



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/1116

**To** Windle Cook Architects  
927 Chesterfield Road  
Sheffield  
S8 0SS

**DESCRIPTION** Erection of 5 detached houses with integral garages and associated access road, driveways and landscaping.

**LOCATION** Land at end of Tower Street, Barnsley, S70 1QS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 15 September 2017 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:  
17-185 P01 House Type Plans and Sections  
17-185 P02 House Type Elevations  
17-185 P03A Site Plan amended plan received 27/10 2017  
17-185 P04A Site Elevations amended plans received 27/10//2017  
17-185 P05A Site Section and Visual Amended plan received 27/10/2017  
17-185 P06 Site Cut and Fill Exercise  
17-185 P07 Topographical Survey  
10140 Tree Survey , Arboricultural Impact  
Assessment and Arboricultural Method Statement - Ecus dated August 2017  
Ecological Appraisal - Ecus, dated August 2017  
Coal Mining Risk Assessment - Eastwood & Partners dated 25th July 2017  
**Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.**
- 3 Upon commencement of development details of the proposed external materials 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.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**

- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material ( ie 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 are provided, in the interests of highway safety and the free and safe flow of traffic and in accordance with Core Strategy Policy CSP26, New Development and Highway Improvement.**
- 5 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.  
**Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 6 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 and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**
- 7 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.**
- 8 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars in the arboricultural report by Ecus entitled 10140 Tree Survey , Arboricultural Impact Assessment and Arboricultural Method Statement (ref: 10140) and the approved tree protection plan (ref: 10140-ARB-02) are implemented in full 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 safeguard existing trees, in the interest of visual amenity and CSP 29**
- 9 Upon commencement of development, 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 shall be submitted to and approved in writing by the Local Planning Authority. 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 and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**

- 10 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.

**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**

- 11 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.**

- 12 No development shall take place until intrusive site investigations as recommended in the Coal Mining Risk Assessment by Eastwood Partners ref KRP/AJK/ECM/41572-001 have been undertaken by a suitably qualified person to evaluate ground conditions and potential mining legacy risks. The site investigation and subsequent development shall be undertaken in compliance with Construction Industry Research and Information association publication 32 "Construction over abandoned mine workings" where applicable. A report detailing the findings of the investigations and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, and the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner"

**Reason: In the interests in contaminated or unstable land in accordance with CSP 39 and in accordance with NPPF section 120 & 121 Land stability.**

- 13 Upon commencement of development full details of the mitigation measures identified in Section 4 of the Ecological Appraisal by Ecus, dated August 2017, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**

- 14 Prior to occupation of the buildings, full details of proposed refuse storage facilities and bin collection point shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be retained.

**Reason: In the interests of encouraging recycling and visual amenity in accordance with Core Strategy Policy CSP 40.**


## **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.*

*Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.*

Signed   
Joe Jenkinson  
Head of Planning and Building Control

Dated 21 November 2017

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 given 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.