BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1428

To Jefferson Sheard Architects
Fulcrum
2 Sidney Street
Sheffield
South Yorkshire
S1 4RH

DESCRIPTION Variation of Conditions 2, 3, 4, 6, 7, 8 & 9 of application 2010/1465 - Refurbishment and extension of existing college building including new atrium to form performing arts centre

LOCATION Falcon Centre, Falcon Street, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 24 November 2011 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.

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 Regulatory Services

Dated 19 January 2012

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2 The two phases of this development hereby approved shall be carried out in strict accordance with the plans and specifications received on 29th November 2010 including the following documents and plans unless prior written consent has been given by the Local Planning Authority to any minor variation:
- The covering letter by Jefferson Sheard Architects (ref - 0011/3.1.1/PP/AL) dated 23rd November 2010;
- Design and Access Statement (ref - 0011_3.1);
- Barnsley College Travel Plan (ref - 0011_3.1);
- Existing Site Plan - Rev A (ref - 0011_0000);
- Existing GA - Rev B (ref - 0011_0001);
- Existing Elevations - Rev B (ref - 0011_0002);
- SK Site Plan Option 2 -Rev B (ref - SK8025);
- Proposed Sci-Tech Parking Layout - Rev B (ref - 0011_2001);
- Proposed External Finishes - Rev C (ref - 0011_2002);
- Site Location Plan (ref - 0011_2003);
- Proposed Ground Floor GA - Rev F (ref - 0011_2100);
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- SK Ground Floor GA - Rev B (ref - SK8020) received on 10th January 2011;
- SK First Floor GA - Rev A (ref - SK8021) received on 10th January 2011;
- Proposed Street Level GA - Rev A (ref - 0011_2103);
- SK South Elevations - Rev B (ref - SK8023) received on 10th January 2011;
- SK West Elevations - Rev B (ref - SK8024) received on 10th January 2011;
- Proposed GA East and North Elevation - Rev D (ref - 0011_3103);
- SK Site Cross Sections - Rev A (ref - SK8026) received on 10th January 2011;
- SK Site Sections - Rev B (Ref - SK8019) received on 10th January 2011;
- External 3D Views (ref - 0011_8015);
- Drainage Layout (ref - A019037-6-21-C-D100_P1)
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

3 No phase 2 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.
The approved hard landscaping details shall be implemented prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality.

4 No phase 2 development or other operations being undertaken on site shall take place until the following document has been submitted to and approved in writing by the Local Planning Authority:

Tree Planting Scheme

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.

5 The parking/manoeuvring facilities indicated on the approved plan shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times
Reason: In the interest of highway safety.

6 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: To ensure safe and adequate access.

7 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey (taking account of the two phases of the development) shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. 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: In the interest of highway safety.

8 Phase 2 development shall not commence until details of all highway retaining structures, including specification and calculations, have been submitted to and approved in writing by the Local Planning Authority, and the development shall then be carried out in strict accordance with the approved details.
Reason: In the interest of highway safety.

9 No development shall take place, including any works of demolition, until a Construction Method Statement (taking account of the two phases of development) 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;
- Measures to prevent mud/debris being deposited on the public highway
Reason: In the interest of highway safety and the local amenity.

10 All redundant vehicular footway crossings shall be reinstated as kerb and footway prior to the development being brought into use.
Reason: In the interests of highway safety.

11 Prior to the occupation of the building a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented.
Reason: In the interests of sustainable development.

12 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the water main.
Reason: To allow sufficient access for maintenance and repair work to the water main at all times

13 Notwithstanding the submitted details before development commences details of the following matters shall be submitted to and approved in writing by the Local Planning Authority:
1) Full details of materials and finishes to be used in the mesh screen, plinth, entrance canopies, atrium and roller shutters over the vehicular access and
2) Lighting used to illuminate the mesh screen
The development shall be completed in accordance with the approved details and thereafter retained as such.
Reason: In accordance with policy BE6 of the Unitary Development Plan and in the interests of the character and appearance of the area.

Reason(s) for Granting Permission

1 Unique The proposal accords with the allocation the Barnsley Unitary Development Plan and is considered to be a worthwhile addition to the townscape by introducing a new building of significant visual improvement of the site which would accord with Core Strategy policy CSP29.

Informative(s)

1 As part of the structure overhangs the adopted highway, a licence will be required under Section 177 Highways Act 1980.

2 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 vacinity. 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.

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