BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0975

To TADW Architects
6 St Petersgate
Stockport
SK1 1HD

DESCRIPTION Erection of 9no. bungalows and formation of access road and parking areas
LOCATION Westhaven, Darfield Road, Cudworth, Barnsley, South Yorkshire,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 03 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.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed Stephen Moralee
Assistant Director, Planning and Transportation

Dated 14 September 2009

Planning and Transportation Service **Telephone: 01226 - 772000**
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2 The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved unless prior written consent is given by the Local Planning Authority to any minor variation:-

-planning application forms
-design and access statement prepared by TADW Architects
-the recommendations contained in the Code for Sustainable Homes Ecological Assessment prepared by Middlemarch Environmental Ltd
-the recommendations contained in the Phase I Habitat Survey prepared by Middlemarch Environmental Ltd in respect of habitat/species enhancement
-the recommendations contained in the Arboricultural Survey
prepared by Middlemarch Environmental Ltd
-drawing no 12 'Site Plan as Proposed', issue P3
-drawing no 13 '2B 3P Bungalow Floor Plans', issue P2
-drawing no 14 '2B 3P Mobility Bungalow Floor Plans, issue P1
-drawing no 15 '2B 3P Bungalow Proposed Elevations, issue P1
-drawing no 16 '2B 3P Mobility Bungalow Proposed Elevations', issue P1
-drawing no 17 '2B 3P Bungalow Design Section, issue P1
-drawing no 18 '2B 3P Mobility Bungalow Design Section, issue P1
-drawing no 19 Site Elevations, issue P2
-drawing no 20 'Site Plan Showing Distances to Boundaries', issue P2

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with UDP Policy BE6, Design Standards.

4 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

5 The erection of fencing for the protection of the retained tree and hedgerow shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for soft landscaping, including details of the species, positions and planted heights of proposed trees and shrubs. Thereafter scheme shall be implemented in accordance with the approved details and timescales.
Reason: In the interests of the visual amenities of the locality.

7 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, 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.

8 The walls/screen fencing proposed for the boundaries of the site, as shown on Drawing number 12, 'Site Plan as Proposed' Issue P3, shall be erected prior to the occupation of any dwelling.
Reason: In order to protect the residential amenity for the occupiers of adjacent dwellings.

9 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
Reason: In the interests of satisfactory and sustainable drainage

10 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved 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 that the development can be properly drained

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 The hours of work during demolition and construction works and the delivery of materials on to the site shall be restricted to 08.00-18.00 hours Monday-Friday, 08.00-13.00 hours Saturdays and no working shall take place on Sundays and Bank Holidays.
Reason: In the interests of the reasonable residential amenity for the occupants of adjoining occupiers.

13 All on-site vehicular areas shall be surfaced and drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris being deposited on the public highway, to the detriment of road safety.

14 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 interests of road safety.

15 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.
-Loading and unloading of plant and materials.
-Storage of plant and materials used in constructing the development.
-The erection and maintenance of security hoarding.
-Measures to prevent mud/debris being deposited on the public highway.
Reason: In the interests of highway safety.

16 Prior to any works commencing on site a condition survey 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 submitted for the written approval of the Local Planning Authority which shall identify any defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed in accordance with a scheme to be agreed, in writing by the Local Planning Authority.
Reason: In the interests of maintaining the integrity of the highway network in the interests of highway safety.

17 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 external enlargements of the dwellings which would otherwise be permitted by Part 1, Class A of that Order (erection of extensions) shall be carried out.
Reason: In order to prevent overdevelopment of the site.

Reason(s) for Granting Permission

1 Unique In the opinion of the Local Planning Authority the proposed development is acceptable in that:-

The scale, layout, height and design of the dwellings would ensure adequate levels are provided for the occupants of new and existing properties.

The proposed development meets the standards set out in SPG2 - The Design and Layout of New Housing, on density/house type/ mix/layout/parking/access/spacing.

The development would contribute towards meeting needs of providing affordable accommodation and special needs housing

The development is proposed to utilise highly modern and sustainable construction techniques being designed so that it would achieve Code 3 sustainable homes, Life Time Homes and Secure by Design Standards

Accordingly the proposed development is considered to comply with Policies H8/NE2, H8A, H8B, BE6, BE6A, BE6B & T2 of the Barnsley UDP and Supplementary Planning Guidance 2 - The Design & Layout of New Housing.

Informative(s)

1 Prior to commencing any works on site, the developer should contact BMBC Highways, Engineering & Waste Management in order to gain all the necessary technical and legal approvals relating to the creation and reinstatement on vehicular accesses to the highway.

2 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 adits and the implementation of site investigations or other works. Property specific summary information on any past, current and 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.

3 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.

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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