

**JAMESTOWN METAL RESOURCES LTD**

**POGMOOR WORKS, STOCKS LANE, BARNSELY**

**DESIGN AND ACCESS STATEMENT**  
(revised version)

**Ref:** NR/HM/LEPL150729  
**Version:** Revised to include landscaping  
**Date:** 5 November 2008



Prepared by Savills  
November 2008

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## **Appendices**

1. Copy of planning permission ref B/04/2207/BA
2. Copy of planning permission ref: 2008/1130

## 1.0 INTRODUCTION

- 1.1 This Design and Access Statement has been prepared by Savills on behalf of Jamestown Metal Resources Ltd to support an application for the approval of reserved matters for residential development of the site known as Pogmoor Works off Stocks Lane in Barnsley.
- 1.2 This application seeks reserved matters consent under application B/04/2207/BA with access from Stocks Lane. A copy of this consent is included as **Appendix 1**. Means of access was approved at outline stage and the reserved matters of Siting, Design and External Appearance were approved on 13 October 2008 reference 2008/1130. This recent consent is included as **Appendix 2**.
- 1.3 This application seeks the approval of the final reserved matter, Landscaping. As such the application is accompanied by the following plans and documents;
- PL01 Rev B - Proposed Site Layout
  - 415.000044.16.GA.001 - General Arrangement
  - 415.000044.16.PP.001 - Planting Plan
  - 415.000044.16.DDT.001 - Wall & Railing Detail
  - Landscape Specification
- 1.4 The purpose of this statement is to describe in detail the site and its surroundings, relevant design policy and guidance, and the concepts and principles behind the development of the site. In order to explain the context of this development the statement that follows is the same submission as that considered by the Council under the recently approved reserved matters in October, except that it has been amended to now include the details of the landscaping which is the subject of this application. This is described in detail at section 5.
- 1.5 The statement seeks to follow the CABI good practice guide on design and access statements and is set out under the same headings as this document, commencing with an assessment of the site and its context, followed by an evaluation of the proposals and design.
- 1.6 The proposal is also assessed in the light of national, regional and local planning policy in respect of new residential development. The site is previously developed land and therefore meets criteria in relation to new residential development set out in the Unitary Development Plan and national planning policy, in particular Planning Policy Statement 3 Housing.

### Background

- 1.7 The outline application granted in 2005 provided an illustrative layout for the site to provide an indication to the Council on the scale of the development. Whilst this was purely for illustrative purposes it indicated, in the case of the Stocks Lane access a development of 74 dwellings with a high proportion of apartments with some town houses.

- 1.8 Some 3 years on market advice indicates that the proposed development should incorporate less apartments and more family houses. The proposed detailed layout that has now been approved by the Council under reference 2008/1130 has reduced the development to 60 dwellings. This detailed scheme responds better to current market conditions.
- 1.9 It is relevant that the Transport Assessment on which the outline application was based assessed the impact of the proposals on a much larger number of dwellings and the reserved matters submission of 60 dwellings was deemed acceptable by the Council's highways department in this location.

## 2.0 ASSESSMENT

### Site and Surroundings

- 2.1 The site is approximately 1.2 ha and comprises the Pogmoor Works a company producing lead products. The site lies between Stocks Lane and West Road and lies approximately 1km south west of Barnsley Town Centre. Stocks Lane is predominantly residential in character and the character of West Road is more mixed with small industrial units. A footpath runs along the southern boundary of the site.
- 2.2 Surrounding the site to the north and east as well as to the south is a large area of public open space and there is an area of children's play equipment adjoining the site to the east.

