BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0695

To Mr Christopher Durrans
James Durrans & Sons Ltd
Phoenix Works
Thurlstone
Sheffield
S36 9QU

DESCRIPTION Demolition of 2 office buildings and erection of 6 no. dwellings and change of use and conversion of office building into 3 no. apartments.

LOCATION James Durrans & Sons Ltd., Phoenix Works, Saville Lane, Thurlstone, Sheffield, S36 9QU

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 23 June 2014 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.
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 amended plans and specifications as approved unless required by any other conditions in this permission:-

- 1442 P02D Proposed Site Plan
- 1442 P04 Apartment Refurbishment Proposed Floor plans / Elevations & Sections
- 1442 P05B Townhouse Dwellings - Proposed Floor plans
- 1442 P06B Townhouse Dwellings - Proposed Elevations
- 1442 P07A Townhouse Dwellings - Ex/Prop Sections
- The sound attenuation measures detailed in the ENS noise impact assessment

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

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

Signed
Service Director Economic Regeneration, Development, Environment & Culture

Dated 04 December 2014

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3 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.

4 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

5 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
-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.

6 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:

a) provision of 2.0 metre wide footway to house frontages;
b) turning head and 0.7 metre wide margin to carriageway;
c) any necessary signing and lining;
d) provision of/any necessary amendments to street lighting;
e) provision of/any necessary amendments to highway drainage;
f) 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.

7 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.

8 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface 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 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.

9 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 protection plan (TPP)
Arboricultural method statement (AMS)
Tree Protective Barrier Details

No development or other operations shall take place except in complete accordance with the approved methodologies. The erection of fencing for the protection of any retained tree shall be undertaken 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 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.

11 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.

12 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:
o human health,
o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
o adjoining land,
o groundwaters and surface waters,
o ecological systems,
o 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.

13 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.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (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.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with Core Strategy Policy CSP 29.

15 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey (Ecolocation report 2014-05 (03) rev B, 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.

16 No construction work shall commence until a representative sample of the roofing materials, facing stone, and render has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall proceed 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

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 applicant is advised of the need for an application to be made to the Secretary of State to extinguish vehicular rights on Saville Lane whilst maintaining pedestrian access in relation to Footpath 38 for the section of highway beyond the proposed turning head under Section 247 and 248 of the Town and Country Planning Act 1990 (incorporating changes to application requirements following the Growth and Infrastructure Act 2013). You should submit your application to the National Transport Casework Team, Department for Transport, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne NE4 7AH.

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.

3 The applicant should note the informative comments provided in the following formal consultation responses received by the Local Planning Authority:-

-Yorkshire Water 18th July 2014

4 In relation to condition 16 the applicant is advised of the following:- Stonework Detail: The walls shall be constructed of coursed squared pitched or dressed face sandstone. The construction of these buildings shall only take place after a one-metre-square sample panel of stonework showing the pointing and coursing has been constructed on site and the details approved in writing by the local planning authority. The approved panel shall be retained on site until construction of the building has been completed. Development shall be carried out in accordance with the approved details.

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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