BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0264

To Coda Studios
Hope Works
25 Mowbray Street
Sheffield
S3 8EL

DESCRIPTION Erection of 14 no. dwellinghouses.
LOCATION The Lundwood, Pontefract Road, Lundwood, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 04 March 2011 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved on drawing no. 1815_002 unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

2 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.

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 UDP Policy BE6, 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
Assistant Director, Planning and Transportation

Dated 01 June 2011

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

4 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 UDP Policy ES1, Pollution.

5 All on-site vehicular areas shall be hard surfaced and in drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris being deposited on the public highway, to the detriment of road safety.

6 No obstruction of visibility of the site frontage at a height exceeding 1.05 metres for a distance of 2.4 metres from near side kerb face.
Reason: In the interest of road safety.

7 The parking/manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interest of road safety.

8 Vehicular and pedestrian gradients within the site shall not exceed 1 in 12 to ensure safe and adequate access.
Reason: In the interests of highway safety.

9 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;
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction
- Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety

10 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.
Reason: To ensure that the development can be properly drained

11 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

12 No development shall commence until details have been submitted to the Local Planning Authority identifying how the properties rear gardens will be accessed. The approved details shall then be implemented before the occupation of the first dwelling.
Reason: In the interest of the visual amenity of the locality to ensure that bins can be stored outside of the public domain.

13 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The approved details shall be implemented in accordance with a timescale to be agreed in writing with the Local Planning Authority.
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

14 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 and type of boundary treatments to be erected. The boundary treatment shall be completed before the dwellings are 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 and in accordance with U.D.P. Policy BE6, Design Standards.

15 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. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality.

16 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 other of similar size and species, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

Reason(s) for Granting Permission

1 Unique It is considered that the proposal would make a positive contribution to the area. The properties are considered to be of a high quality design in that materials have been appropriately massed and scaled. Collectively the properties would form an attractive residential development that would enhance the visual amenities of the locality without being detrimental to either existing neighbouring occupiers or highway/pedestrian safety.

Informative(s)

1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

2 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

National Planning Policy

PPS1: Delivering Sustainable Development
PPS 3: Housing

Local Planning Policy

Policy H8D: Infill Residential Development
Policy BE6: Design
Policy T2: Development and the Highway Network
H8B 'Non Residential Uses in Residential
SPG3: Infill Residential development

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

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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