



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2020/1251**

**To** NPS Barnsley  
1 Beavor Court  
Pontefract Road  
Barnsley  
S71 1HG

**DESCRIPTION** Erection of 7no bungalows and associated works

**LOCATION** Land between Laithes Lane and Laithes Close, Athersley, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 04/11/2020 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. <b>Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.</b>
2	The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved unless required by any other conditions in this permission:-  - Proposed Site Plan – NPS-XX-PL-A-DR-012 Rev P7 - Boundary Treatment Plan – NPS-XX-PL-A-DR-013 Rev P3 - Proposed Highways Site Plan – NPS-XX-PL-A-DR-014 Rev P8 - Proposed Plans – 2 Bed Semi-detached Bungalow - NPS-XX-PL-A-DR-020 Rev P4 - Proposed Plans – 3 Bed Detached Bungalow - NPS-XX-PL-A-DR-021 Rev P1 - Proposed Elevations - 2 Bed Semi-detached Bungalow - NPS-XX-PL-A-DR-060 Rev P3 - Proposed Elevations – 3 Bed Detached - NPS-XX-PL-A-DR-061 P1  <b>Reason: In the interests of the visual amenities of the locality and in accordance with LP Policy D1 – High Quality Design and Placemaking</b>

3	<p>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.</p> <p><b>Reason: In the interests of the visual amenities of the locality and in accordance with LP Policy D1 – High Quality Design and Placemaking.</b></p>
4	<p>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. The approved hard landscaping details shall be implemented prior to the occupation of the building(s) and shall have a mature height of no greater than 900mm.</p> <p><b>Reason: In the interests of the visual amenities of the locality, in accordance with LP Policy D1 – High Quality Design and Placemaking.</b></p>
5	<p>No development shall take place unless and until:</p> <p>(a) No development shall take place unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, 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;</p> <p>(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;</p> <p>and</p> <p>(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways are all approved in writing by the Local Planning Authority.</p> <p><b>Reason: To ensure the proper drainage of the area in accordance with LP Policy CC3 Flood Risk.</b></p>
6	<p>The development shall be carried out in accordance with the details shown in the submitted "The Flood Risk Assessment &amp; Drainage Strategy Report " prepared by Shaun Tonge Engineering (Revision A dated 22nd October 2020), and agreed in writing with the Local Planning Authority.</p> <p><b>Reason: In the interests of satisfactory and sustainable drainage in accordance with LP Policy CC3 – Flood Risk.</b></p>

7	<p>Upon commencement of construction works, details of an Electric Vehicle Charging Point shall be submitted to and approved in writing by the LPA. The ECVP will have a minimum 'Mode 3' [7kW (32AMP)] capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.</p> <p><b>Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.</b></p>
8	<p>Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, 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.</p> <p><b>Reason: To ensure adequate infrastructure for the dwellings in accordance with LP Policy I1 - Infrastructure and Planning Obligation.</b></p>
9	<p>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.</p> <p><b>Reason: In the interest of highway safety, in accordance with LP Policy T4 – New Development and Transport Safety.</b></p>
10	<p>The development hereby permitted shall not begin until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which secure the provision of, or enhancement to, off-site public open space in accordance with LP Policy GS1 – Green Space and the Open Space Provision on New Housing Developments SPD. Thereafter the provision or enhancement of the off-site open space shall be provided in accordance with the approved details and timescales.</p> <p><b>Reason: In the interests of residential and visual amenity to ensure adequate provision of public open space in accordance with Local Plan Policy GS1 ‘Green Space’ and the Open Space Provision on New Housing Developments SPD.</b></p>
11	<p>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.</p> <p><b>Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.</b></p>

12	<p>All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouses; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><b>Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.</b></p>
13	<p>No development shall be commenced until full engineering, drainage and street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing with the LPA. Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety.</p> <p><b>Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 - New Development and Transport Safety.</b></p>
14	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (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 Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected with the exception of cycle storage facilities.</p> <p><b>Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with LP Policy GD1 – General Development.</b></p>
15	<p>Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works as indicated on the approved plans has been submitted to and approved in writing by the LPA.</p> <p><b>Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety and in accordance with Local Plan Policy T4 - New Development and Transport Safety.</b></p>
16	<p>The gradient of individual vehicular accesses/driveways shall not exceed 1 in 12 as measured from the edge of adjacent carriageway.</p> <p><b>Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4 - New Development and Transport Safety.</b></p>

17	<p>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:</p> <ul style="list-style-type: none"> <li>• The parking of vehicles of site operatives and visitors</li> <li>• Means of access for construction traffic</li> <li>• Loading and unloading of plant and materials</li> <li>• Storage of plant and materials used in constructing the development</li> <li>• Measures to prevent mud/debris being deposited on the public highway</li> </ul> <p><b>Reason: In the interests of highway safety in accordance with Local Plan Policy T4 - New Development and Transport Safety.</b></p>
18	<p>No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.</p> <p><b>Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T3 - New Development and Sustainable Travel.</b></p>

## 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 development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email <a href="mailto:HighwaysDC@barnsley.gov.uk">HighwaysDC@barnsley.gov.uk</a> or call to 01226 773555.
2	Fees associated with the required condition survey together with any necessary remedial works and any relevant s278 agreement are to be borne by the developer. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. <a href="mailto:HighwaysDC@barnsley.gov.uk">HighwaysDC@barnsley.gov.uk</a> for further information prior to commencement.
3	<p>Whilst no information is given at this stage about the method of disposal of highway drainage, I am mindful of restrictions on surface water disposal and the emphasis on the use of sustainable solutions. The use of a soakaway system has to be located outside the carriageway and at least 5m from any building which may affect the layout shown. It should be noted that a commuted sum to be used towards the future maintenance costs of each highway drain soakaway, shall be agreed with and paid to the Council, prior to the issue of the Part 2 Certificate.</p> <p>Agreement should be sought for all pipes, culverts, water attenuation tanks or similar greater than 900mm that are proposed to be placed beneath the area to be defined as public highway. All drainage installed under the Highway is to be adopted by the sewerage undertaker or, in the case of highway drainage, the Local Highway Authority.</p>

*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.*

Signed

Dated 18/12/2020

A handwritten signature in black ink, appearing to read 'JM Jenkinson', written in a cursive style.

Joe Jenkinson  
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.