



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2022/0965

To Andrew Bailey Architects
Glendower House
85 Lundhill Road
Wombwell
Barnsley
S73 0RL

DESCRIPTION Residential development of 45 dwellinghouses and associated works (Amended Plans)
LOCATION 28 Paddock Road, Staincross, Barnsley, S75 6LG

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 09/11/2022 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT 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 plans and specifications as approved unless required by any other conditions in this permission:
 - Location plan RMH-PO1
 - Site Plan - RMH-P02 Rev R
 - Landscape Plan - RMH-P03 Rev C
 - House Types - RMH-HT-A-01A;B-01; D-01; D-02A; E-01; F-01B; G-01; H-01A; I-01; J-01; K-01; L-01; M-01; N-01A; P-01C; Q-01; Q-02A; R-01; R-02; R-03A; S-01A; S-02; T-01A; U-01A; V-01A; W-01D; X-01A; Y-01A; Z-01A; Z-02A; AA01;BB01.
 - Geoenvironmental Appraisal C398 A
 - Coal Mining Investigation Report C398 A**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making**

- 3 Upon commencement of development details of the proposed external materials 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.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making
- 4 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, along with details of the management of the open spaces. The approved landscaping details shall be implemented prior to the occupation of the buildings and the management scheme retained as such.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy BIO1.
- 5 All out of plot planting, seeding or turfing shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.
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
- 6 All in plot planting, seeding or turfing comprised shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; 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.
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
- 7 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 Local Plan Policy D1, High Quality Design and Place Making
- 8 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is 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 in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

- 9 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
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 details and the tree protection fencing shall be installed in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality
- 10 No development shall commence until full construction, engineering, drainage and street lighting 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.
Reason: In the interests of highway safety, in accordance with Local Plan policy T4 – New Development and Transport Safety.
- 11 Before any dwelling is first occupied, the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway (Paddock Road) in accordance with details submitted to and subsequently approved in writing by the LPA.
Reason: To ensure satisfactory development of the site and in the interests of highway safety, in accordance with Local Plan policy T4 – New Development and Transport Safety
- 12 The gradient of internal access roads as well as individual vehicular accesses/driveways shall not exceed 1 in 12.
Reason: In interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4.
- 13 Pedestrian visibility splays having dimensions of 2m x 2m shall be safeguarded at driveway entrances/exits. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6m to the rear of the footway/verge which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.
Reason: In the interests of highway safety, in accordance with Local Plan policy T4 – New Development and Transport Safety

- 14 Prior to the first occupation of the development hereby permitted, the proposed accesses, driveways, on-site car parking and vehicle turning shall be laid out in accordance with the approved plan. Driveways and vehicle parking areas accessed from the approved streets must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.
Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard; to ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway; and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policy T4 New Development and Transport Safety
- 15 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.
Reason: In the interests of encouraging use of sustainable modes of transport in accordance with Local plan Policy T3
- 16 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 interests of highway safety and the free flow of traffic in accordance with Local Plan Policy T4 New Development and Transport Safety
- 17 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:
- i. The parking of vehicles of site operatives and visitors
 - ii. Means of access for construction traffic
 - iii. Loading and unloading of plant and materials
 - iv. Storage of plant and materials used in constructing the development
 - v. Measures to prevent mud/debris being deposited on the public highway.
- Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety**

