



BARNSELEY

Metropolitan Borough Council

GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0107

To JVH Town Planning Consultants Ltd.
Houndhill Courtyard
Houndhill
Marchington
Staffordshire
ST14 8LN

DESCRIPTION Erection of hotel/bar/restaurant and two roadside restaurants (Outline)
(Extension of time limit for implementation of application 2007/0004)

LOCATION Land off Barnsley Road, Goldthorpe, Rotherham, S63 9LB

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 08 February 2010 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 two years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of one year 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 and in order to align with the proposed timetable for adoption of the LDF and subsequent development plan document

The grant of this consent does not

constitute or imply permission,
approval or consent by the Local

Authority for any other purpose.

Signed

Stephen Morales

Assistant Director, Planning and Transportation

Dated 04 May 2010

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.

3 This permission is granted only on the basis that the lounge/restaurant building is a component part of, and ancillary, to the hotel to which it is shown to be connected to in the approved plans.

Reason: For the avoidance of doubt. Permission is granted in accord with the provisions of the Development Plan due to the strategic benefits associated with an hotel. Such benefits do not apply to the lounge/restaurant and in the absence of an hotel would be inappropriate in this visually prominent edge of town location.

4 No development shall commence on the construction of either roadside restaurant until such time as the hotel is substantially complete.

Reason: Planning permission is being granted due to the strategic benefits associated with an hotel. Such benefits do not apply to roadside restaurants and in the absence of a hotel would be inappropriate in this visually prominent edge of town location.

5 With the exception of the landscaped mound no development shall take place within 15 metres of the boundary with the adjacent housing.

Reason: To minimize the impact for adjacent residents.

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained.

Reason: In the interests of the visual amenities of the locality.

7 Prior to the occupation of any part of the development all peripheral and structural landscaping shall be fully implemented.

Reason: The early establishment of landscaping will assist in softening the development in this visually prominent location and help reduce impact on adjacent properties.

8 No part of the development hereby approved shall be more than two stories in height.

Reason: To minimise the visual impact on this prominent edge of town site.

9 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.

- 10 No development shall take place until details of the foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. 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 unless otherwise agreed in writing with the Local Planning Authority.
- 11 The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 12 No construction works shall take place unless an agreement has completed under Section 278 of the Highways Act 1980 to secure the implementation of off-site highway works in accordance with condition 12 on planning approval B/04/0320/DE. The improvement works shall be completed before works commence on any buildings.

Reason: in the interests of highway safety and as the application relates to a renewal of a previous permission.

- 13 The development shall be undertaken in compliance with the structural landscaping proposals set out in Drawing No. 232-2L approved under planning permission B/04/0320/DE.

Reason: For the avoidance of doubt and as the application relates to a renewal of a previous permission.

- 14 Unless otherwise agreed in writing by the Local planning authority, no building or other obstruction shall be located over, or within 3.0 metres of either side of the centre lines of sewers which cross the site.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

- 15 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that the development can be properly drained.

- 16 No development shall take place until works have been carried out to provide adequate facilities for the disposal and treatment of any waste materials, including trade effluents, in accordance with details to be submitted to and approved by the Local Planning Authority

Reason: To ensure that the development can be properly drained without damage to the local water environment.

- 17 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge to the public sewer. Roof drainage should not be passed through any interceptor.

Reason: In the interests of satisfactory drainage.

Reason(s) for Granting Permission

- 1 Unique The proposal represents a renewal of planning permission 2007/0004, which was approved in February 2007. There have been no significant material planning changes to the site or policies relevant to it within the intervening period.

Informative(s)

- 1 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:
 - Collapse of shallow coal mine workings;
 - Collapse of, or risk of entry into, mine entries (shafts and adits);
 - Gas emissions from coal mines including methane and carbon dioxide;
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
 - Transmission of gases into adjacent properties from underground sources through ground fractures;
 - Coal mining subsidence
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 2 The developer must contact Mr G Handley - Highways & Engineering prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of permanent or temporary vehicular access(s) to the highway.
- 3 The developers attention is drawn to the contents of the letter, accompanying the decision notice, from Yorkshire Water, dated 4th March 2010. Any questions/queries arising from this letter should be directed to Yorkshire Water. Yorkshire Waters telephone number is (01274) 691111.

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.