

Graham Raynor
38 Little Haynooking Lane
MALTBY
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11/01153/FUL

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995

PLANNING PERMISSION GRANTED

Application **11/01153/FUL**

Proposal **Erection of detached dwelling on approx. 0.71ha of land following demolition of existing bungalow including Chalet for temporary accomodation.**

Location **The Bungalow Stainforth Road Barnby Dun Doncaster**

Dated **20th June 2011**

Doncaster Metropolitan Borough Council acting as the Local Planning Authority, has considered your application described above and has decided to **GRANT PERMISSION** subject to the following **CONDITIONS/DIRECTIVES** as set out below. Your further attention is drawn to any informatives attached thereafter.

STATEMENT OF REASONS FOR DECISION TO GRANT PERMISSION

The Local Planning Authority has decided to grant planning permission:-

1. Having regard to the policies and proposals in the adopted Doncaster Unitary Development Plan set out below, and all relevant material planning considerations:

Doncaster Unitary Development Plan (Adopted July 1998)

Policy Ref: ENV 4 - Development within the Countryside Policy Area

Policy Ref: ENV 13 - Replacement Dwelling

Policy Ref: ENV 52 & 53 Design of new buildings

Policy Ref: M4 - Safeguarding Area

Policy Ref: T5 - Highway and pedestrian safety



Scott Cardwell
Assistant Director of Development

THE DEVELOPMENT HEREBY GRANTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THESE CONDITIONS AND THE DETAILS SHOWN ON THE APPROVED PLANS. YOU ARE REMINDED THAT THE COUNCIL HAS THE STATUTORY AUTHORITY TO TAKE ANY NECESSARY ACTIONS TO ENSURE COMPLIANCE WITH THE TERMS OF THIS DECISION

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National Policy
PPS25 - Development and Flood Risk (2006)
Planning Policy Statement 7 Sustainable development in Rural Areas.
Planning Policy Statement 1 Delivering Sustainable Development.
Planning Policy Statement 3 Housing.

2. For the following reasons:

Having taken into account all the planning considerations raised in the consultations and representations, against the policy background referred to above, it has been concluded that the proposed erection of detached dwelling on approx. 0.71ha of land following demolition of existing bungalow including Chalet for temporary accommodation is acceptable. In particular, the Local Planning Authority is of the view that its accordance with the relevant policies of the Doncaster Unitary Development Plan, taken together with advice in the relevant national planning policy guidance, justifies the granting of permission. The proposal to redevelop the existing building is consistent with local plan policy for replacement dwellings. The design is acceptable and does not unacceptably reduce the visual appearance of the countryside. The provision of a temporary accommodation at the development site is also, in principle, acceptable for a temporary period. No harm is caused to neighbouring amenity or highway safety.

N.B. The foregoing Statement is a summary of the main considerations leading to the decision to grant permission. More detailed information may be obtained from the Planning Officer's Report and the application case file and associated documents, which may be inspected, by appointment, at the offices of the Development and Planning Service (for address see Decision Notice).

01. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON

Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.



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02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans and specifications.
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows
Location Plan amended 02.05.11
REASON
To ensure that the development is carried out in accordance with the application as approved.
04. Ground permeability tests (refer to BRE 365 or other similar approved method) shall be carried out, and certified results and calculations including the soakaway design shall be submitted to and approved by the LPA prior to the commencement of the Development. Note: The BRE 365 design standard for a soakaway of 1 in 10 years is not acceptable, and a minimum design standard of 1 in 30 years would be required. (refer to CIRIA 609, P80).
REASON
To ensure that the proposed site is capable of acting as a soakaway in a manner that is acceptable to the LPA. N.B. The proposed soakaway should not be located within 5m of a structure/highway.
05. The Development shall not commence until full details of the proposed surface water run-off works have been submitted to and approved by the LPA. These works shall be carried out concurrently with the Development and shall be operating to the satisfaction of the LPA prior to the occupancy of the Development.
REASON
To prevent surface water flooding.



