



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2024/0611

To BMBC
Property Services
Westgate Plaza One
PO Box 634
Barnsley
S70 9GG

DESCRIPTION Erection of 9no. dwellings consisting of 4no. 2 bedrooomed semi detached, 4no. 3 bedrooomed semi detached and 1 no. detached dwelling including demolition of existing dwellings. Creation of 2no greenspaces and associated public realm works, resurfacing of alleys and rear boundary treatments to existing dwellings, erection of new gable wall including bay window to 20 Co-operative Street and installation of new bay windows and bedroom windows to 25 Co-operative Street and 28 Victoria Street

LOCATION Cooperative Street, Goldthorpe, Rotherham, S63 9HN and Victoria Street, Goldthorpe, Rotherham, S63 9HS

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 27/08/2024 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 strictly in accordance with the amended plans (Nos. GHP-PH2a-00-DR-A-023 Rev P4 , GHP-PH2a-00-DR-A-022 Rev P6 , GHP-PH2ab-00-DR-A-1001 Rev P1, GHP-PH2a-DR-A-043 Rev P2, GHP-PH2a-DR-A-044 Rev P2, GHP-PH2a-DR-A-045 Rev P2, GHP-PH2a-DR-A-046 Rev P2 , GHP-PH2a-DR-A-047 Rev P2, GHP-PH2a-DR-A-063 Rev P3, GHP-PH2a-DR-A-064 Rev P2, GHP-PH2a-DR-A-065 Rev P2, GHP-PH2a-DR-A-066 Rev P2, GHP-PH2a-DR-A-067 Rev P2, GHP-PH2a-DR-A-068 Rev P1, BC2301-APP-ZZ-ZZ-RD-A-000110 Rev P1, BC2301-APP-ZZ-ZZ-RD-A-000111 Rev P2, BC2301-APP-ZZ-ZZ-RD-A-000112 Rev P2, BC2301-APP-ZZ-ZZ-RD-A-000120 Rev P5, BC2301-APP-ZZ-ZZ-RD-A-000201 Rev F16, BC2301-APP-ZZ-ZZ-RD-A-000400, BC2301-APP-ZZ-ZZ-RD-A-000401, Flood Risk and Drainage Strategy, Geoenvironmental Report, Plant Palette, Noise Impact Assessment, Landscape Plant Softworks, BNG Assessment, Bat Emergence Survey Report, Preliminary Ecological Appraisal, Statutory Biodiversity Metric) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3 The development shall be completed in line with the BNG Assessment, the Bat Emergence Survey Report, the Preliminary Ecological Appraisal and the Statutory Biodiversity Metric. All recommendations will be implemented in full according to the timescales laid out, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

4 The development shall be carried out in accordance with the following biodiversity enhancement measures. The measures listed below shall be implemented in full, prior to first occupation of the site, and full details including photographic evidence provided to the Local Planning Authority, the features shall thereafter be permanently retained.

o Integrated bat roosting boxes and integrated swift boxes to be installed in suitable locations within each new dwelling; and

o Hedgehog highways to be installed in all boundary fencing, including fences between dwellings. The hedgehog highways will be signposted to prevent residents blocking gaps.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

5 The development granted by this notice must not begin unless:
o a Biodiversity Gain Plan has been submitted to the planning authority, and
o the planning authority has approved the plan, or
o the development is exempt from the biodiversity gain condition

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

6 Prior to the commencement of development, a Biodiversity Enhancement Management Plan (BEMP) covering the initial five years of the scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

- 7 Prior to the first occupation of the development hereby permitted, the proposed accesses, driveways, on-site car parking and vehicle turning shall be laid out in accordance with the approved plan. Driveways and vehicle parking areas accessed from the approved streets must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.
Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard; to ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway; and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 8 The parking facility hereby permitted shall not be brought into use until pedestrian visibility splays of 2m x 2m to the back edge of the footway have been provided at the proposed access. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 1m to the rear of the footway which would obstruct the visibility splays. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.
Reason: To ensure drivers have clear and unrestricted views of approaching pedestrians when pulling out onto the public highway, in the interest of highway safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 9 Notwithstanding the details indicated on the submitted drawings, no works shall commence on site until a detailed scheme for proposed work to alter the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The works including the design, specification and construction shall be to the satisfaction of the Highway Authority. The scheme shall proceed in accordance with the approved details.
Reason: To ensure that the highway works are designed and constructed to an appropriate standard in the interest of highway safety in accordance with Local Plan Policy T4
- 10 No works shall commence on site until a scheme for the parking of bicycles complying with LTN 1/20 Cycle Infrastructure Design has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.
Reason: In the interests of encouraging the use of sustainable modes of transport in accordance with Local Plan Policy T3.

- 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 statement shall include but not be restricted to:
- i. Site working hours and delivery hours which should avoid peak hours
 - ii. The parking of vehicles of site operatives and visitors
 - iii. Any temporary access to the site
 - iv. Loading and unloading of plant and materials
 - v. Storage of plant and materials used in constructing the development
 - vi. Arrangements to receive abnormal loads or unusually large vehicles
 - vii. Methods of communicating the Construction Management Plan to the workforce, visitors and neighbouring residents and businesses
 - viii. Measures to prevent mud/debris being deposited on the public highway.

The submitted and hereby approved Construction Traffic Management Plan (CTMP) shall be adhered to throughout the construction period.

Reason: In the interests of highway safety, in accordance with Local Plan Policy T4 New development and Transport Safety.

- 12 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.
- Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy POLL1.**

- 13 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:
- i) the means of discharging to the public sewer network at a rate not to exceed 12.9 litres a second across 3 outfalls.
- Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal in accordance with Local Plan Policy POLL1.**

- 14 No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.
- Reason: In the interest of public health and maintaining the public sewer network in accordance with Local Plan Policy POLL1.**

- 15 Before the occupation of plot 9, this plot shall be provided with a 1.8m solid timber fence (with no holes) along the northern and western boundaries of the plot. This fence shall thereafter be retained as such.
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
- 16 During works, construction or demolition related activity shall only take place onsite 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: 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
- 17 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the development 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'.

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 Access for fire engines will be required under Part B of the Approved document to the Building Regulations.
- 2 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.

- 3 The works should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible then a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to the start of works. Should active nests be found, works should cease until the nests are no longer active and the chicks have fledged and the ecologist has deemed the area to be free of nesting birds.

If a protected species (such as any bat or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.

- 4 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.

Planning permission does not infer any other consent is given and it is the responsibility of the applicant to ensure that all other permissions are in place before development commences. The developer must contact Highways, Engineering & Transportation on 01226 773555 prior to any work commencing on site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.

- 5 With regards to condition 9 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. 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

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: 16 October 2024

A handwritten signature in black ink, consisting of a stylized, circular scribble followed by a horizontal line extending to the right.

Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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 given 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.