BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0866

To Mr Gareth Lloyd
Persimmon Homes (West Yorkshire)
3 Hepton Court
York Road
Leeds
West Yorkshire
LS9 6PW

DESCRIPTION Residential development of 220 dwellings with access from Barnsley Road, associated car parking and landscaping.
LOCATION Land off Barnsley Road, Wombwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 August 2013 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT/UNILATERAL UNDERTAKING 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 following plans and specifications as approved unless required by any other conditions in this permission:-

- Planning Layout Ref: WOM-2013:01 Revision D
- Clanden 102-CLA-ASV (1)
- Clanden 103-CLA-OPV (1)
- Clevedon 127-CLE-ASV (1)
- Clevedon 128-CLE-OPV (1)
- Hanbury 106-HANPST-V (1)
- Hanbury 107-HANPH-ASV (1)
- Hanbury 108-HANPH-OPV (1)

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 03 April 2014

Development Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

- Hanbury Dual 107-HANPH-ASV (1)
- Hatfield 109-HAT-ASV (1)
- Hatfield 110-HAT-OPV (1)
- KEATING KEA OPV (shadows)
- KEATING KEA ASV (shadows)
- Moulton 111-M0U2-V(1)
- Moulton 112-MOU3-V(1)
- Moulton 113-MOU4-V(1)
- Moulton 114-MOU5-V(1)
- Roseberry 114-ROS-ASV (1)
- Roseberry 115-ROS-OPV (1)
- Rufford 116-RUFS-V (1)
- Rufford 117-RUF-ASV(1)
- Rufford 118-RUF-OPV (1)
- Souter 119-SOU2-V(1)
- Souter 120-SOU3-V(1)
- Winster 121-WIN-ASV (1)
- Winster 122-WIN-OPV (1)
- Brampton 200-BRA2-V (1)
- Brampton 201-BRA3-V (1)
- Brampton 204-BRA3-DUAL (1)
- Brampton 205-BRA3-DUAL (1)
- Garage 300-SGAR1-V (Single side to side)
- Garage 301-SGAR2-V (single front to back)
- Garage 302-SGAR3-V (Single side to side 6x3)
- Garage 303-SGAR4-V (Single Front to Back 6x3)
- Garage 304-DGAR1-V (double front to back)
- Garage 304-DGAR1-V (double garage front to back)
- Garage 305-DGAR2-V (Double Pyramid)
- Garage 306-DGAR3-V (Double Front to Back 6x3)
- Garage 307-DGAR4-V (double pyramid)
- Garage 308-TGAR1-V (Triple 6x3)
- Boundary Treatment 409-BOUN-01

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 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 LDF Core Strategy Policy CSP 29, Design.

4 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 LDF Core Strategy Policy CSP 29, Design.

5 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: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

6 Sightlines, having the dimensions 2.4m x 40m, shall be safeguarded at the junction of the site with Barnsley Road, 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 interest of highway safety, in accordance with Core Strategy Policy CSP 26.

7 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:
- The 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
- The 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, in accordance with Core Strategy Policies CSP 26 and CSP 40.

8 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works designed in substantial accordance with the details shown on Optima drawing 1020-GA-01 REV B:-

a) provision of parking laybys and build outs on Barnsley Road opposite the development site;
b) alteration of the centre line road marking;
c) measures to prevent parking on the site frontage;
d) relocation of bus stop pole;
e) any necessary signing/lining;
f) any necessary amendments to/provision of street lighting;
g) any necessary amendments to/provision of highway drainage;
h) any necessary resurfacing/reconstruction.

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

9 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

10 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 highway safety, in accordance with Core Strategy Policy CSP 26.

11 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to maintain or reduce surface water run off 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 and 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 CSP4.

12 No piped discharge of surface water from the application site shall take place prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that the site is properly drained and surface water is not discharged to any off site drainage system, which will prevent overloading, in accordance with Core Strategy policy CSP4.

13 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be 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 wellbeing of the trees in the interests of the amenity of the locality.

14 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 for the development, including the areas of public open areas shown on drawing WOM-2013:01 Revision D, 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 and play equipment. The approved hard landscaping details shall be implemented prior to the occupation of the buildings.
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

15 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 others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

16 No hedges or trees on the site existing or proposed (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed without written approval from the Local Planning Authority. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.

17 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.

18 Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
The development shall be carried out in accordance with the approved report including any remedial options.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.

19 The dwellings shall achieve a 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 issued for it certifying that Code Level 3 has been achieved.
Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP2.

20 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures 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 and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

21 Before the development hereby permitted commences a scheme shall be submitted to and approved by the Local Planning Authority which shall specify the provisions to be made for the control of noise. The scheme shall be designed in substantial accordance with the recommendations contained in the noise assessment and shall be carried out in strict accordance with the approved scheme.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

22 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

23 Prior to commencement of development details of facilities for charging plug-in and other ultra-low emission vehicles has be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the buildings of the use and retained as such thereafter.
Reason: In the interest of air quality, in accordance with Core Strategy policy CSP40 'Pollution Control and Protection'.

24 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
Reason: To ensure a safe and adequate highway network, in accordance with Core Strategy Policy CSP 26.

25 Prior to commencement of development details of the proposed means to safeguard the emergency access from use by other vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of the use and retained as such thereafter.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

26 No development shall commence until details for the provision of grit bins within the development have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the dwellings, or an alternative timetable to be agreed with the Local Planning Authority.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

Development Service
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Fax: 01226 - 772599

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 an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place. It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.decc.gov.uk Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. 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 If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.gov.uk
2	This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.

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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