### Site Constraints

- 2.3 As the site feasibility produced by EAS Ltd illustrates the site lies surrounded by two areas open space with a public footpath to the south. At present the site separates these two areas of open space and there is the opportunity through redevelopment to link the areas together.
- 2.4 A ground conditions report produced for the original application remains valid and this has been reviewed subsequently by Sirius. It is clear that further site investigations will be necessary but these can be controlled through planning conditions.
- 2.5 The noise impact study which accompanies the reserved matters submission considers the impact of the development both during construction and after the development has been completed. This indicates there is likely to be a temporary moderate adverse impact during the construction process but following development there will be no noise impacts on the amenity of existing residents and noise changes from the traffic generated will be imperceptible. In respect of the proposed occupiers of the houses noise levels would be exceeded with windows open but with appropriate mitigation and design of the ventilation this could be controlled by the LPA.
- 2.6 A group of trees and shrubs exists in the south west corner of the site. The trees have been subject to a tree survey and the report of the consultants which accompanies the application concludes the trees within the site with reference to the previous land use, and the restricted amenity value of the vegetation 'it is our opinion that the removals proposed will not have a significant impact on the character and appearance of the area, we have been provided with a copy of the proposed landscape drawings and this new planting will crease species diversity within the locality'.
- 2.7 The Council has proposed a Tree Preservation Order to cover the trees on the south western boundary and this has been the subject of an objection by the applicant. Notwithstanding this the approved layout indicates the retention of this tree group and the landscaping plan also indicates their retention.

## **Planning Policy Assessment and the Principle of Development**

- 2.8 The Statutory Development Plan for the area comprises;
- The Regional Spatial Strategy for Yorkshire and Humberside adopted May 2008; and
  - Barnsley Metropolitan Council Unitary Development Plan.

The Council is in the early stages of producing a Local Development Framework which will eventually replace the Unitary Development Plan.

- 2.9 Government advice contained in Planning Policy Guidance Notes (and Planning Policy Statements) are important material planning considerations and those of relevance are considered in this section of the statement.

### **Regional Planning Guidance for Yorkshire and Humberside to 2016**

- 2.10 The recently adopted guidance places the emphasis for new development firmly on giving priority to the reuse of previously developed land and buildings.
- 2.11 As this site has planning permission its development has been accepted in principle and its development would therefore be entirely consistent with Regional Planning Guidance as it constitutes previously developed land lying within an urban area.

### **Barnsley Unitary Development Plan**

- 2.12 The development of this site has been accepted in principle by the Council and so consideration of the statutory development plan is confined to an assessment as to whether the siting and layout of the development complies with the Councils' general development control policies and supplementary planning guidance relating to proposals for new residential development. These are discussed as follows;

#### **Supplementary Planning Guidance Note 2 - Design and layout of new housing**

- 2.13 The Council expects all new development to reflect and relate to its context and the character of the area in which it is proposed.
- 2.14 In this case as the site is an employment site surrounded by open space here is the opportunity to create a development that provides a new residential location and creates its own sense of place. There is the opportunity to maximise on the open character of the area and bring open spaces into the site and to link two key areas and for the development to look outwards towards these areas.
- 2.15 Policy H6 requires any new housing development to include 15% of the gross site area as open space and this is reflected in condition 14 of the outline consent.

- 2.16 The SPG outlines considerations of site design, density of development and landscaping and these matters are considered in section 5.

### **Local Development Framework**

- 2.17 Policy GD1 of the Council's LDF Core Strategy preferred options requires new development to meet criteria relating to impact of the development on its neighbours, and having no negative effect on the character and appearance of the local area or landscape or public spaces and also no negative effect on highway safety. All these matters have been given careful consideration in this application and are considered in the design section to this statement.

