BARNSLEY
Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/0285

To Mr S Thistlethwaite, Development Planner
H J Banks & Company Ltd
Tow Law
Bishop Auckland
Co Durham
DH13 4HG

DESCRIPTION *Residential Development of 43 dwellings and one 4-storey block of 24 apartments (Outline)*

LOCATION J C Snell Limited, Hoyle Mill Road, Stairfoot, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 17 February 2006 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, *whichever is the later.*
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 siting of the proposed development.

(b) the design of the proposed development.

(c) the external appearance of the proposed development.

(d) the means of access to the site.

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 23 January 2007

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(e) landscaping for the site.
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 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 and in accordance with UDP Policy BE6, Design Standards.

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 No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
Reason: In the interests of the visual amenities of the locality.

6 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

7 During the period of construction sufficient space shall be set aside within the confines of the site for the parking of site workers and visitors and the storage of building materials and plant.
Reason: To ensure that satisfactory parking is available in the interests of highway safety and the free flow of traffic.

8 No development shall take place until full highway engineering constructional details have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved plans.
Reason: To ensure satisfactory means of access is provided in the interests of highway safety.

9 No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans.
Reason: To ensure that satisfactory means of access to the site is provided, in the interests of highway safety and in accordance with UDP Policy T2A.

10 Unless otherwise agreed in writing no development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that any archaeological remains are recorded or are preserved in accordance with an agreed scheme and in accordance with UDP Policies BE3, Archaeological Sites and BE4.

11 No surface water from the site shall be discharged directly or indirectly to any foul or combined sewer.
Reason: To ensure the proper drainage of the area.

12 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. Roof water shall not pass through the interceptor.
Reason: To prevent pollution of the water environment and in accordance with UDP Policy ES3, Water Pollution.

13 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 development commences.
Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system, which will prevent overloading.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse].

15 Unless otherwise agreed in writing no development shall commence until full details of structural repairs to the carried out to the defective pipework to the culverted watercourse have been submitted to and approved in writing by the Local Planning Authority.
Reason: To maintain the structural integrity and proper functioning of the existing culverted watercourse.

16 Unless otherwise agreed in writing no dwelling shall be occupied until a 1 year Travel Master Pass has been provided to the first occupier of each dwelling in accordance with details to be submitted and agreed in writing with the Local Planning Authority.
Reason: In the interests of reducing the need for car travel to and from the site.

17 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.

18 Prior to the commencement of the development a report, endorsed by a competent engineer experienced in ground contamination shall be submitted to the Local Planning Authority. The report shall, amongst other matters, include the following:

1. Measures to physically identify the extent of made ground and measures to test and evaluate the area for the purposes of identifying the extent of any contaminated areas requiring remediation
2. Measures to treat or remove any contaminated material identified
3. Measures to test and evaluate any imported soils or capping material imported onto the site to ensure they contain no levels of contamination which would render any part of the site unsuitable for its intended use
4. The subsequent certification that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied. The development shall thereafter be undertaken in full accordance with the submitted reports.

Reason: To ensure that the site is properly assessed for ground contamination and subsequently suitably remediated to enable the site to be subsequently safely developed and occupied and in accordance with UDP Policies ES7, Contaminated Land and ES8.

19 Any visibly contaminated or odorous material encountered onsite during the development work must be excavated and stockpiled at the site. The Local Planning Authority must be informed immediately of the nature and degree of contamination present, and its potential for the pollution of the water environment. Details of the appropriate measures to prevent *pollution of groundwater and surface water, including provision for monitoring, shall be* submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved.

Reason: To protect the water environment and ensure that the remediated site is reclaimed to an appropriate standard and in accordance with UDP Policy ES7, *Contaminated Land.*

20 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.

Reason: To prevent mud / debris from being deposited on the public highway to the *detriment of highway safety.*

21 Visibility splays, having dimensions 2.4m x 90m, shall be safeguarded at the junction of the access road with Hoyle Mill Road, such that there is no obstruction to visibility and forming part of the adopted highway.

Reason: In the interests of highway safety.

22 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of:

a] Any necessary amendments to the street lighting;
b] Any necessary amendments to the drainage;
c] Any necessary amendments to the existing traffic regulation orders;
d] Provision of 2m wide adoptable footway along the entire site frontage;
e] Any necessary signing / lining.

Reason: In the interests of highway safety.

23 Development shall not commence until details of the siting of the sales cabin and associated parking facilities for staff and visitors have been submitted to and approved in writing by the Local Planning Authority and such facilities shall be retained for the entire construction period.
Reason: In the interests of highway safety.

24 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 interests of highway safety.

25 Vehicular and pedestrian gradients shall not exceed 1:12.
Reason: To ensure safe and adequate access.

26 Development shall not commence until details of the means of access for construction traffic have been submitted to and approved in writing by the Local Planning Authority; such access shall be retained for the entire construction period.
Reason: In the interests of highway safety.

Reason(s) for Granting Permission

1 The proposal complies with Policy H8A in that

the proposal will not cause any significant detriment to residential amenity for new or existing residents.

The development meets the criteria in SPG 30 Sequential Approach to Determining Applications for Residential Development.

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:

BA7 - Mixed Use Areas
H8A - residential amenity
SPG20 - open space requirements

This informative is only intended as a summary of the reason for the granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.