BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0474

To Persimmon Homes West Yorkshire
3 Hepton Court
York Road
Leeds
LS9 6PW

DESCRIPTION Erection of 301 dwellings with associated public open space, landscaping, access, parking and ancillary works.
LOCATION Land North of Wilthorpe Road, Redbrook, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 01 May 2014 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT/UNILATERAL UNDERTAKING MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

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 Layout: WIL-2014-02 F, Landscape Masterplan: 5685-99-001 REV C, Housetypes: Apartments - 600-APT-3, Alnwick 4 Block 631-ALN-ASV, Brampton - 3 Block 201-BRA3-V, Brampton - 4 Block - 202-BRA4-V, Chedworth - 1222-CHED-ASV and 1222-CHED-OPV, Clayton Corner - 999-CLAY-C-ASV and 999-CLAY-C-OPV, Hanbury Pair - 106-HANPST-V, Hatfield - 109-HAT-ASV and 110-HAT-OPV, Kendal - 1190-KEN-ASV and 1190-KEN-OPV, Roseberry - 114-ROS-ASV and 115-ROS-OPV, Rufford - Semi Detached116-RUFS-V, Rufford - Detached 117-RUF-ASV and 118-RUF-OPV, Souter - Pair 119-SOU2-V, Souter - 3 Block 120-SOU3-V, Willow - 4 Block - 600-WIL-4, Winster - 121-WIN-ASV-A and 122-WIN-OPV) and specifications of reports Transport Assessment - GWB/14901/TA/1 - April 2014, Access drawing - SCP/14901/F/01 REV F

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

Signed
Service Director Economic Regeneration, Development, Environment & Culture

Dated 07 January 2015

Development Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

FRA - 4015 Revised August 2014, Archaeology - 47069400 Feb 2014
Ecology - April 2013, Ground - C5731 Dec 2103, C5731A Ge Env Appraisal (April 14) plus C5731A Gas Addendum (May 2014), Noise Survey A085476 March 14 and Tree Report AWA1143 March 14 as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

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 Core Strategy Policy CSP 29, Design.

4 The construction of all dwellings above ground level shall not 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 Core Strategy Policy CSP 29, Design.

5 The construction of all dwellings above ground level shall not take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatments to be erected across all areas of the site. The boundary treatments shall be completed in accordance with a time table / phasing plan to be 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 Core Strategy Policy CSP 29, Design.

6 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.

7 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.

8 Sightlines, having the dimensions 2.4m x 43m, shall be safeguarded at the road junctions within the site, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

9 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

a) Provision of a right turn lane;
b) Provision of pedestrian island and barriers on Wilthorpe Road;
c) Provision of pedestrian island and barriers on the access road;
d) Provision of /any necessary amendments to street lighting;
e) Provision of /any necessary amendments to highway drainage;
f) Any necessary signing/lining; including yellow box keep clear marking
g) Resurfacing/reconstruction as necessary

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.

10 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
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

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.

11 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.

12 Prior to the occupation of the first dwelling details for the provision of grit bins within the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with a timetable to be agreed with the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

13 Prior to 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 the site becoming operational, 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 Core Strategy Policy CSP 28 Reducing the Impact of Road Travel.

14 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 and the amenities of local residents.

15 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 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.

16 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

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.
Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

17 Surface water draining from areas of hardstanding shall be passed through a trapped gully or series of trapped gullies, prior to being discharged into any watercourse, soakaway or surface water sewer. The gully/gullies shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the gully/gullies.
Reason: To reduce the risk of pollution to the water environment in the interests of CSP 40 Pollution Control and Protection.

18 No development shall commence until a scheme for disposing of surface water by means of a sustainable drainage system is submitted and approved in wrintg. The scheme shall include the following details:
- Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- A timetable for its implementation; and
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.
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, sustainable drainage of the area in accordance with Core Strategy policy CSP3.

19 No phase of development or other operations being undertaken on site shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority in respect of that phase:

- Arboricultural impact assessment
- Tree protective barrier details
- Tree protection plan
- Arboricultural method statement

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality.

20 Prior to the commencement of development the applicant shall submit a Piling method statement to be approved in writing by the Local Planning Authority. Any piling work shall be undertaken in accordance with the approved method statement:

The method statement shall include the following details:

1. Details of the method of piling
2. Days / hours of work
3. Duration of the pile driving operations (expected starting date and completion date)
4. Prior notification to the occupiers of potentially affected properties
5. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

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 1300 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.

22 Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

The development shall be carried out in accordance with the approved report including any remedial options.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.

23 The dwelling(s) shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.

24 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. 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.

25 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of materials and species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. A programme for the implementation of all of the approved landscaping details shall be submitted for the approval of the local planning Authority and the approved shame shall be submitted in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

26 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.

27 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and public open space 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.

28 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey (report undertaken by Dr. Madeline Holloway Dated May 2013,) including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

29 Prior to the construction of the first dwelling above ground level the construction details of the three Tennis Courts and their boundary treatments shown on the approved plan shall submitted for the approval of the Local Planning Authority in writing. The approved details shall be implemented and the tennis courts made available for recreation use prior to the completion of the 47th dwelling.
Reason: To meet local recreation needs in accordance with Policy CSP 35 of the Core Strategy.

30 Prior to the construction of the first dwelling above ground level full details of the LEAP standard play area including, management responsibilities and maintenance schedules and a programme for installation shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the agreed timetable for installation.
Reason: In the interests of residential amenity to ensure adequate provision of public open space to meet local needs in accordance with Policy CSP 35 of the Core Strategy.

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 applicant should note the informative comments provided in the following formal consultation responses received by the Local Planning Authority:- - Senior Engineer - Drainage and Highways - Highways - Yorkshire Water
3	Any new outfall to a watercourse should be constructed so that it does not cause interference to the flow or erosion of the bed and banks.
4	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 www.coal.decc.gov.uk Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. 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 Coal Authority permission 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 The Coal Authority's Property Search Service on 0845 762 6848 or at 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 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.gov.uk

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.

Development Service **Telephone: 01226 - 772600**
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