



BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0647

To Chris Baker Associates
The Long Barn
Ecklands
Millhouse Green
Sheffield
S36 9NG

DESCRIPTION Erection of detached dormer bungalow with integral garage
LOCATION Land adjacent 30 Chapel Lane, Carlton, Barnsley, S71 3LE

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 September 2013 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun within 3 years from the date of this permission.
Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

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

Stephen Moralee
Signed
Head of Planning, Building Control and Sustainability

Dated 11 November 2013

- 2 The development hereby permitted shall only be carried out in accordance with the following documents unless amended by the conditions below which shall take precedence:
- a) Drawing titled 'Location Plan', numbered 11.239/D-003 and dated 30 April 2012;
 - b) Drawing titled 'Proposed Site Plan Option 2', numbered 11.239/D-004B Rev A; 04.07.13, and dated 2 July 2013;
 - c) Drawing titled 'Proposed Elevations Option 2', numbered 11.239/D-002B Rev A; 04.07.13, and dated 2 July 2013;
 - d) Drawing titled 'Proposed Floor Plans Option 2', numbered 11.239/D-001B Rev B; 11.09.13, and dated 2 July 2013;
 - e) Drawing titled 'Site Plan - Levels', numbered 11.239/D-005 Rev A; 04.11.13, and dated 9 September 2013;
 - f) Drawing titled 'Proposed Site Elevation Levels', numbered 11.239/D-006, and dated 27 September 2013; and
 - g) The submitted Design and Access Statement, numbered 11.239/0-008 Rev B.
- Reason: For the avoidance of doubt and in the interests of the character of the locality and residential amenity in accordance with CS policy CSP29, UDP policies H8A and H8F, DSAP (Consultation Draft 2012) policy GD1, the relevant planning policy statements in the NPPF relating to requiring good design and SPD - Designing New Housing Development.**
- 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 CS policy CSP29.**
- 4 No development shall commence until a Coal Mining Risk Assessment has been submitted to, and approved in writing by, the Local Planning Authority. The Coal Mining Risk Assessment shall interpret the coal mining risks and shall be based on up-to-date information of past coal mining activities in relation to the application site. The information shall be used to assess whether or not there are any mining risks to the development and where necessary, mitigation measures which could include intrusive investigation shall be proposed to address any issues of land instability. The Coal Mining Risk Assessment shall be prepared by a competent body. No building work shall commence until any identified and approved mitigation measures have been fully implemented.
- Reason: In the interest of the safe development of the site and to accord with CS policy CSP39 and the relevant planning policy statements in the NPPF relating to land instability.**

5 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to maintain or reduce existing surface water run off rates 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.

6 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted, to and approved in writing by, the Local Planning Authority before any development commences.

Reason: To ensure the proper drainage of the area and that surface water is not discharged to the foul sewerage system to prevent overloading and to accord with CS policy CSP3.

7 No development shall commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted to, 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 highway safety and to accord with CS policy CSP26.

8 No development shall commence until details of the proposed boundary treatments have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include a specification for the fencing and a drawing indicating the precise location where the fencing is to be erected. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: Details of the proposed boundary fencing have not been submitted and to accord with CS policy CSP29, UDP policy H8A, DSAP policy GD1 and the relevant planning policy statements in the NPPF relating to requiring good design.

9 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.

Reason: In the interest of highway safety and to accord with CS policy CSP26.

10 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 areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

- 11 A sightline having the dimensions 2m x 22m, shall be safeguarded from the proposed driveway in the northern direction 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.
- 12 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.
Reason: In the interest of highway safety and to accord with CS policy CSP26.
- 13 The dwelling shall achieve Code Level 3, in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). The dwelling shall not be occupied until a Final Code Certificate has been submitted to the Local Planning Authority certifying that Code Level 3 has been achieved.
Reason: In the interest of sustainable development in accordance with CS policy CSP2.
- 14 The bathroom window on the rear elevation of the dwelling shall be fitted with obscure glass and retained as such thereafter.
Reason: To safeguard the privacy and amenities of the occupiers of adjacent residential properties and in accordance with CS policy CSP 29.
- 15 No fill materials of any type shall be imported to provide for the proposed site levels.
Reason: For the avoidance of any doubt.
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwelling which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no other garages or other outbuildings shall be erected.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property in accordance with Core Strategy Policy CSP29.
- 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, Pollution Control and Protection.

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 development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.
- 2 If the developer is to make discharge flows to the existing watercourse, the written agreement of the Land Drainage Authority to discharge flows at an agreed rate must be obtained. Contact Derek Bell (01226 787654).
- 3 If the developer is to carry out works within or in the proximity of any watercourse, the relevant permissions from the Lead Local Flood Authority must be obtained. Contact Derek Bell (01226 787654).
- 4 Mining and geological records indicate that the Newhill Coal Seam is conjectured to outcrop through the development plot and could therefore be present at a shallow depth. The presence of unrecorded shallow mine workings cannot be ruled out. The site could potentially be at risk from mining legacy health and safety issues such as land instability or fugitive gas migration.
- 5 The Coal Authority has advised that the site lies within the defined Development High Risk Area. Their records indicate that within the site and surrounding area, there are coal mining features and hazards which need to be considered, specifically shallow coal workings and coal outcrops. Coal Mining Reports are available from www.groundstability.com or by telephoning 08457626848. Links to the relevant professional institutions of competent bodies for the preparation of Coal Mining Risk Assessments can be found at <http://coal.decc.gov.uk/en/coal/cms/services/planning/strategy.aspx>. The British Geological Survey may prove a useful source of geological and mining information www.bgs.ac.uk. Any prior extraction of surface coal requires an Incidental Coal Agreement from the Coal Authority.
- 6 Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of the Coal Authority. Failure to obtain permission will result in trespass, with the potential for court action.
- 7 The developer must contact Environmental Services 01226 773555 prior to any work commencing on site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.
- 8 On the statutory sewer map, there is a small diameter public foul/combined sewer recorded to cross through the site. The sewer will be affected. Yorkshire Water Services would look for this matter to be controlled by Requirement H4 of the Building Regulations 2000. Foul water should discharge to the public sewer adjacent the site, in Chapel Lane. Sustainable Systems (SUDS), for example the use of soakaways and or permeable hardstanding, may be a suitable solution for surface water disposal. A water supply can be provided under the terms of the Water Industry Act, 1991.

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.