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06. Mitigation measures must include the provision of floor levels of the new buildings to be raised no lower than 500mm above frontage road level or 600mm above existing site levels or the 5.0 metre AOD contour whichever is the higher, as recommended in the Council's Supplementary Planning Document: Development and Flood Risk October 2010.

REASON

To ensure that any new development complies with Environment Agency standing advice

07. No development shall take place on the site until details of a landscaping/planting scheme have been agreed in writing with the Local Planning Authority. This scheme shall indicate all existing trees and hedgerows on the site, showing their respective size, species and condition. It shall distinguish between those which are to be retained, those proposed for removal and those requiring surgery. The scheme should also indicate, where appropriate, full details of new or replacement planting. All planting material included in the scheme shall comply with Local Planning Authority's 'Landscape Specifications in Relation to Development Sites'. Planting shall take place in the first suitable planting season, following the commencement of the development. Any tree or shrub planted in accordance with the scheme and becoming damaged, diseased, dying or removed within five years of planting shall be replaced in accordance with the above document.

REASON

To ensure that replacement trees are of a suitable type and standard in the interests of amenity.

08. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.



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REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 Planning and Pollution Control.

09. Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 Planning and Pollution Control.

10. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being accepted and approved by the Local Planning Authority (LPA), unless otherwise approved in writing with the LPA.
- a) The Phase I desktop study, site walkover and initial assessment must be submitted to the LPA for approval. Potential risks to human health, property (existing or proposed) including buildings, livestock, pets, crops, woodland, service lines and pipes, adjoining ground, groundwater, surface water, ecological systems, archaeological sites and ancient monuments must be considered. The Phase 1 shall include a full site history, details of a site walkover and initial risk assessment. The Phase 1 shall propose further Phase 2 site investigation and risk assessment works, if appropriate, based on the relevant information discovered during the initial Phase 1 assessment.
- b) The Phase 2 site investigation and risk assessment, if appropriate, must be approved by the LPA prior to investigations commencing on site. The Phase 2 investigation shall include relevant soil, soil gas, surface and groundwater sampling and shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology and



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current best practice. All the investigative works and sampling on site, together with the results of analysis, and risk assessment to any receptors shall be submitted to the LPA for approval.

c) The Phase 3 remediation report shall be approved by the LPA prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

d) The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. The LPA must be given two weeks written notification of commencement of the remediation scheme works. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

e) Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 Planning and Pollution Control.

11. Before the development commences, samples of the proposed external materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

REASON



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To ensure that the materials are appropriate to the area in accordance with policy ENV52 of the Doncaster Unitary Development Plan.

12. The static mobile home/chalet hereby permitted shall only be for a limited period. This being the period of 12 months from the date of this decision. Unless otherwise agreed in writing, at the end of this 12 month period, the mobile home/chalet as described in the above hereby permitted, shall be removed from the site and the land restored/grassed in accordance with a scheme to be agreed to and approved in writing by the local planning authority.

REASON

The mobile home/chalet hereby approved is not considered suitable as a permanent form of development to safeguard the Countryside and to comply with policy ENV 4 of the Doncaster Unitary Development Plan.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) England Order 2008, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no additions, extensions or other alterations other than that expressly authorised by this permission shall be carried out without prior permission of the local planning authority.

REASON

The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) England Order 2008, Article 3, Schedule 2: Part 1 (or any subsequent order or statutory provision revoking or re-enacting that order) no development shall be carried out on any part of the land other than that hereby permitted without the prior permission of the local planning authority.

REASON



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The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with policy PH11 of the Doncaster Unitary Development Plan.

01. INFORMATIVE

The developer shall consider incorporating all possible sustainability features into the design of the proposed development.

02. INFORMATIVE

Prior to preparing any reports in support of conditions relating to land contamination, the applicant is strongly advised to refer to the document entitled Development on land affected by contamination. Technical Guidance for Developers, Landowners and Consultants. Yorkshire and Humberside Pollution Advisory Council.

The document can be found at the following web address:

http://dmbcintranet2:8082/Intranet/living/environment/Pollution/Contaminated_Land/Contaminated_Land_Strategy.asp

Or alternatively you can request a paper copy from the LPA.

