



BARNSLEY

Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0288

To Townsend Planning Consultants
10 Rishworth Street
Wakefield
West Yorkshire
WF1 3BY


DESCRIPTION Outline application for residential development.
LOCATION Land at Sandygate Lane, Stairfoot, Barnsley, South Yorkshire, S71 5AW

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 23 March 2016 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) scale of building(s)
 - (c) the design and external appearance of the proposed development.
 - (d) means of access
 - (e) 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.**

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 29 June 2016

3 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Core Strategy Policy CSP 29, Design.

4 Detailed plans shall accompany the reserved matters submission relating to existing trees both within and adjacent to the site which should inform the layout of the development. These documents shall be prepared in accordance with BS5837: 2012 (Trees in relation to design, demolition and construction Recommendations) and shall include the following:

Root Protection Area plan

Tree constraints plan

Tree protection plan

Arboricultural impact assessment

Arboricultural method statement

Details of no-dig construction proposals for areas of car park areas and drives including cross-sections and plans showing relevant area.

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.

5 The development hereby permitted shall not begin until a scheme, including a timetable for implementation and long term maintenance agreements, has been submitted to and approved in writing by the Local Planning Authority for the provision of or enhancement to off-site public open space in accordance with Core Strategy policy CSP35. The provision or enhancement of the off-site open space shall as a minimum mitigate for the loss of the sites existing Green Space function or potential and shall be provided prior to completion of the development in accordance with the approved scheme.

Reason: In the interests of residential and visual amenity to ensure adequate provision of public open space in accordance with Core Strategy Policy CSP 29.

6 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.

- 7 Prior to commencement of development, details of the proposals to mitigate the air quality impact of the development as set out within section 4.2.8 of the submitted planning statement, for the installation of electric vehicle charging points to all new housing developed on site, and associated infrastructure, shall be submitted to and approved in writing by the Local Planning Authority. The specifications shall be in accordance with the BMBC Air Quality and Emissions Good Practice Guidance. The development shall thereafter be undertaken in accordance with the approved details.
Reason: In the interests of minimising the impact of the proposal on air quality in accordance with Core Strategy policies CSP 40.
- 8 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).
The above shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. 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 against pollution and in accordance with CSP 40.
- 9 All on site vehicular parking/manoeuvring facilities 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
- 10 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 developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement
- 11 Vehicular and pedestrian gradients within the site shall not exceed 1: 12
Reason: To ensure safe and adequate access

- 12 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
 - Measures to control the emission of dust and dirt during construction
 - Measures to control noise levels during construction
 - Siting of sales cabin
- 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.**
- 13 A landscape strategy shall accompany the reserved matters submission. It shall identify a route for a link through the site from Sandygate Lane to the TPT, identification of boundary vegetation buffer to the north and west of the site and the location of a vegetation buffer strip on the southern end of the site adjacent to the Trans Pennine Trail. Where the plan details the footpath link to the TPT it should specify that the footpath link shall be surfaced in tarmac with concrete edging, shall be a minimum of 1.5m wide and be DDA compliant. Details of access control at TPT boundary shall be described and the boundary to TPT shall be secure.
- Reason: In the interests of visual amenity and the interests of ecology and biodiversity in accordance with CSP 36.**
- 14 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the link to the TPT, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
- Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**

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: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. 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 a Coal Authority Permit 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: 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 0345 762 6848. Further information is available on website at: www.gov.uk/government/organisations/the-coal-authority

- 2 The provision of or enhancement to public open space may be met through the payment of a commuted sum, obligation or other legal agreement.
- 3 South Yorkshire Police Architectural Liaison Officer recommends the layout should be designed to incorporate a minimum 2.4m fence to properties backing onto TPT and that all buildings conform to Secured By Design Homes 2016.
- 4 An indicative layout for 14 dwellings was proposed as part of this outline application. It is however, deficient in a number of respects in terms of design, layout and achieving minimum space standards, and ensuring acceptable residential amenity for future occupiers. It would be difficult to achieve an acceptable layout with this number of proposed dwellings.

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.