### **Planning Policy Statement 3: Housing**

- 2.18 PPS 3 (November 2006) provides advice on the role of the planning system in relation to housing policy. The guidance confirms the Government's commitment to maximising the reuse of developed land for housing and the conversion of non-residential buildings for housing in order to promote regeneration and minimise the amount of Greenfield land being taken for development.
- 2.19 The development of the application site is entirely consistent with the principles of sustainable development set out in PPS3. The proposal is now assessed against the 'matters to consider when assessing design quality' as set out in paragraph 16 of PPS3 as follows;
- The site is easily accessible and well-connected to public transport and community facilities and services. The proposal is laid out to provide private amenity space for the enjoyment of residents and its location allows the monitoring of the adjacent open space addressing safety concerns.
  - The proposal provides good access to recreational open space. There is an area of open space, including play equipment, adjacent to the site.
  - The proposal has been designed to integrate with the surroundings and the local area in terms of scale, density, layout and access.
  - The use of sustainable methods of construction will be considered
  - The car-parking is well integrated and the development is pedestrian, cycle and vehicle friendly.
  - Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity.
  - Minimal landscaping is currently provided on site. Substantial new planting is proposed as part of the development providing for the establishment of a greater range of biodiversity on the site.
- 2.20 The density of development at 50 dwellings per hectare accords with government advice in PPS3 to make the best use of land in urban areas. The development proposes a mix of dwellings as encouraged in the same advice.

### **3.0 INVOLVEMENT**

- 3.1 The Council has granted outline planning permission for residential development which means the principle of development and its means of access has been determined as acceptable. The siting, design and layout of buildings and its external appearance have subsequently been approved and now only the landscaping remains extant.
- 3.2 Consultation with Barnsley's Highways and Planning Officers has taken place prior to the submission of this application and comments made have been taken on board in this submission.

## 4.0 EVALUATION

- 4.1 The site occupies an unusual location in that it is surrounded by open space but yet lies firmly within the built up area of Barnsley. The development of the site provides a significant opportunity to provide new linkages in this area and to potentially join the open areas to the north with those to the south and west.
- 4.2 Redevelopment will result in significant visual enhancement with the removal of substantial factory buildings and there is an opportunity in design terms to create a sense of place in this location.
- 4.3 The existing site constraints such as ground conditions can be dealt with through further site investigation and the noise impact assessment has demonstrated the development will be acceptable in this location and not suffer from unacceptable levels of noise or disturbance.
- 4.4 Little of the site in its present form is unsurfaced or not built on and the limited trees and shrubbery in the south western corner have been surveyed. The tree report demonstrates that the limited existing coverage is of limited amenity value. The redevelopment of the site for housing should assist and improve biodiversity here.

## 5.0 DESIGN

- 5.1 The 'Site Analysis' that document accompanied the previous reserved matters application contextualises the local area. This highlights that the site is surrounded by open space. Open space requirements under the outline permission have been met and this on site provision provides the focus for the development and the opportunity for linkages between the site and the surrounding area. It also provides a significant opportunity for landscaping to create an attractive setting for this development and to enhance the use of the area by residents and those surrounding the site.

- 5.2 The proposed scale and massing of the development matches that of Stocks Lane and the surrounding area. The detailing and materials of the proposed dwellings are akin to many houses found in the Barnsley area with simple traditional detailing. Key gateway 2 storey apartment buildings are located to emphasise the public open space link route, a simple mixture of brickwork and render gable together with stepped roof lines provide a traditional mix street scene.

### Use

- 5.3 The proposed use is residential and involves the redevelopment of a site that constitutes previously developed land which has been accepted in principle by the Council.

### Amount

- 5.4 The application proposes the development of 60 dwellings in a mix of 18 apartments and 43 two and three bedroom dwellings. This scale of development is acceptable in policy terms and is reduced from that shown in the outline application. There is no requirement for affordable housing attached to the outline consent.

### Layout

- 5.5 The removal of the existing factory buildings and the sites' surroundings provides the opportunity here to create a sense of place in this location. Buildings are contained in a courtyard style development which enables the dwellings to overlook the surrounding open space. This in turn assists with the natural surveillance and security of such areas.
- 5.6 Larger parking areas are generally contained in discrete parking areas to the rear of the dwellings.
- 5.7 A tree survey has been undertaken on the site. The report demonstrates that the proposal would not impact on any amenity provided by the existing tree cover in the site and that residential development will enhance the landscape in this location. The trees proposed to be covered by a Tree Preservation Order are retained.

- 5.8 Drainage will be via existing connections to the existing mains sewers using separate foul and surface water systems. Balancing / attenuation / sustainable drainage methods will be provided if required.

