



GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0376

To Michael A Clynch
Architect & Town Planner
14 Huddersfield Road
Ingbirchworth
Sheffield
S36 7GF

DESCRIPTION Erection of detached dwelling and associated parking and landscaping (Outline seeking approval over means of access and scale)

LOCATION Land Adjacent 63 Old Oaks View, S70 3RN

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 02 April 2019 and described above.

The approval is subject on compliance with the following conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
 - (a) the layout of the proposed development.
 - (b) the design and external appearance of the proposed development.
 - (c) landscaping**Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.**
- 3 Plans pursuant to an application seeking approval for the reserved matters set out in condition 2 shall accord with the means of access and scale of development proposals approved within this outline planning permission.
Reason: In order to define the permission for the avoidance of doubt.

- 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 5 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 600mm above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 6 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 Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.
- 7 Vehicular and pedestrian gradients within the site shall not exceed 1:20 to ensure safe and adequate access.
Reason: In the interests of highway safety, in accordance with Local Plan Policy T4 - New Development and Transport Safety
- 8 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: 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 Local Plan Policy T4 - New Development and Transport Safety
- 9 Any gates must be hung so as to open inwards into the site and not out onto the highway, in the interest of road safety.
Reason: In the interests of highway safety, in accordance with Local Plan Policy T4 - New Development and Transport Safety
- 10 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-
1. A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
3. An appraisal of remedial options, and proposal of the preferred option(s).
4. A remediation statement summarising the works to be undertaken (if required).
Reason: In the interests of residential amenity and the safe occupation of the site, in accordance with Local Plan Policies GD1 - General Development and CL1 - Contaminated and Unstable Land

- 11 Upon submission of a reserved matters application detailing the layout of the development site, 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 concurrent with that application:

Root protection areas (RPA)

Tree protection plan (TPP)

Tree Survey if any trees would be affected by the proposals (development within root protection zones, or proposals to remove or prune any trees)

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality, in accordance with Local Plan Policies GD1 - General Development and D1 - High Quality Design and Place-Making

- 12 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 Local Plan Policy BIO1 Biodiversity.

- 13 Prior to commencement of development full details of the ecological mitigation measures including a lighting scheme to prevent any external lighting affecting adjacent habitats and the provision of an integral bird box and 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 Local Plan Policy BIO1

- 14 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is 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 in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making

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.

Informative Sequence 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.

The approval of a reserved matters application will be dependent on the layout, appearance and landscaping of the site conforming with the guidance outlined within the SPD Designing New Housing Development relating to outdoor amenity space and outlook, particularly from the ground floor kitchen/dining area. Similarly, though the internal cumulative floorspace of the proposal is in line with the SYRDG, the room dimensions do not meet the minimum space standards specified therein. A reserved matters application should appropriately address this issue in terms of internal layout and space standards.

The applicant is advised that the extension of the garden onto land not originally forming part of the domestic curtilage of the property is unauthorised and would constitute a material change of use requiring planning permission. This should be dealt with separately to avoid the possibility of planning enforcement action being taken by the Local Planning Authority, either by way of a retrospective planning application for a change of use, or through the use of this area of land as domestic curtilage ceasing.

Signed 
Joe Jenkinson

Dated 22 May 2019

Head of Planning and Building Control

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.