



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/0627

To A+DP Ltd
The Old Police Station
16 Bridge Lane
Holmfirth
HD9 7AN

DESCRIPTION Proposed demolition of modern barns and a house and redevelopment of the site, including the conversion of existing farm buildings to create 22 dwellings

LOCATION Kexborough Hall Farm, Churchfield Lane, Kexbrough, Barnsley, S75 5DU

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 27/07/2020 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 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 amended plans and specifications as approved:

- Site Layout Ref: 19001D-100-P06
- Town Farm -
- Visibility Splay - Long Section Ref: 1732-303
- Vehicle Tracking and Visibility Ref: 1732-201B
- Plot 1 Ref: 19001D-101-P01
- Plots 2 & 3 Ref: 19001D-102-P01
- Plots 4,4a & 5 Ref: 19001D-103-P02
- Plots 6 & 7 Ref: 19001D-104-P03
- Plot 8 Ref: 19001D-105-P01
- Plot 9 Ref: 19001D-106-P02
- Plot 10 Ref: 19001D-107-P01
- Plot 11 & 12 Ref: 19001D-108-P01
- Kexborough Farm -
- Visibility Splay - Long Section Ref: 1732-301
- Proposed Build Out Extents and Adjacent Junction Tracking Ref: 1732-302
- Plot 1, 2 & 3 Ref: 19001D-109-P01
- Plots 4,5 & 6 Ref: 19001D-110-P02
- Plot 7 ref: 19001D-111-P02
- Plot 8 Ref: 19001D-112-P02
- Plot 9 Ref: 19001D-113-P04

unless required by any other conditions in this permission.

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

3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Where retaining walls are required, full details of the location, height, design and materials will be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D1, High Quality Design and Place Making.

4 Prior to commencement of development full details of the mitigation measures identified in the Kexbrough Farms, Ecology Report Revision (3rd issue) alongside additional bat enhancement measures, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with Local Plan BIO1.

- 5 Prior to commencement of development a detailed Ecological Management Plan shall be submitted to and agreed in writing by the LPA. The plan shall set out how the Biodiversity Net Gain identified in the agreed Biodiversity Metric 2.0 Calculation Tool Kexbrough shall be achieved and maintained on site for 30 years. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity and secure no net loss in biodiversity on the site in accordance with Local Plan BIO1 and the accompanying SPD Biodiversity and Geodiversity.
- 6 No development shall be commenced until full engineering, drainage and street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing with the LPA.
Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety and in accordance with Policy T4 of the Local Plan.
- 7 No development shall take place unless and until full 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 the proper drainage of the area in accordance with Local Plan Policy CC3.
- 8 No development shall take place unless and until porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways, and calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways, are submitted to and approved in writing by the Local Planning Authority
Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3.
- 9 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 in accordance with details of a completion plan to be submitted and approved in writing by the LPA.
Reason: To ensure streets are completed prior to occupation and satisfactory development of the site and in accordance with Policy T4 of the Local Plan.
- 10 Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works as indicated on drawing number 1732-302 has been submitted to and approved in writing by the LPA.
Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety and in accordance with Policy T4 of the Local Plan.

11 Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.
Reason: In interests of highway safety and in accordance with Policy T4 of the Local Plan.

12 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:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.
- vi. Measures to reduce noise and dust disturbance.

Reason: In the interests of highway safety and residential amenity and in accordance with Policy T4 of the Local Plan.

13 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second 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 Policy T4 of the Local Plan.

14 Upon commencement of construction works, details of electric vehicle electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.

- 15 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be 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 order to ensure compliance with Local Plan Policy I1.

- 16 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

- Tree protective barrier details
- Tree protection plan
- Arboricultural method statement

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

- 17 Prior to commencement of development, full details of soft landscaping works including details of the species, positions and planted heights of proposed trees; together with details of the position and condition of any existing trees and hedgerows to be retained, along with a timetable for implementation which identifies features required to screen the development and provides them early in the construction process, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented on accordance with the agreed scheme and timetable.

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.

- 18 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping plans referred to in condition 17 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'.

- 19 All external materials shall match those used in historic buildings in every respect and no construction work shall commence until a representative sample of all new external materials has been submitted to, and approved in writing by, the Local Planning Authority, and the development shall proceed in strict accordance with these details as approved.

Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 'