



BARNSLEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/1991

To Signet Planning Ltd.
12B Hornbeam Park Oval
Hornbeam Park
Harrogate
HG2 8RB

DESCRIPTION Residential development of 27 dwellings.

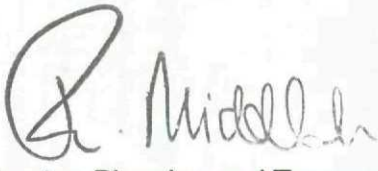
LOCATION Land at and rear of 23 Church Street, Brierley, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 27 November 2006 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.
- 2 The development hereby approved shall be carried out in strict accordance with the plans as originally submitted apart from the site layout plan which shall be in accordance with the amended plan number SPL 40/01 Revision C received on the 27th December 2006.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.
- 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 
Assistant Director, Planning and Transportation

Dated 05 July 2007

- 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. The boundary treatment 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 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.
- 6 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 the 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.
Reason: In the interests of the visual amenities of the locality.
- 7 No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that any archaeological remains are recorded or are preserved in accordance with an agreed scheme and in accordance with UDP Policies BE3, Archaeological Sites and BE4.
- 8 The site shall be developed with separate systems of drainage for foul and surface water.
Reason: In the interests of satisfactory drainage.
- 9 No development shall take place until details of the foul and surface water drainage 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 the proper drainage of the area.
- 10 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 prior to completion of the approved drainage works
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal
- 11 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 highway safety.
Reason: in the interest of road safety

- 12 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exist such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway, in the interest of road safety.
Reason: in the interest of road safety
- 13 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 interest of road safety
- 14 The visibility splays indicated on the submitted plan should be safe guarded at the junction of Church Street with the access road.
Reason: in the interest of road safety
- 15 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of:-
a) A kerb realignment to provide the visibility splays indicated on the submitted plan
b) Any necessary signing/lining
c) Any necessary relocation of street furniture
d) any necessary drainage amendments
e) resurfacing/reconstruction of Church Street footway and carriageway
Reason: in the interest of road safety
- 16 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
- 17 Development shall not commence until details of the siting of the sales cabin, parking for staff and customers visiting the site, have been submitted to 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
- 18 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 road safety
- 19 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.
Reason: in the interest of road safety

- 20 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the locality.

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

Reason: in the interest of road safety

- 22 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 areas shall be retained for the entire construction period

Reason: In the interest of road safety

Reason(s) for Granting Permission

- 1 The proposal complies with Policy H8A in that

the scale, layout, height and design of the dwellings does not cause any significant detriment to residential amenity for new or existing residents.

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 is also considere not to have a detrimental impact on the character of the Conservation Area

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.