BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/1859

To Harron Homes (Yorkshire) Ltd
Colton House
Temple Point
Bullerthorpe Lane
Leeds
LS15 9JL

DESCRIPTION Residential Development of 54 dwellings
LOCATION Site of adult training centre, St. Helens Way, Monk Bretton, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 15 November 2006 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 in strict accordance with the amended plans and specifications received on 15 February 2007, unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

3 No development shall take place until full details of the proposed external materials have been 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 UDP Policy BE6, Design Standards.

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 25 October 2007

Planning and Transportation Service
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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 The boundary treatment shown on the approved plans shall be completed before the buildings 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.

6 The existing building shall be demolished and all resulting debris removed from site before the development hereby approved is implemented.
Reason: In the interests of visual amenity and the amenities of the local residents.

7 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.

8 Prior to the commencement of the development a scheme shall be submitted to, and approved in writing by, the Local Planning Authority describing the methodology to be employed to suppress dust arising from the operations in the form of a Dust Action Plan. Such measures may include water bowsers; sprayers mobile and fixed; or similar equipment; regulating the speed of vehicles on the site; and such other steps as are appropriate. The operations shall thereafter be undertaken in complete accordance with the approved scheme. At such times, when due to site conditions the prevention of dust is not possible all site works contributing to the dust problem should cease until such time as conditions improve to allow a resumption of works.
Reason: In the interests of local amenity and to protect the environment.

9 Prior to the commencement of the development a scheme shall be submitted to, and received the written approval of the Local Planning Authority, identifying measures to be taken to ensure that all vehicles leaving the site are in such condition as not to leave dust, slurry or mud on the highway. The development shall thereafter be undertaken in accordance with the details of the approved scheme. Notwithstanding such arrangements, should any material nevertheless be accidentally deposited on the public highway, the operator shall immediately remove such material.
Reason: In the interests of highway safety.

10 Unless otherwise agreed in writing by the local planning authority no building or other obstruction shall be located over or within 3 metres either side of the centre line of the sewers which cross the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times

11 *No development works shall begin until a report, endorsed by a competent engineer* experienced in ground contamination and remediation matters, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. Measures to test and evaluate the topsoil on the site with regards potential contamination.

2. Assessment of the risks posed to the potential development, including an appraisal of potential contaminant sources, pathways and receptors.

3. Remediation measures to treat or remove any contaminated material, if required.

4. The subsequent certification/validation reports are submitted, showing that the site has been satisfactorily remediated and that the development of the site can be safely occupied

The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".
Reason: To protect the environment and ensure the site is suitable for the proposed use.

12 Unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed in accordance with the levels detailed on the External Works Plan (Drawing Number 29457/001 Rev. C) submitted on 9th July 2007.
Reason: In the interests of visual and residential amenity.

13 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the drainage details approved on 14th August 2007.
Reason: In the interests of satisfactory drainage.

14 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period.
Reason: In the interest of road safety.

15 Development shall not commence until arrangements have been made to secure works within the highway to mitigate the effects of the development being brought into use until such works as detailed below have been completed in their entirety:

A) The provision of a 3m wide footway on the development side of St Helens Way for the whole length of the highway.
B) The provision of a 2m wide footway and 3m wide parking lay-bays on the south western side of St Helens Way for the whole length of the highway.
C) The provision of a 2m wide footway on St Helens Way connecting the existing footway on Lambs Lane to the turning head at the termination of St Helens Way.
D) The provision of a turning facility capable of accommodating a service vehicle at the end of St Helens Way at the entrance of the site.
E) The provision of speed calming measures on St Helens Way.
F) The provision of a footpath link from the St Helens Way cul-de-sac to the existing footpath.
G) The resurfacing of St Helens Way and Preston Way.
Reason: In the interest of road safety.

16 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 developers expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of road safety.

17 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: To ensure safe and adequate access.

18 Visibility splays, having the dimensions 2.4m x 90m, shall be safeguarded at the junction with Preston Way such that there is no obstruction to visibility and forming part of the adopted highway.
Reason: In the interest of road safety.

19 Development shall not commence until details of the siting of the sales cabin and parking for staff and customers visiting the site have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be retained for the entire construction period, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of road safety.

20 Development shall not commence until details of 5m parking bays for plots 1, 2 and 18 have been submitted to and approved in writing by the Local Planning Authority
Reason: In the interest of road safety.

21 Prior to the occupation of any of the dwellings hereby approved all vehicular areas shall be hard surfaced, sealed and drained in accordance with the approved plans and maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of road safety.

Reason(s) for Granting Permission

1 The proposal complies with Policy H8A in that:-

the scale, layout, height and design of the dwellings does not cause any significant detriment to residential amenity for new or existing residents.

the proposed development meets the standards set out in SPG2 , The Design and Layout of New Housing, on density/house type/ mix/layout/parking/access/spacing.
the development meets the criteria in SPG 30 Sequential Approach to Determining Applications for Residential Developments

2 The proposals comply with Policy GS34 in that the proposals provide an undeveloped piece of land within the site as compensation for the loss of greenspace.

Informative(s)

1 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:
UDP Policy CF2 - existing community facilities.
Policy H8A - levels of amenity
Policy H6 - the provision of open space
Policy BE6 - good quality design
Policy ED4 - the impact on residential amenity
Policy GS34 - urban greenspace
Policy GS35 -land which functions as urban greenspace
Policy GS28 - public rights of way
Policy ES7 - contaminated land
Policy T2 - travel
Policy T2A - access and junctions
SPG2 gives further guidance on the design and layout of new residential development
SPG10 gives further guidance on paths and development
SPG28 gives further guidance on contaminated land
SPG20 relates to public open space on new residential development
PAN30 gives advise on sustainability appraisals

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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