BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0084

To Mr Paul Thornton
Persimmon Homes (West Yorkshire)
3 Hepton Court
York Road
Leeds
West Yorkshire
LS9 6PW

DESCRIPTION Variation of condition 9 of app 2013/0866 (Residential development of 220 dwellings) to allow for change in vehicular and pedestrian gradients within the site.

LOCATION Land North of Barnsley Road, Wombwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 February 2015 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT/UNILATERAL UNDERTAKING MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

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 03 April 2014.
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 following plans and specifications as approved unless required by any other conditions in this permission:-
-Planning Layout Ref: WOM-2013:01 Revision G
-Clanden 102-CLA-ASV (1)
-Clanden 103-CLA-OPV (1)
-Clevedon 127-CLE-ASV (1)
-Clevedon 128-CLE-OPV (1)
-Hanbury 106-HANPST-V (1)
-Hanbury 107-HANPH-ASV (1)
-Hanbury 108-HANPH-OPV (1)

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

Signed
Head of Planning and Building Control

Dated 22 April 2015

Development Service
PO Box 634, Barnsley, S70 9FE
Telephone: 01226 - 772000
Fax: 01226 - 772591

-Hanbury Dual 107-HANPH-ASV (1)
-Hatfield 109-HAT-ASV (1)
-Hatfield 110-HAT-OPV (1)
-KEATING KEA OPV (shadows)
-KEATING KEA ASV (shadows)
-Moulton 111-M0U2-V(1)
-Moulton 112-MOU3-V(1)
-Moulton 113-MOU4-V(1)
-Moulton 114-MOU5-V(1)
-Roseberry 114-ROS-ASV (1)
-Roseberry 115-ROS-OPV (1)
-Rufford 116-RUFS-V (1)
-Rufford 117-RUF-ASV(1)
-Rufford 118-RUF-OPV (1)
-Souter 119-SOU2-V(1)
-Souter 120-SOU3-V(1)
-Winster 121-WIN-ASV (1)
-Winster 122-WIN-OPV (1)
-Brampton 200-BRA2-V (1)
-Brampton 201-BRA3-V (1)
-Brampton 204-BRA3-DUAL (1)
-Brampton 205-BRA3-DUAL (1)
-Garage 300-SGAR1-V (Single side to side)
-Garage 301-SGAR2-V (single front to back)
-Garage 302-SGAR3-V (Single side to side 6x3)
-Garage 303-SGAR4-V (Single Front to Back 6x3)
-Garage 304-DGAR1-V (double front to back)
-Garage 304-DGAR1-V (double garage front to back)
-Garage 305-DGAR2-V (Double Pyramid)
-Garage 306-DGAR3-V (Double Front to Back 6x3)
-Garage 307-DGAR4-V (double pyramid)
-Garage 308-TGAR1-V (Triple 6x3)
-Boundary Treatment 409-BOUN-01
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 The development hereby approved shall be carried out strictly in accordance with the floor levels shown on the following drawings:-
-3882-C-D1-04 A
-3882-C-D1-05 A
-3882-C-D1-06 A
-3882-C-D1-07 A
-3882-C-D1-08 A
-3882-C-D1-09 A
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.

4 The development hereby approved shall be carried out strictly in accordance with the approved materials which are detailed in the following document:
-WOM/MAT:01
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

5 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.

6 Sightlines, having the dimensions 2.4m x 40m, shall be safeguarded at the junction of the site with Barnsley Road, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

7 Works are to carry out in accordance with the approved Construction Method Statement, reference CMS/WOM/150320. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.

8 Works are required which secure the following highway improvement works designed in substantial accordance with the details shown on Optima drawing 1020-GA-01 REV B:-
a) provision of parking laybys and build outs on Barnsley Road opposite the development site;
b) alteration of the centre line road marking;
c) measures to prevent parking on the site frontage;
d) relocation of bus stop pole;
e) any necessary signing/lining;
f) any necessary amendments to/provision of street lighting;
g) any necessary amendments to/provision of highway drainage;
h) any necessary resurfacing/reconstruction.

These works shall be completed in accordance with the approved details and a timetable approved in writing by the Local Authority
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

9 Vehicular and pedestrian gradients within the site shall not exceed 1:10.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

10 On completion of the development a highways 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.

11 The development shall be carried out in accordance with the approved foul and surface water details which are detailed in the following documents:
-ID Civils Flood Risk Assessment dated July 2013 reference 3882/FRA1 and Addendum Letter 3882/dl/040214 dated 4th February 2014.
-3882-C-D1-01 F
-3882-C-D1-02 E
-3882-C-D1-04 A
-3882-C-D1-05 A
-3882-C-D1-06 A
-3882-C-D1-07 A
-3882-C-D1-08 A
-3882-C-D1-09 A
-3882-C-D4-01
-3882-C-D4-02
-3882-C-D4-03
-3882-C-D4-04

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.

12 No piped discharge of surface water from the application site shall take place prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that the site is properly drained and surface water is not discharged to any off site drainage system, which will prevent overloading, in accordance with Core Strategy policy CSP4.

13 Development shall be carried out in accordance with details prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) and shown on drawing reference WOM-2013:04
No development or other operations shall take place except in complete accordance with the approved methodologies.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

14 Development shall be carried out in accordance with the approved landscaping scheme, details for which are shown on the following drawings:
-001-ND023-D-00
-002-ND023-D1-00
-002-ND023-D2-01
-002-ND023-D3-00
-002-ND023-D4-00
-002-ND023-D5-00
-002-ND023-D6-00
-002-ND023-D7-00
The approved hard landscaping details shall be implemented prior to the occupation of the buildings.
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

15 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 others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Core Strategy Policy CSP 29.

16 No hedges or trees on the site existing or proposed (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed without written approval from the Local Planning Authority. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.

17 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.

18 The development shall be carried out in accordance with the recommendations detailed in the approved Site Investigation report reference 1633/1.
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.

19 The development shall be carried out in accordance with measures detailed in the Carbon Reduction Report prepared by JSP Sustainability dated April 2014.
Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

20 The development shall be carried out in accordance with the measures detailed in the noise report reference A081108.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

21 The development shall be carried out in accordance with the recommendations of the Ecology Report (reference R-1377-01) and the approved Faunal Refuges Plan (reference WOM-2013:07).
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

22 The development shall provide electric car charging points for all properties with integral garage, detached garage or parking bay to the immediate front or side of the house with the exceptions of plots 8, 9-26; 34, 60, 4, 79, 84, 179
Reason: In the interest of air quality, in accordance with Core Strategy policy CSP40 'Pollution Control and Protection'.

23 The emergency access point as shown on the approved site layout drawing ref WOM-2013:01 Revision G shall be restricted from use by the general public in accordance with details to be submitted and approved in writing by the Local Planning Authority prior to the first occupation of the development. The approved details shall be provided within a timescale to be agreed and retained as such thereafter.
Reason: To ensure a safe and adequate highway network, in accordance with Core Strategy Policy CSP 26.

24 Grit bins as indicated on drawings 3882-C-D7-01 and 3882-C-D7-02 shall be provided in accordance with details to be submitted and approved in writing by the Local Planning Authority prior to the first occupation of the development. The approved details shall be provided within a timescale to be agreed and retained as such thereafter.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

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 proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place. It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.decc.gov.uk Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.gov.uk
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.

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.

Development Service **Telephone: 01226 - 772600**
PO Box 634, Barnsley, S70 9FE **Fax: 01226 - 772599**