



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0192

To Miss Claire Hawkins
Jefferson Sheard Architects
The Hacienda
21 Albion Street
Manchester
M1 5DA

DESCRIPTION Erection of centre for sustainable construction and renewable energies with associated highway works, car parking and landscaping.

LOCATION Barnsley College, Honeywell Site, Honeywell Lane, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 19 February 2010 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development shall be carried out in complete accordance with the plans and particulars submitted with the application on 12th February 2010 and the landscape proposals and amended plans submitted on 17th March 2010.
Reason: For the avoidance of doubt as additional and amended plans have been submitted.

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

Signed *Stephen Moralee*
Assistant Director, Planning and Transportation

Dated 07 April 2010

- 3 No development works shall begin until a phased 1 desk study investigation report, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-
1. A review of the historic and current uses on the site, to identify potential areas of contamination
 2. Information on the environmental setting of the site, to understand the behaviour of any potential contamination.
 3. Preliminary (quantitative) assessment of risks, including an appraisal of potential contaminant sources, pathways and receptors.
 4. An assessment to whether a 'phase 2' intrusive ground investigation will be required to assess the nature of any risks to future occupants.
- Reason - to protect the environment and ensure the site is suitable for the proposed use.**
- 4 No development shall take place unless and until foul and surface water drainage details 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.
- Reason: To ensure proper drainage of the area**
- 5 No development shall take place until samples 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 UDP Policy BE6, Design Standards.**
- 6 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.
- Reason: To prevent the increased risk of flooding.**
- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
- Reason: In the interests of the visual amenities of the locality.**
- 8 That an Arboricultural Method Statement is provided which details all necessary tree protection measures and specifies construction techniques that will be employed to ensure that the retained trees are not damaged by the development. The Method Statement shall need to indicate any required excavations (ground level changes, service installation, foundations and hard surfacing where these might impact on tree roots) and how these are to proceed without damaging retained trees. All operations which will affect the trees or be carried out within influencing distance of the trees will need to be addressed. The Method Statement shall need to incorporate a Tree Protection Plan indicating fencing positions and areas where special protection measures are required. The fencing should be specified according to BS 5837 standards.
- Reason: to ensure the protection and safety of the trees during the development process.**

- 9 A tree planting scheme is produced detailing the number of trees to be planted, their location, species, size and details of planting specification and maintenance. Provision should be made within the Arboricultural Method Statement, that wherever possible areas highlighted for tree planting are protected from compaction and contamination by protective fencing.
Reason: to mitigate the loss of trees which will be removed as part of the development process and ensure long term tree cover for the area is maintained.
- 10 Not less than five working days notice of the date of the proposed work shall be given in writing to the Local Planning Authority and the tree surgery shall be carried out to the standards set out in BS3998.
Reason: To ensure the work accords with good arboricultural practice in accordance with Policy GS22 of the adopted Unitary Development Plan and SPG9 (Trees and Hedgerows).
- 11 Prior to the approved works being carried out on site, the branches/trees to be removed shall be clearly marked and 5 days notice shall be given to the Local Planning Authority. The work shall thereafter be carried out to the satisfaction of the Local Planning Authority.
Reason: To ensure the work accords with good arboricultural practice.
- 12 All vehicular and parking areas shall be provided, surfaced and drained prior to the occupation of the building and thereafter retained.
Reason: In the interests of highway safety.
- 13 Noise from the commissioned wind turbine shall not exceed 32 dB(A), L90 10mins (during the daytime 08.00-18.00) and 43 dB(A), L90 10mins (during the night time 18.00-08.00), when measured by a competent person, with a correctly calibrated Sound Level Meter of type two or better, in any garden of nearby residential premises. The developer will provide confirmation of this to the LPA prior to commissioning.
Reason: To protect residential land users from excessive noise.
- 14 Prior to operations commencing on site involving the bio fuel boiler the applicant shall submit details of the following to the Local Planning Authority for written approval:-
- Details of the treatment of emissions to atmosphere, resulting from any process, plant or activity
- Details of any heating or boiler plant, including the specification of the fuel to be used, including full details of delivery and storage methods, full specification and details of heating plant and methods of firing together with full details and analysis of proposed emissions, proposed stack height and type including calculations used for the proposed height in accordance with current legislation (note Regulatory Services approval of the chimney height should be obtained before commencement of its construction), together with details of arrestment plant and operator warning and recording devices for dark smoke emissions from the plant.
- Development shall be carried out in accordance with the approved details and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interests of the reasonable residential amenity for the occupants of adjacent properties.

Reason(s) for Granting Permission

- 1 Unique Planning permission has already been granted for B1 business use on the site. This education use is to provide vocational qualifications and improve skills needed in new sustainable technologies and is considered to be compatible with the approved use.

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

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.