



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0127

To Mr Mark Beevers
Harron Homes
Colton House
Bullerthorpe Lane
Leeds
LS15 9JL

DESCRIPTION Variation of condition 2 no. of previous application 2014/0853 (Erection of 192 dwellings with new access road from Littleworth lane together with open space and balancing pond)
LOCATION Former Priory School and Sports College, Littleworth Lane, Monk Bretton, Barnsley, S71 5GR

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 March 2016 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the plans (Proposed Site Layout: 3623/10 Rev Q, House Types: 3623/PD01-A (bungalow), P.01.00 (Hadleigh), P.14.00 (Bamburgh), P.28.00 (Windsor), P.37.00 (Arundel), P.50.00 (Embsay), P.51.00-A (Birkwith), P.54.00 (Nidderdale), P.56.00 (Settle), P.57.00 (Tonbridge), P.64.00 (Hebden), P.65.00 (Hanley), P.66.00 (Coverham), P.80.00 (Single Garage), 71.0013 (The Baybridge), 83.00, 83.00.00, 83.00.01, 83.00.02, 83.00.03, 83.00.04, 83.00.05, 83.00.06, 83.00.07, 83.00.08, 83.00.09, 83.00.10 (Ashbourne), 84.00, 84.00.01-B, 84.00.01-B, 84.00.02-A, 84.00.03-B, 84.00.04-B, 84.00.05-A, 84.00.06-B, 84.00.07-A, 84.00.08-A, 84.00.09-A, 84.00.10-A (Derwent), Landscape Masterplan: R1612/1B) and specifications/recommendations (Flood Risk Assessment:10957-5001, Phase 1 Habitat Survey, Arboricultural Report: AWA1210, Noise Assessment: A088513) as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

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 26 April 2016

- 2 The development shall be carried out in accordance with the mitigation measures identified in the Ecological Survey (report undertaken by AES-LTD, dated July 2014) and The Biodiversity Mitigation Strategy (by AES dated January 2015) .
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.
- 3 No part of the development shall be occupied or brought into use until the approved drainage scheme, demonstrated in the Flood Risk Assessment by Met Engineers (Aug 2014) and Yorkshire Waters email (Ref: Q008284 dated 11/06/2014), has been fully implemented. The scheme shall be retained throughout the life of the development.
Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 4 The development shall be carried out in accordance with approved scheme for disposing of surface water by means of a sustainable drainage system, demonstrated in the Flood Risk Assessment by Met Engineers (Aug 2014) and Yorkshire Waters email (Ref: Q008284 dated 11/06/2014).
The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.
Reason: To ensure proper drainage of the area in accordance with Core strategy Policy CSP 3.
- 5 The development shall be carried out in accordance with the carbon dioxide strategy set out in the Energy Statement prepared by JSP Sustainability Ltd, dated January 2015. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy Policy CSP5.
- 6 The development shall be carried out in accordance with the approved highway improvement works set out in the following drawings/documents; 10957-5001-02C Refuse Vehicular Tracking, 10957-5001-03 S278 Standard Highway Details, 10957-5001-04E S278 Layout, 10957-5001-05 S278 Ext Plan-Land Dedicat, 10957-5001-06C S278 Levels-Drainage, 10957-5001-07A S278 Site Clearance, 10957-5001-08B S278 White Line-Signing, 10957-5001-09A S278 Cross Sections, 10957-5001-10B S278 Surfacing Plan, 10957-5001-16A Standard Highway Construction Details, 10957-5001-42 - SW1 SW2 SW3 Manhole Schedule.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy Policy CSP 26.
- 7 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 developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 8 The development shall be carried out in strict accordance with the Construction Environment Management Plan prepared by Harron homes, Dated January 2015. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

- 9 The development shall be carried out in accordance with the Remediation Strategy prepared by Lithos Consulting, dated September 2014 (Ref: 1898/2). The site must not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.
- 10 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for the area of land to the East of the new link road 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. Landscape management 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.
- 11 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.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 12 No dwelling shall be occupied until a 1 year Travel Master Pass has been provided to the first occupier of each dwelling in accordance with details to be submitted and agreed in writing with the Local Planning Authority.
Reason: In the interests of reducing the need for car travel to and from the site in accordance with Core Strategy Policy CSP 25.
- 13 No piped discharge of surface water from the application site shall take place prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that the site is properly drained and surface water is not discharged to any off site drainage system, which will prevent overloading, in accordance with Core Strategy policy CSP4.
- 14 The development shall be carried out in strict accordance with the approved Arboricultural Method Statement prepared by AWA Tree Consultants dated January 2015 and the Tree Protection Plan (Ref: R/1612/2).
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.
- 15 Prior to the occupation of the first dwelling a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of completion of 50% of the units, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented.
Reason: In the interests of sustainable development, in accordance with Policy CSP25.

- 16 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 Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 17 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 Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 18 Visibility splays, having the dimensions 2.4m x 43m, shall be safeguarded at all junctions within the development, such that there is no obstruction to visibility and forming part of the adopted highway
Reason: In the interest of Road Safety.
- 19 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.
- 20 No building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the sewers, which cross the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times
- 21 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 Core Strategy Policy CSP 40, Pollution Control and Protection.

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 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

- 2 The granting of planning permission does not effect 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 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.

- 4 The decision to grant planning permission has been taken having regard to the saved policies and proposals in the Barnsley Unitary Development Plan, the policies and proposals in the Core Strategy and to all relevant material considerations, including Supplementary Planning Guidance/Documents:

The Core Strategy
CSP1 Climate Change
CSP2 Sustainable Construction
CSP3 Sustainable Drainage Systems
CSP 4 Flood Risk
CSP5 Including Renewable Energy in Developments.
CSP8 The Location of Growth
CSP9 The Number of New Homes
CSP10 The Distribution of New Homes
CSP14 Housing Mix and Efficient Use of Land
CSP15 Affordable Housing
CSP25 New Development and Sustainable Travel
CSP26 New Development and Highway Improvement
CSP29 Design
CSP35 Green Space
CSP36 Biodiversity and Geodiversity
CSP39 Contaminated and Unstable Land
CSP40 Pollution Control and Protection
CSP42 Infrastructure and Planning Obligations
CSP43 Educational Facilities and Community Uses
The Development Sites and Places DPD
The Council has produced a Consultation Draft of the Development Sites & Places Development Plan Document (DSAP), which shows possible allocations up to 2026 and associated policies. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation.
Unitary Development Plan
The UDP designation is Community Facility
Saved UDP policies
H4 'Development on Housing Sites' promotes residential development
H8A 'Existing Residential Areas'
Relevant Supplementary Planning Documents and Advice Notes
Designing New Housing
Open Space provision on New Housing Developments
Parking
PAN 30 Sustainable Location of Housing Sites
PAN 33 Financial contributions to School Places

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

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.