03. INFORMATIVE

The proposed development lies within a coal mining area, which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

It should be noted that this site may also lie within an area where a current licence exists for underground coal mining.

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.

Property specific summary information on coal mining can be obtained from the Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com



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04. INFORMATIVE

DEVELOPMENTS NEAR LANDFILLS

The proposed development is within 250 meters of a landfill site about which insufficient information is known to permit an adequate response to be made on the extent to which landfill gas may be present on or off site.

Planning permission has been granted on the basis that there is no sound and clear-cut reason to refuse. The applicant is, however, reminded that the responsibility for safe development and secure occupancy of the site rests with the developer and accordingly is advised to consider the possibility of the presence or future presence of landfill gas and satisfy himself of any gas precaution which may be necessary.

05. INFORMATIVE

At the time of this decision, the site has been identified as being within an area of medium or high flood risk, based on the Environment Agency's flood maps.

Therefore, the applicant/occupants should consider registering for the Environment Agency's Floodline Warning Direct, by phoning Floodline on 0845 988 1188. This is a free service that provides flood warnings direct by telephone, mobile, fax or paper. It also gives practical advice on preparing for a flood, and what to do if one happens. By getting an advanced warning it will allow protection measures to be implemented such as moving high value goods to an elevated level as well as evacuating people off site.

06. The landscaping required to fulfil condition 7 relates to screening being required on the western boundary. The landscaping scheme shall included a selection of mature trees to be planted on this boundary facing Stainforth Road.

NOTES FOR THE GUIDANCE OF APPLICANTS IN CONNECTION WITH THE DECISION OF THE COUNCIL.

Building Regulations

Your proposals may require Building Regulation Approval. For further advice please contact the Building Control Section on 01302 734848. Alternatively visit the Building Control Website at www.buildingcontrol.org. In addition Section 55 of the South Yorkshire Act 1980 requires the permission of adequate access for the fire brigade in new



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developments and extensions. The Dearne District Fire Safety Office may be contacted on 01226 282222.

Demolition

Under Section 80 of the Building Act 1984 any person intending to demolish a building must serve notice to the Local Planning Authority listing full details of their intentions. If you require further information please contact the officer who dealt with your application.

Applications for Listed Building Consent

Attention is drawn to Section 8(2)(b) and (c) of the Planning (Listed Building and Conservation Areas) Act 1990. This states that demolition of a Listed Building or any part thereof may not be undertaken (despite the terms of any consent granted by the Local Planning Authority) until notice of the proposal has been given, using form 'Stat E', to English Heritage, Yorkshire Regional Office, 37 Tanner Row York, YO1 6WP, telephone 01904 601976, fax 01904 601999. English Heritage must be given reasonable access to the building for at least **one month** following the grant of consent, or state that they have completed their record of the building or that they do not wish to record before any work is carried out.

Purchase Notice

In certain circumstances it may be possible to serve a purchase notice on the Council. This is only available where refusal of Planning Permission has led to the land being "incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted" as defined by Part VI of the Town and Country Planning Act 1990. In such circumstances the Council could be required to purchase the applicant's interests in the land. If you require further information please contact the officer who dealt with your application.

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the Council to refuse permission or approval for the proposed development or to grant permission or approval subject to conditions, he/she may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990, within **SIX (6) months** of the date of the Decision Notice.

For householder applications submitted and valid from 6th April 2009. The time period for appeals against refused applications is reduced to **12 weeks** from the date of decision and will be decided by written representation.



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(No time limit for refusal of Certificate of Lawfulness of Existing Use or Development). Appeals must be made on forms, which are available from The Customer Support Unit, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN Telephone: 0117 372 6372.

Request for Confirmation of Compliance With Planning Conditions

Conditions imposed on an approved planning application may be discharged upon request to the Local Planning Authority. The request, identifying the permission and the conditions concerned can be made in any written form that is clear and legible. Alternatively, you can complete or download the Standard Application Form, please use the link below

<http://www.planningportal.gov.uk/PpApplications/genpub/en/Ecabinet>

The fee chargeable by the Authority is £85 per request (or £25 where the related permission was for extending or altering a dwelling house)



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