



APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1405

To John R Paley Associates
14 Mariner Court
Calder Park
Wakefield
WF4 3FL

Proposal Reserved matters (appearance, landscaping, layout and Scale) application for development of 91 homes, structural planting and landscaping, surface water attenuation and associated infrastructure in connection with outline planning permission 2017/1718 (Outline planning for up to 102 homes) (Amended Plans)

At Former William Freeman Site, Wakefield Road, Mapplewell, Barnsley, S75 6DN

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 15/11/2021 and described above, being matters reserved in the permission granted on 24 October 2018 under Application 2017/1718.

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 details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

- 1 The development, hereby permitted shall be begun before the expiration of two years from the date of this approval.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990 and condition 1 of application 2017/1718.

- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved and listed below unless required by any other conditions in this permission:

- P08-4145-02 - LOCATION PLAN (REV B)
- P08-4145-1069 - SITE PLANNING DRAWING
- P08-4145-1079 - LANDSCAPING PLAN
- PROPOSED SITE SECTIONS (REV 0) –
- P08 -4145-07 - PROPOSED STRETSCEENES (REV 0)
- D08 4145 04 - BOUNDARY TREATMENTS (REV 0)
- D08 4145 05 - GARAGE DETAILS (REV 0)
- Planning, Design and Access Statement
- 21524-DR-C-0100 Drainage Strategy
- 21524-DR-C-0110 Horizontal Alignments
- 21524-DR-C-0111 Vertical Alignments
- 21524-DR-C-0600 Proposed Levels
- Micro Drainage Calculations
- P08:4145:1001B- ALTO (AS-OP) Plans and elevations
- P08 4145 01L Proposed Site Layout Revision L
- P08-4145-1003B Alto (AS-AS-OP)
- P08 4145 08- Garden Areas
- P08-4145-1002 B Alto (AS-OP-OP)
- P08-4145-1008C- Leedale (OP)
- P08-4145-1007 C Leedale (AS)
- P08 4145- 1006 C Rochester (OP)
- P08-4145-1005 C Rochester (AS)
- P08-4145-1004 C Bilberry (AS-OP)
- P08-4145-1010C- Salisbury (OP)
- P08-4145-1009C- Salisbury (AS)
- P08-4145-1013 C- Hampton (AS)
- P08-4145-1012C- Allington (OP)
- P08-4145-1011C- Allington (AS)
- P08-4145-1019B- Squire
- P08-4145-1017C- Colton (AS)
- P08-4145-1016C-Edge 3- Hampton (AS & OP)
- P08-4145-1020 Edge 3 (AS-OP)

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 Notwithstanding the details as submitted and 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; 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 and in accordance with Local Plan Policy D1, High Quality Design and Place Making.**

- 4 Prior to commencement of works onsite, the developer shall submit details of actions for mitigation of air quality impact, for agreement with the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Local Plan Policy POLL1.

- 5 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 methodologies.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Local Plan Policy BIO1.

- 6 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.

- 7 Before any dwelling hereby approved is first occupied, the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway 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.

- 8 Within three months of first occupation, a detailed travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be based on the Framework Travel Plan dated December 2017 and include details of specific measures / initiatives, targets, timescales and budgets to encourage sustainable travel to and allow for regular monitoring and reporting to be undertaken. The plan shall be fully implemented in accordance with the approved details thereafter.

Reason: In accordance with Local Plan Policy T3 - To support sustainable transport objectives in accordance with Local Plan.

- 9 Prior to the first occupation of the development hereby permitted, visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.

Reason: In interests of highway safety in accordance with Local Plan Policy T4.

- 10 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 interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T5.

- 11 Prior to any work commencing, a noise mitigation scheme shall be submitted and agreed by the local planning authority, which shall be used to inform the layout and design of the scheme such that mitigation to achieve the following sound levels are achieved within all dwellings;

- Bedrooms: LAeq (8 hours) - 30dB (2300 to 0700 hours);
- Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
- Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

The assessment shall be accompanied by a plan which clearly identifies the different types of mitigation measures proposed, where each type of mitigation is proposed and a programme of implementation. Thereafter the development shall be carried out in accordance with the approved measures.

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.

- 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: 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.

- 13 Notwithstanding the boundary treatment plan and layout as submitted and prior to occupation of the development, a plan showing the proposed boundary treatments along the hawthorn hedge adjacent to plots 1-7 shall be submitted to in writing and approved in writing by the Local Authority.

Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in the interest of visual amenity in accordance with Local Plan Policy GD1 General Development and D1.

- 14 No building or use hereby permitted shall be occupied until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption as maintainable at public expense within the site have been submitted to and approved in writing by the LPA. On occupation of the first dwelling (or building) within the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4.

- 15 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 by, the local planning authority.
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.
- 16 Notwithstanding the plans as submitted, the ground floor side kitchen window of the Hampton house type shall be obscure glazed.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property amenity in accordance with Local Plan Policy GD1 General Development.

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.

- 2 The applicant/developer should be aware of the need to comply with all requirements of the associated outline permission under application 2017/1718.

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: 8 October 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 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.