#### **Scale**

- 5.9 The height of the proposed dwellings range from 2 to 2 ½ storeys with bedrooms accommodated in the roof space of some of the properties. Given the scale of the existing buildings within the site this is considered to be appropriate for this site and in this location. There are no buildings adjoining the site and so there are no issues in respect of residential amenity or overlooking. Indeed the removal of the factory buildings will positively enhance the residential amenity of other residents in the vicinity of the site and this was acknowledged by the officers' at the time of the outline application.

#### **Appearance**

- 5.10 The materials proposed for this development are intended to reflect the predominance of brick in the locality and local vernacular. As a result Red/brown facing brickwork with natural mortar and buff clay contrasting facing brickwork to gable features is proposed. Cast stone cills and heads are proposed and grey interlocking slate roof tiles are intended. Tarmac drives serve the properties.
- 5.11 The detailed site layout plan indicates the proposed location of bin stores and secure cycle storage within the site together with fencing and lighting arrangements. Footpaths, gardens and public open space are indicated on the site layout plan.

#### **Landscaping and open space**

- 5.12 Landscaping is the final reserved matters to be considered. Landscaping plans accompany this application together with a detailed landscaping specification. This document sets out the details of both the hard and soft landscaping works proposed. The document describes the boundary treatments including the fencing to the perimeter of the site as well as the individual details of fencing to the front and rear of the individual properties.
- 5.13 Where indicated on plan GA.001 the fencing to the site boundaries is a mix of 2.1 metre high Paladin weldmesh fencing with 1.8 metre high close board timber slatted fence. This is set at 50mm gaps to allow for plants to grow through and *soften the boundary to the site when viewed from the surrounding area.*
- 5.14 The central area of public open space contains winding footpaths linking the open space areas to the north and south of the site. Landscaping plans GA.001 and PP.001 provide the details of the proposed landscape for this area and indicate areas of grass, wildflower planting and a mix of trees with shrub planting to add structure and interest to the area.
- 5.15 To the front of the apartments, areas of robust planting are provided behind low knee rails to provide separation and distance from the open space and the

ground floor windows of the apartments. This is to meet Secure by Design concerns to ensure that there is a distinction between the public and private areas fronting onto the open space.

- 5.16 At the entrance to the site there is a gateway feature comprising brick entrance piers *and a low wall to provide a sense of enclosure and again to reinforce that one has arrived at a private residential area.* Double gates are indicated at the entrance to the parking courtyards to provide security.
- 5.17 The gardens of the proposed dwellings are laid out with patios and grass. Individual trees are planted as indicated on the plans at intervals across the site.

## 6.0 ACCESS

- 6.1 Mayer Brown has assessed the transport implications of the development. The means of access to the site was approved from Stocks Lane in the outline permission and the reserved matters application maintains this position.
- 6.2 Mayer Brown undertook the original assessment for this site in 2004 and concluded the development would have no adverse impact on the local highway network. This was confirmed by the Council's highway officer who raised no objection to the previous application. The TA has been updated for information to illustrate the traffic generation in respect of the site now that only 60 units are proposed in this location and the form of the development in terms of size of units has altered. The revised work demonstrates the traffic generation from this development is still falls within acceptable levels.
- 6.3 Additionally the TA highlights the sustainability of this site in respect of access to public transport services and to other facilities such as schools, hospitals and shops in the town centre.
- 6.4 Provision for cycle storage is indicated on the submitted plans.

## **7.0 SUMMARY**

- 7.1 Detailed and careful consideration has been given to the proposed layout in a location which is surrounded by open space. The proposals create a development that not only respects the site and its surroundings but also creates a high quality development in this location.
- 7.2 In light of the evidence submitted in support of this application it is considered that reserved matters consent should be granted for the proposed development.

