



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1272

To Maslen Environmental
Salts Mill
Victoria Road
Saltaire
Shipley
BD18 3LF

DESCRIPTION Creation of wetland habitat and improvements to visitor infrastructure including the erection of viewing hides and upgrading of existing footpaths.

LOCATION Adwick Washlands, Lowfield Lane, Bolton upon Dearne, Rotherham, South Yorkshire

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 27 October 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 hereby approved shall be carried out strictly in accordance with the plans and specifications as approved (Drawing Numbers: 2010s4268-051 Site Location; 2010s4268-038 Rev A Site Demarcation Zones; 2010s4268-031 Rev A Existing Features; 2010s4268-034 Rev. A General Arrangement; 2010s4268-037-Rev A General Arrangement - Earth Movement; 2010s4268-033 Rev A Habitats; 2010s4268-047 Rev A General Arrangement - Trees and Hedges; 2010s4268-035 Rev A General Arrangement - Longitudinal Sections; 2010s4268-049 Rev. A Footpath Closure; 2010s4268-046 Rev A Visitor Infrastructure; 2010s4268-043 Rev A Modifications to Sluice; 2010s4268-036 Rev A Lowfield Lane Typical Details; 2010s4268-041 Rev A Typical Drainage Details; 2010s4268-040 Rev. A Drainage; 2010s4268-042 Rev A Typical Drainage Details) unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.
- 3 There shall be no vehicular access for construction traffic to the site from Lowfield Road.
Reason: In the interests of highway safety.

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 22 December 2010

- 4 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
 - " Wheel washing facilities

Reason: In the interests of highway safety, residential amenity and visual amenity.

- 5 The development hereby permitted shall be carried out in accordance with the approved Adwick Washlands Habitat Creation Scheme - Flood Risk Assessment (Prepared by JBA Consulting, Dated 13th October 2010).

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

- 6 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority:

- Tree protection plan (TPP)
- Tree Protective Fencing details

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.

- 7 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity.

- 8 Prior to works commencing on site a further bat survey shall be undertaken in accordance with Section 2.7 of the Ecological Surveys Report, prepared by JBA Consulting, dated October 2010 and the report, along with details of any mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to confirm whether there is a presence of bats on site before development commences in accordance with Barnsley UDP Policy GS15, Protecting Habitats and Species.

- 9 Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the recommendations contained in Section 4.0 of the Water Vole Survey Report (Prepared by the Environment Agency, Dated August 2010) and Section 2.4 of the Ecological Surveys Report (Prepared by JBA Consulting, Dated October 2010) regarding nesting birds.
Reason: To safeguard the protected species in accordance with Barnsley UDP Policy GS15, Protecting Habitats and Species.
- 10 Prior to the completion of the development full details of the proposed visitor signage boards and benches shall be submitted to the Local Planning Authority for approval.
Reason: In the interests of the visual amenities of the Green Belt and in accordance with Barnsley UDP Policy GS9, Visual Amenity.
- 11 No development shall take place until the applicant, their agent, or their successor in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that 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 the guidance contained in PPS5: Planning and the Historic Environment.
- 12 No development shall take place until a programme of works has been submitted to and approved in writing by the Local Planning Authority which details how the applicant will monitor groundwater levels and any effects of changes in groundwater levels on the Scheduled Monument for a period of 10 years from the date of this permission. If any adverse impacts on the monument are identified as a result of changes in groundwater levels, a programme of remedial works to be undertaken by the applicant in order to mitigate the adverse impacts shall then be submitted to the Local Planning Authority for approval and then implemented in accordance with the agreed scheme.

The monitoring programme would involve the installation of 'dip-wells' for taking measurements of the groundwater levels. These should be installed and readings taken before any significant ground works are undertaken on site, and a programme of readings continued for a period of 10 years.

Details of the monitoring programme and its duration should be agreed with South Yorkshire Archaeology Service (SYAS) and English Heritage (EH).

Reason: To secure the future preservation of designated nationally important archaeological remains and their heritage significance, in accordance PPS5, Planning and the Historic Environment.

- 13 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with Environment Agency guidelines shall be submitted to and approved in writing by the Local Planning Authority:
A methodology and programme for control of Japanese Knotweed, Himalayan Balsam and the pond weed Elodea including details of subsequent surfacing and management of the same. No development or other operations shall take place except in complete accordance with the approved methodologies.
Reason: In the interests of the visual amenities of the locality.

- 14 Prior to the commencement of works on the site, a dust monitoring and action plan in accordance with the document 'Control of Dust & Emissions for Construction & Demolition Best Practice Guidance Nov. 2006' shall be submitted to, and approved in writing by, the LPA. All operations on site shall be carried out in complete accordance with the approved plan. When, due to site conditions the prevention of undue dust impact by these means is considered to be impracticable by the LPA, operations shall cease until such time as conditions improve such as to permit a resumption.

Reason: To protect the amenity of the area with regard to dust and to accord with Policies GS21 and GS33 of the Barnsley Unitary Development Plan.

Reason(s) for Granting Permission

- 1 PPS5 & The proposal is supported by PPS9 in that it will create a variety of wetland habitats listed on Local and National Biodiversity Action Plans (LBAP/UKBAP) which will benefit a number of UKBAP species.
- 2 Unique The proposal complies with PPG2 and UDP Policy GS9 in that it will retain the open and undeveloped nature of the Green Belt, whilst creating opportunities for outdoor recreation close to an urban area.
- 3 Unique The proposal complies with UDP Policy ES4 in that it will not reduce the flood storage capacity of the washlands or increase the risk of flooding up stream.

Informative(s)

- 1 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 2 Under the terms of the Water Resources Act 1991 and the Land Drainage Act 1991 the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Dearne, which is designated as a main river.
- 3 As the proposal may affect a Scheduled Ancient Monument the applicant is reminded of the need to apply for Scheduled Ancient Monument Consent prior to undertaking any works on site.

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.