



GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0186

To JRB Designs Ltd.
1 Saville Street
Cudworth
Barnsley
S72 8LT

DESCRIPTION Erection of detached bungalow (Outline All Matters Reserved)
LOCATION Land off Ledbury Road, Smithies, Barnsley, S71 1XE

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 07 July 2016 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 before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: 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) site access;
 - b) the layout of the proposed development;
 - c) scale of building(s);
 - d) the design and external appearance of the proposed development; and
 - e) landscaping (both hard and soft works).**Reason: 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.**
- 3 The development hereby permitted shall only be carried out in accordance with the following documents unless amended by the conditions below which shall take precedence:
 - a) Drawing titled 'Site Plans', project number MDB001, drawing number 001 and dated 29 September 2015, and as revised, and attached to an e-mail from John Blackburn dated 15 September 2016.**Reason: For the avoidance of doubt.**



- 4 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of the dwelling and any associated structures, road levels and any proposed alterations to ground levels. Thereafter, the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from the need for any changes in level to be assessed in accordance with CS policy CSP29.
- 5 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 thereafter 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 CS policy CSP29.
- 6 No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a plan indicating the position and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling(s) is/are occupied. The 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 amenities of occupiers of adjoining property and in accordance with CS policy CSP29.
- 7 Temporary (for construction purposes) and permanent vehicular access/egress to/from the site shall be via Wingfield Road. No vehicular access/egress to/from the site shall be via Ledbury Road.
Reason: In the interest of highway safety and to accord with CS policy CSP26.
- 8 The initial 10m of the site access from the highway boundary shall be hard surfaced and drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris from being deposited on the public highway, to the detriment of highway safety and to accord with CS policy CSP26.
- 9 All parking/manoeuvring facilities shall be surfaced in a solid bound material (i.e. not loose chippings) and drained in an approved manner 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 are provided, in the interests of highway safety and free and safe flow of traffic, and in accordance with CS policy CSP26.
- 10 No development shall commence, 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:
a) The parking of vehicles of site operatives and visitors;
b) Means of access for construction traffic;
c) Loading and unloading of plant and materials;
d) Storage of plant and materials used in constructing the development;
e) Measures to prevent mud/debris being deposited on the public highway; and
f) Measures to control the emission of dust and noise levels during construction.
Reason: In the interest of highway safety and residential amenity, and to accord with CS policies CSP26 and CSP40, and UDP policies H8A and H8D.
- 11 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall be limited to the hours between 0800 hours and 1800 hours on Monday to Friday and 0900 hours and 1300 hours on Saturdays, and not at all on Sundays, Bank and Public Holidays.
Reason: In the interests of the amenities of local residents and to accord with CS policy CSP40 and UDP policy H8D.

12 Prior to the occupation of the property/properties, full details of the proposed refuse and recycling storage facilities shall be submitted to, and approved in writing by, the Local Planning Authority. Details shall include a method statement indicating how the facilities will be managed and serviced and how occupiers of the proposed development will be encouraged to maximise the use of the proposed recycling facilities to reduce general waste arisings. Prior to the occupation of the property, the approved facilities shall have been implemented in conjunction with the approved method statement and shall thereafter be retained.

Reason: In the interests of encouraging recycling and visual amenity in accordance with CS policy CSP29 and JWP policy WCS7.

13 No development shall commence until first, a scheme of intrusive borehole site investigation, and second, a report following an intrusive site investigation in compliance with CIRIA publication 32, 'Construction over abandoned mine workings', where applicable, by a suitably qualified and competent engineer to establish the position regarding potential coal mining legacy issues/risks at the site, have been submitted to, and approved in writing by, the Local Planning Authority. The intrusive borehole site investigation shall be carried out in accordance with the approved scheme and the report following the investigation shall include but not necessarily be limited to, proposed remedial measures, if required, to treat any areas of shallow mine workings and associated ground conditions to ensure the safety and stability of the proposed development. Thereafter, the development shall be implemented in accordance with the approved measures.

Reason: To ensure the safe development of the site in accordance with CS policy CSP39 and the relevant planning policy statements in the NPPF relating to land stability.

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.

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction*

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.

- 1 The development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.
- 2 Please note that when considering the subsequent reserved matters application significant consideration will be given to the need for the development to reflect local context and character. A single bungalow on the site therefore, preferably without dormers as they are not a feature of the area and also with a slightly smaller footprint than indicated on the submitted plan to reflect the footprint of the surrounding semi-detached properties is more likely to be acceptable.

Signed 
Joe Jenkinson

Dated 19 September 2016

Head of Planning and Building Control

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

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.