## APPENDIX ONE



# BARNSLEY

Metropolitan Borough Council

## GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. B/04/2207/BA

To Jamestown Metal Resource Ltd  
c/o Hephher Dixon  
1 Whitehall Road  
Leeds  
LS1 4HR

Proposal Residential Development (Outline) with access from Stocks Lane.  
At Pogmoor Works, Stocks Lane, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 4 November 2004 and described above.

The approval is subject on compliance with the following conditions:

1. Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun either:-

i) before the expiration of five years from the date of this permission, or

ii) before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.**

2. The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

(a) the siting of the proposed development.

(b) the design of the proposed development.

(c) the external appearance of the proposed development.

(d) landscaping for the site.

**In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**

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

Signed  
Assistant Director, Planning and Transportation *gms*

Dated 11 November 2005

Planning and Transportation Service  
Central Offices, Kendray Street, Barnsley. S70 2TN

Telephone: 01226 - 772000  
Fax: 01226 - 772591

3. A noise impact study shall accompany the reserved matters submission to examine the impact of traffic and commercial noise sources in the area. As a minimum requirement, the assessment shall use recognised noise monitoring and prediction standards; contain a plan showing the areas in different categories of the PPG24/BS4142 assessment; contain a full schedule of proposals for noise mitigation; detail how the assessment has influenced the layout and design of the new development; and include performance specifications of any proposed mitigation. Thereafter the development shall be carried out in full accordance with the recommendations of the approved report.

**In the interests of residential amenity.**

4. Prior to the commencement of development a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority, to consider noise generated during the construction phase of the development and the noise exposure to residents. It shall use recognised noise monitoring and prediction standards; contain a plan of the site showing areas in the different categories of the PPG24/BS4142 assessment; contain a full schedule of the proposals for noise measures and techniques to be employed; performance specification information of any proposed mitigation; details of post construction noise monitoring to assess the efficiency of any noise abatement measures employed. Thereafter, the development shall be carried out in accordance with the approved report.

**In the interests of residential amenity.**

5. Prior to the commencement of development a dust assessment shall be submitted to and approved in writing by the Local Planning Authority to consider the dust generating during the construction phase of the development. It shall use recognised air quality measurements, monitoring and prediction standards; contain proposals for dust mitigation measures and techniques and contain details of monitoring to assess the efficiency of any abatement measures employed.

**In the interests of amenity to ensure that air quality in the locality is not significantly refused.**

6. No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation matters, has been submitted to and agreed in writing by the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. An assessment as to the degree to which the site may be affected by any contamination, including borehole and trial pit results.

2. Measures to test and evaluate the site for the purposes of identifying contamination throughout the duration of the development.

3. Measures to treat or remove any contaminated materials encountered and the methodology to be employed. These procedures should be summarised in a remediation statement.

4. Steps to be taken to prevent any environmental pollution by any such contaminated material encountered.

5. Measures to prevent risks to health and safety of the general public and any persons working on the site.

6. The requirement for the submission of further reports during the course of the development.

7. The subsequent certification/validation reports are submitted, showing that the site has been satisfactorily remediated and that the subsequent development of the site can be safely occupied.

The development shall thereafter be undertaken in full accordance with the submitted reports.  
**To ensure that the site can be safely developed and occupied.**

7. The site shall be developed with separate systems of drainage for foul and surface water.  
**In the interest of satisfactory and sustainable drainage.**

8. 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 Authority.  
**To ensure that the development can be properly drained.**

9. Unless otherwise agreed in writing by the Local Planning Authority, no building, other structure or obstruction shall be located over or within 5.0m either side of the centre line of the water main crossing the site. (A protected strip of 10.0m)  
**To allow sufficient access for maintenance.**

10. 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 & 1800 Monday to Friday and 0900 & 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
**In the interests of the amenities of local residents.**

11. Detailed plans submitted with the reserved matters, in accordance with Condition 2. above, shall include a survey of the site, indicating all existing trees and hedgerows within the site and full details of any to be retained, together with measures for their protection during the course of this development.  
**To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.**

12. There shall be no net increase in the impermeable area on site.  
**To prevent the increased risk of flooding.**

13. Unless otherwise agreed in writing by the Local Planning Authority, no building, other structure or obstruction shall be placed over or within 5.0m either side of the centre line of the water main crossing the site (A protected strip of 10.0m)  
**To ensure sufficient access for maintenance.**

- 14 Details of the layout to be submitted with the reserved matters shall include 15% of the site to be developed as a play area/open space, or an equivalent off-site provision, in accordance with UDP Policy H6.

