. No development shall commence until a scheme for the provision and implementation of surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full accordance with the approved programme and details and shall thereafter be retained.
Reason: To prevent the increased risk of flooding.
- 14 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety.
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Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety.
- 16 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at each household drive 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 road safety.
- 17 The parking/manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use and shall be retained for that sole purpose at all times.
Reason: In the interest of road safety.
- 18 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the duration of the entire construction period.
Reason: In the interest of road safety.
- 19 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period.
Reason: In the interest of road safety.
- 20 Development shall not commence until details of the siting of the sales cabin, and parking for staff and customers visiting the site, have been submitted and approved in writing by the Local Planning Authority, and such facilities shall be retained for the entire construction period.
Reason: In the interest of road safety
- 21 Development shall not commence until details of the means of access for construction traffic have been submitted to and approved, in writing, by the Local Planning Authority, and such an access shall be retained for the entire construction period.
Reason: In the interests of road safety.

- 22 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 highway safety.
- 23 Vehicular and pedestrian gradients within the site shall not exceed 1:12 unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure safe and adequate access
- 24 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority, to ensure a safe and adequate highway network
Reason: In the interest of road safety.
- 25 Development shall not commence until full highway engineering construction details have been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of road safety.
- 26 Development shall not commence until longitudinal sections have been submitted to and approved in writing by the Local Planning Authority in respect of the two link footpaths to the site from Honeywell Street and Honeywell Place.
Reason: In the interests of highway safety

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 development involves works abutting the highway along Honeywell Street and Honeywell Place, the developer must contact Mr Stephen Gibbons in the Council Highways & Engineering Service prior to any works commencing on-site in order to ensure no damage is caused to the highway.

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.

- 3 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:

H4 - New Housing Development
BA1/9 - Housing Proposal
Policy H6 - Provision of Public Open Space
T2 - Development and the Highway Network
PAN30 - Sequential Approach to Residential Development

The principle of developing the site for residential purposes was established with the granting of outline planning permission under application no. B/04/0589/BA.

The proposed development is considered to be acceptable and would comply with Council's approved Supplementary Planning Guidance. There would be no adverse impact on existing residential property.

The design and layout is considered to be acceptable and would achieve a new streetscape that is appropriate in the local context.

The proposed development can be accommodated within the capacity of the existing highway network. Safe and satisfactory access and parking would be provided to serve the new residential properties.