



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2023/0793**

**To** Miss Candy Day  
Orion Homes Ltd

5 Benton Office Park  
Bennett Avenue  
Horbury  
Wakefield  
WF4 5RA

**DESCRIPTION** Variation of condition 2 (approved plans) relating to application 2019/0577 to enable changes to the window arrangements on the Edinburgh house type (9no plots) -Demolition of vacant former hospital buildings and residential development of 70 no dwellings and associated works

**LOCATION** Former Mount Vernon Hospital, Mount Vernon Road, Worsbrough, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 28/09/2023 and described above.

**THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).**

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.  
Plan references  
Site Section 4 291/115 Rev E received 5th January 2024  
The Edinburgh - Planning (op) 2020/20/13  
The Edinburgh - Planning (as) 2020/20/12  
The Edinburgh - Planning (mid) 2020/20/14  
Site Layout SK001 Rev U  
Boundary Treatment Plan Rev D  
External Works Layout Sheet 1 7861/020 REV T15  
External Works Layout Sheet 2 7861/021 REV T19  
Noise Management Plan  
Dust Management Plan  
Tree Protection Plan DR-3716-02 Tree Locations  
Arboricultural Impact Assessment by Brooks Ecological AR-3716-01.03  
Detailed Landscape Proposals H2 181003.1 REV C

Woodland & Green Space Management Plan (Ref. 17016/EW - Received 13 03 2023)  
 Estimated schedule of charges for management of unadopted estate areas and woodland provided by Kingston  
 Land Registry: Transfer of part of registered title(s) with details in regard to maintenance charge and woodland management costs  
 Remediation Strategy (ref Coda 7861)  
 7861\_022-P12 Section 104 Plan Sheet 1  
 7861\_023-P13 Section 104 plan Sheet 2  
 7861\_037-P3 Section 38 Plan  
 Proposed EVCP Site Plan (Dated 11/01/2023)  
 Email from agent dated 11/01/2023) indicating the type of EVCP units  
 Construction Method Plan  
 Section 104 Plan 7861/022 REV P12  
 Section 104 Plan 7861/023 REV P13  
 Biodiversity Enhancement Management Plan by Brooks Ecological ER-3716-03A.  
 Construction Environment Management Plan by Brooks Ecological ER-3716-04A  
 01-2017-220 The Exeter  
 01-2017-252 The Falmouth  
 01-2017-254 and 255 The Patterdale  
 01-2017-258 and 259 The Preston  
 01-2017-268 and 269 The Chichester  
 01-2017-270 and 271 The Salisbury  
 01-2017-272 and 273 The Coniston  
 SLIG.01 Split level  
 SLIG.01 Split level  
 2019-100 Location Plan  
 2019.115 Drainage Connection  
 H2 181003.1C Landscape Proposals  
 2019.05 12 and 13 The Arlington  
 11-2019-03 and 04The Bamburgh  
 2019 0111 Materials Layout Plan  
 2019.112 REV D Site sections 1  
 2019.113 REV C site sections 2  
 2019.114 REV C site sections 3  
 Arboricultural Impact Assessment AR-3716-01.03 by Brooks Ecological amended February 2020  
 Window Sections 2019.116  
 SLIG.01 and SLIG.02 split level with integral garage  
 Preliminary Ecological Appraisal by Brooks Ecological

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

- 2 The window on the eastern elevation of plot 56 facing Coach House Lane shall at all times be fitted with obscure glass to Pilkington Level 3 obscurity or equivalent and retained as such thereafter.

**Reason: To safeguard the privacy and amenities of the occupiers of neighbouring residential properties and in accordance with Local Plan Policy GD1 General Development**

- 3 Remediation, Construction and deliveries shall only take place between Monday to Friday 0800-1800 and Saturday 0900-1300. There shall be no work or deliveries on Sundays or Bank Holidays.

**Reason: For the protection of the residential amenity of existing residents in accordance with Local Plan Policy Poll 1.**

- 4 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.**

- 5 Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at Mount Vernon Road in accordance with details of a completion plan to be submitted and approved in writing by the LPA in consultation with the LHA.

**Reason: To ensure satisfactory development of the site in accordance with Local Plan Policy T4 New development and Transport Safety.**

- 6 Prior to the first occupation of the development the proposed driveway and associated crossings, car and cycle parking, servicing, turning and electric vehicle charging points shall be laid out, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

**Reason: To ensure the permanent availability of areas for accessing the dwelling units, parking and manoeuvring areas, in the interest of highway safety in accordance with Local Plan Policy T4.**

- 7 On completion of the development, a highway condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

**Reason: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety and in accordance with Local Plan Policy T4.**

- 8 The existing wall on the eastern boundary of the site fronting Mt Vernon Road and on northern boundary of the site along Coach House Lane, shall be retained at all times.

**Reason: In the interests of good design and to preserve the setting of the nearby Listed Building, in accordance with Local Plan Policy D1 and HE1.**

## **Informative(s)**

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 8 March 2024

A handwritten signature in black ink, consisting of a stylized, cursive 'G' followed by a horizontal line extending to the right.

**Garry Hildersley**

Head of Planning, Policy & Building Control  
Growth & Sustainability Directorate

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

## **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 given 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.