- 18 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:
- i. A plan to a scale of 1:1250 showing the location of all defects identified
 - ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.
- On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety.**
- 19 The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of first occupation, evidence of the implementation of measures set out in the Travel Plan shall be prepared, submitted to, and agreed in writing with the LPA. Ongoing monitoring and review shall be in accordance with the Travel Plan monitoring strategy contained within the plan.
- Reason: To support sustainable transport objectives, reduce reliance on the private motor car as a primary form of transport and to reduce the impact of travel and transport on the environment in accordance with Local Plan Policy T3**
- 20 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
- The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.
 - The programme for post-investigation assessment.
 - The provision to be made for analysis and reporting.
 - The provision to be made for publication and dissemination of the results.
 - The provision to be made for deposition of the archive created.
 - Nomination of a competent person/persons or organisation to undertake the works.
 - The timetable for completion of all site investigation and post-investigation works.
- Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.
- Reason: in the interests of archaeology in accordance with Local Plan Policy HE6.**
- 21 No development (including construction, land raising and demolition if required) shall be carried out other than in accordance with a Construction Environment Management Plan (CEMP) that is first submitted to, and approved in writing by, the local planning authority. The CEMP is expected to include measures to control noise and dust.
- Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1**

- 22 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.
Reason: In order to ensure compliance with Local Plan Policy I1
- 23 The site shall be developed with separate systems of drainage for foul and surface water on and off site, details of which shall have been submitted to and agreed in writing prior to the commencement of development. The separate systems should extend to the points of discharge to be agreed. The development shall then proceed in accordance with the approved details.
Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3.
- 24 No construction works in the relevant area(s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times.
Reason: In the interest of public health and maintaining the public water supply in accordance with Local plan Policy CC3
- 25 No development shall take place (including vegetation/site clearance) until a Precautionary Working Method Statement (PWMS) for amphibians, bats (including details regarding the soft felling of trees with bat roost potential) and small mammals has been submitted to and approved in writing by the Local Planning Authority. The PWMS will be completed by a suitably qualified ecologist and the approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows

- 26 Biodiversity Enhancement Management Plan (BEMP), completed by a suitably qualified ecologist will be submitted to the Local Planning Authority prior to the commencement of works on site. The BEMP will include the following:
- o A recent landscape plan detailing the location of mitigation works and the size of each habitat/linear feature to be enhanced and/or created;
 - o Management aims and prescriptions detailing the methods required to create and/or enhance each habitat/linear feature at the required quality for a period of 30 years;
 - o A timetable of delivery for each habitat/linear feature created and/or enhanced;
 - o A schedule of ecological monitoring for a minimum 30 year period, identifying when key indicators of habitat/linear feature maturity should be achieved;
 - o Details on the monitoring of habitats and linear features and the provision of a report, which shall be provided to the LPA on the 1st November of each year of monitoring (years one-three after creation, years five, ten and every ten years thereafter), which will assess the condition of all habitats and linear features created and/or enhanced and any necessary management or replacement/remediation measures required to deliver the Net Gain values set out in the BEMP;
 - o A schedule of actions to be undertaken in case signs of failing are identified; the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.
 - o A bat and bird box scheme, setting out the location of integral boxes and box types. Boxes shall be provided on at least 50% of the proposed units.
 - o A sympathetic lighting scheme to ensure the site remains attractive for use by foraging and commuting bats.
- Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.**

- 27 Notwithstanding the submitted details, before above ground works commence, details of external/internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be provided by a suitably qualified ecologist and clearly demonstrate that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:
- o A drawing showing sensitive areas, dark corridors and buffer areas;
 - o Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
 - o A description of the luminosity of lights and their light colour;
 - o A drawing(s) showing the location and where appropriate the elevation, height and luminance of the light fixings;
 - o Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
 - o Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.
- All external/internal lighting shall be installed in accordance with the specifications and locations set out in the approved details. They shall be maintained thereafter in accordance with these details.
- Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows.**

- 28 Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:
- o Risk assessment of potentially damaging construction activities;
 - o Identification of 'biodiversity protection zones';
 - o Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - o The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - o Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
 - o The times during construction when specialists ecologists need to be present on site to oversee works;
 - o Responsible persons and lines of communication;
 - o The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);
- Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1 Biodiversity and Geo Diversity and the SPD's Biodiversity and Geodiversity, and Trees and Hedgerows**

- 29 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: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1**

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 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.

Please be aware that the Council monitors construction sites and open land within the vicinity of 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 any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 15 August 2024



Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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.