BARNSLEY
Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0202

To NPS Barnsley LTD
Gateway Plaza
Sackville Street
Barnsley
S70 2RD

DESCRIPTION Residential development (Outline) - Erection of 9 no dwellinghouses.
LOCATION Land at Saville Road, Gilroyd, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 27 February 2013 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) scale of building(s)
(b) the design and external appearance of the proposed development.
(c) landscaping
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 approved shall be carried out strictly in accordance with the plans (HSG.4291 Dwg 03) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

Stephen Moralee

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

Signed
Head of Planning, Building Control and Sustainability

Dated 24 April 2013

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4 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and 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 need for any changes in level to be assessed in accordance with Core Strategy Policy CSP 29, Design.

5 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

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.
Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

6 Prior to commencement of development, including any demolition, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period of that phase. The Statement shall provide for:
- Parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policies CSP 26 and CSP 29.

7 The dwellings shall achieve a minimum of Code Level 3, in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been submitted to the Local Planning Authority certifying that Code Level 3 has been achieved.
Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.

8 No development or other operations being undertaken on site shall take place until the following document has 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 methodologies.
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality in accordance with Core Strategy policy CSP36.

9 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.
Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.
Reason: In the interests of highway safety and in accordance with Core Strategy Policies CSP 26 .

10 Sight lines, having the dimensions 2.4m x 45m, shall be safeguarded at the drive entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway
Reason: In the interests of highway safety and in accordance with Core Strategy Policies CSP 26 .

11 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.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

12 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 Core Strategy Policy CSP 40, Pollution Control and Protection.

13 Details of revised off street parking arrangements shall accompany the reserved matters submission that include 6m long tandem parking bays, the parking guidelines set out in the Parking SPD and pedestrian footways to the new access. Thereafter development shall proceed in accordance with the approved details.
Reason: In the interests of highway safety, in accordance with policy CSP 26.

Reason(s) for Granting Permission

1 Unique The proposal would help address unmet need for affordable housing in Urban Barnsley, which is identified as a focus for housing growth. The proposal is therefore acceptable in principle, reflecting the objectives of policies CSP 8, CSP 10 and CSP 14. The proposal would appear as a logical infill development and is of a density befitting of its context. It would also ensure sufficient levels of amenity are provided for existing residents and those of the proposed dwellings and would not have a detrimental impact on highway safety. The proposal therefore complies with policies CSP 26, CSP 29 and the Designing New Housing Development SPD and is considered acceptable when assessed against other relevant development plan policies and material considerations.

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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

2 Access for fire engines will be required under Part B of the Approved document to the Building Regulations.

3 Drainage details required under condition 5 should ensure surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.

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.

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