**To ensure that satisfactory open space is provided for the benefit of future residents.**

- 15 Development shall not commence until full highway engineering construction details have been submitted to and approved in writing by the Local Planning Authority.

**In the interest of road safety.**

- 16 Development shall not commence until measures to prevent mud/debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the entire construction period.

**In the interest of road safety.**

- 17 Development shall not commence until details of areas for the parking of all employee's vehicles, the storage of building materials and plant have been submitted and approved by the Local Planning Authority, and such areas shall be retained for the entire construction period.

**In the interest of road safety.**

- 18 Visibility splays, having the dimensions 2.4m x 90m, shall be safeguarded at the entrance/exit to the site, such that there is no obstruction to visibility and forming part of the adopted highway.

**In the interest of road safety.**

- 19 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.

**To prevent mud/debris from being deposited on the public highway to the detriment of road safety.**

- 20 Development shall not commence until a condition survey of the highways to be used by construction traffic as been undertaken and approved, in writing, by the Local Planning Authority, and a second survey shall be carried out following the completion of construction works with a view to identifying any damage and a scheme to rectify the fault.

**In the interest of road safety.**

- 21 Development shall not commence until details of position of site cabin and parking for staff/customers have been submitted to and approved in writing by the Local Planning Authority, and such facilities shall be retained for the entire construction period.

**In the interest of road safety.**

#### Informatives

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 the implementation of site investigations or other works. Property specific summary information on any past, current or 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](http://www.coal.gov.uk).

Public Rights of Way may be affected during the construction stage of this development, and you should contact Mr. Labdon to discuss the possible need for a temporary closure or diversion, on 01226 772142.

The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

BA5/17 - West Road / Stocks Lane Area  
SPG24: Redevelopment of Employment Policy Areas.

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.

## APPENDIX TWO



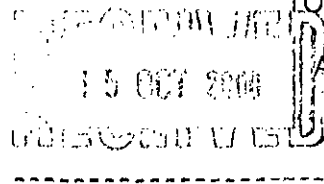
**BARNSLEY**  
Metropolitan Borough Council

## APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2008/1130

To Savills  
Ground Floor  
City Point  
29 King Street  
Leeds  
LS1 2HL



**Proposal** Erection of 60 dwellings (Reserved Matters).

**At** Pogmoor Works, Stocks Lane, Barnsley.

**Approval is hereby given** for the proposals which were the subject of the Application and Plans registered by the Council on 23 July 2008 and described above, being matters reserved in the permission granted on 11 November 2005 under Application B/04/2207/BA

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 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 This decision relates to the amended site layout plan 0126/PL01/RevB and detailed site layout plans 0126/PL02/RevB and 0126/PL03/RevB.  
**Reason: In the interests of clarity and because amended site layout plans have been submitted,**
- 3 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.**

