BARNSLEY
Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0926

To Barton Willmore (Leeds)
3rd Floor
14 King Street
Leeds
West Yorkshire
LS1 2HL

Proposal: Application for approval of reserved matters of outline planning permission 2014/0452 for 1st phase development of 174 dwellings (appearance, landscaping, layout and scale)

At: Former North Gawber Colliery, Carr Green Lane, Mapplewell, Barnsley, S75 6DY

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 13 August 2015 and described above, being matters reserved in the permission granted on under Application

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 2 years from the date of this permission.
Reason: In order to comply with the provision of Section 92 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
Head of Planning and Building Control

Dated 22 December 2015

Development Service
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2 The development hereby approved shall be carried out strictly in accordance with plans and specifications as approved unless required by any other conditions in this permission:-

-Sten Architecture plan ref 1512.022 'Site Location Plan'
-Sten Architecture plan ref 1512:01 Rev N 'Proposed Planning Layout'
-Sten Architecture plan ref 1512:03 Rev A 'Proposed Materials Plan'
-Sten Architecture plan ref B.KRF.O1 'Knee Rail Fence'
-Sten Architecture plan ref B.KRF.O1 - 1.2M 'Estate Railing'
-Sten Architecture plan ref B.PPW.O1 - 1.8M 'Pier & panel wall'
-Sten Architecture plan ref B.PRD.01 - 0.9M 'Post & rail divisional fence'
-Sten Architecture plan ref B.TSF.O1 - 1.8M 'Timber screen fence'
-Sten Architecture plan ref ASHBURY-ASH.O1.AS 'Ashbury floor plans'
-Sten Architecture plan ref ASHBURY-ASH.O1.OP 'Ashbury floor plans
-Sten Architecture plan ref ASHBURY-ASH.02.AS 'Ashbury elevations'
-Sten Architecture plan ref ASHBURY-ASH.02.OP Ashbury elevations'
-Sten Architecture plan ref CDR.02.P.A Cranford Elevations
-Sten Architecture plan ref CDR.02.Q.A Cranford Elevations
-Sten Architecture plan ref Coleford-COL.01.P 'Coleford - Floor Plans'
-Sten Architecture plan ref Coleford-COL.O1.Q 'Coleford - Floor Plans'
-Sten Architecture plan ref Coleford-COL.02.P Coleford Coleford - Elevations
-Sten Architecture plan ref Coleford-COL.02.Q Coleford Coleford - Elevations
-Sten Architecture plan ref Coleford-COL.02.T Coleford Coleford - Elevations
-Sten Architecture plan ref Thirston-THI.O1.P Thirston - Floor Plans (PAIR)
-Sten Architecture plan ref Thirston-THI.02.P Thirston - Floor Plans (PAIR)
-Sten Architecture plan ref Thirston-THI.02.R Thirston - Elevations (RENDER)
-Sten Architecture plan ref Hamilton-HAM.02.P Hamilton elevations
-Sten Architecture plan ref Hanbury-HAY.02.OP Hanbury elevations (OP)
-Sten Architecture plan ref Hanbury-HAY.02.OP.R 'Hanbury elevations Plot 28'
-Sten Architecture plan ref Kempton-KEM.02.T Kempton elevations
-Sten Architecture plan ref Kempton-KEN.01.T.A Kempton floor plans
-Sten Architecture plan ref Kilmington-KIN.01.D Kilmington floor plans (detached)
-Sten Architecture plan ref Kilmington-KIN.01.P Kilmington floor plans (pair)
-Sten Architecture plan ref Kilmington-KIN.02.D Kilmington elevations (detached)
-Sten Architecture plan ref Kilmington-KIN.02.P Kilmington elevations (pair)
-Sten Architecture plan ref Morton-MON.01.AS Morton floor plans
-Sten Architecture plan ref Morton-MON.01.OP Morton floor plans
-Sten Architecture plan ref Morton-MON.02.OP Morton elevations
-Sten Architecture plan ref Morton-MON.02.AS Morton elevations
-Sten Architecture plan ref Norbury-NOY.01.AS Norbury floor plans
-Sten Architecture plan ref Norbury-NOY.01.OP Norbury floor plans
-Sten Architecture plan ref Norbury-NOY.02.AS Norbury elevations
-Sten Architecture plan ref Norbury-NOY.02.AS.R Norbury elevations - PLOTS 55 76 88 172
-Sten Architecture plan ref Norbury-NOY.02.OP Norbury elevations
-Sten Architecture plan ref Norbury-NOY.02.OP.R Norbury elevations - PLOT 77
-Sten Architecture plan ref Rosebury-ROY.01.AS Rosebury floor plans
-Sten Architecture plan ref Rosebury-ROY.01.OP Rosebury floor plans
-Sten Architecture plan ref Rosebury-ROY.02.AS Rosebury elevations
-Sten Architecture plan ref Rosebury-ROY.02.OP Rosebury elevations
-Rosetta Landscape Design plan ref 2573/1 rev G Detailed Landscape Proposals (2 of 4)
-Rosetta Landscape Design plan ref 2573/2 rev G Detailed Landscape Proposals (2 of 4)
-Rosetta Landscape Design plan ref 2573/3 rev G Detailed Landscape Proposals (3 of 4)
-Rosetta Landscape Design plan ref 2573/4 rev G Detailed Landscape Proposals (4 of 4)
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

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, in accordance with Core Strategy Policy CSP 26.

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 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years, 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, in accordance with Core Strategy Policy CSP 29.

6 The boundary treatment details indicated on plan ref 1512:01 Rev N 'Proposed Planning Layout' shall be completed before the dwelling is 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings on plots 33, 34, 45, 45, 92, 129, 145-147 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.
Reason: In the interests of residential amenity in accordance with the Designing New Residential Development SPD

8 No development shall take place until further intrusive site investigations to locate recorded mine entry 433409-005 and the results to assess the risk of land instability arising from historical coal mining activity have been submitted to and approved in writing by the Local Planning Authority in accordance with the recommendations contained within the RSK Environment Ltd letter to the Coal Authority of 2 December 2015. In the event that the site investigations confirm the need for remedial works to treat areas of shallow mine workings, further details shall be provided to the Local Planning Authority for approval that shall require implementation prior to the commencement of the approved development.
Reason: In order to ensure safety and stability of the proposed development in accordance with CSP39.

9 The development shall be undertaken only in accordance with the measures set out in 'Specification for the Stablilisation of Shallow Coal Workings' detailed within Sirius Report ref SDS3242.
Reason: In order to ensure safety and stability of the proposed development in accordance with CSP39.

10 Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at all internal junctions apart from the junction between plots 91 and 102 ,which should have the dimensions 2.4m x 33m, such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: In the interest of road safety in accordance with CSP26

11 Prior to commencement of construction works on site, the developer shall have taken appropriate measures to ensure contact details for the site manager are made visible to the public and local residents.
Reason: In the interests of ensuring adequate communications with the local authority and minimising the effects of the construction works in accordance with CSP40.

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.

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 proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on website at:
www.gov.uk/government/organisations/the-coal-authority

3 The applicant/developer should be aware of the need to comply with the conditions and the requirements of the S106 on the associated oultline planning permission i.e. 2014/0452.

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.

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