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

Signed *Stephen Morgan*  
Assistant Director, Planning and Transportation

Dated 13 October 2008

Planning and Transportation Service  
PO Box 604, Barnsley, S70 9FE

Telephone: 01226 - 772600  
Fax: 01226 - 772591

- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected both within and around the development. The boundary treatments shall be completed before the buildings are occupied. 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 U.D.P. Policy BE6, Design Standards.**
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls other than those approved in accordance with condition 3, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road/footpath.  
**Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.**
- 6 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 enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by that Order shall be carried out. In addition no garages or outbuildings shall be erected other than those expressly authorised by this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.**
- 7 Notwithstanding the submitted details prior to the commencement of the development a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority, to consider noise generated during the construction phase of the development and the noise exposure to existing and future residents. It shall cover proposals for noise measures and techniques to be employed, performance specification information of any proposed mitigation; and details of post construction noise monitoring. Thereafter, the development shall be carried out in accordance with the approved report.  
**Reason: In the interests of residential amenity.**
- 8 No trees, or shrubs within the site which are shown as being retained on the approved plans shall be felled, uprooted, damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any such trees or shrubs removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building or the development hereby permitted being brought into use shall be replaced with trees or shrubs of similar size and species unless the Local Planning Authority gives written consent to any variation.  
**Reason: To safeguard existing trees or shrubs, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland and Trees and GS22A.**
- 9 a) Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority:
- \* root protection areas (RPA)
  - \* a tree constraints plan (TCP)
  - \* tree protection plan (TPP)
  - \* arboricultural implication assessment

(AIA)

- \* arboricultural method statement (AMS)
- \* details of no-dig construction proposals

for areas of car park and drive including cross-sections and plans showing relevant area. 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.**

- 10 The tree works shown on the approved plan shall be carried out by a competent arboriculturalist to the standards set out in BS3998(1989) Recommendations for Tree Works.  
**Reason: To ensure the work accords with good arboricultural practice in accordance with Policy GS22 of the adopted Unitary Development Plan and SPG9 (Trees and Hedgerows) and BS3998(1989) Recommendations for Tree Works.**
- 11 All on-site vehicular areas shall be surfaced and drained in an approved manner and the parking facilities shall be provided prior to the development being brought into use, and shall be retained as such thereafter.  
**Reason: In the interests of highway Safety**
- 12 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway.  
**Reason: In the interests of highway safety**
- 13 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the entire construction period.  
**Reason: In the interest of road safety.**
- 14 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period.  
**Reason: In the interest of road safety.**
- 15 Development shall not commence until details of the siting of the sales cabin, and parking for staff and customers visiting the site, have been submitted and approved in writing by the Local Planning Authority, and such facilities shall be retained for the entire construction period.  
**Reason: In the interest of road safety.**
- 16 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 interests of highway safety.**
- 17 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.

- 18 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation matters, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. An assessment as to the degree to which the site may be affected by any contamination, including borehole and trial pit results.
2. Measures to test and evaluate the site for the purposes of identifying contamination throughout the duration of the development.
3. Measures to treat or remove any contaminated materials encountered and the methodology to be employed. These procedures should be summarised in a remediation statement.
4. Steps to be taken to prevent any environmental pollution by any such contaminated material encountered.
5. Measures to prevent risks to health and safety of the general public and any persons working on the site.
6. The requirement for the submission of further reports during the course of the development.
7. The subsequent certification/validation reports are submitted, showing that the site has been satisfactorily remediated and that the subsequent development of the site can be safely occupied.

The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land" and the comments made by Regulatory Services on the Outline Application.

**Reason: In the interests of public health.**

- 19 Not less than five working days notice of the date of the proposed work shall be given in writing to the Local Planning Authority.

**Reason: To ensure that adequate notice is given for the works to be inspected and approved by the Local Planning Authority.**

- 20 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 UDP Policy ES1, Pollution.**

- 21 No development shall take place unless and until foul and surface water drainage details have been submitted to and approved in writing 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 proper drainage of the area**

**Reason(s) for Granting Permission**

- |                                  |                                                                                                                                                                                                             |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 Residential Areas - Policy H8A | The proposal complies with Policy H8A in that 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. |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Informative(s)**

- 1 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 the implementation of site investigations or other works. Property specific summary information on any past, current or 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](http://www.coal.gov.uk).
- 2 This reserved matters application can not be implemented until a reserved matters application for Landscaping as required under outline permission B/04/2207/BA has been approved.
- 3 Public Rights of Way may be affected during the construction stage of this development, and you should contact Mrs Sarah Ford (tel: 01226 772696) or Mr Mike Gibson (tel: 01226 772569) to discuss the possible need for a temporary closure or diversion.

## 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.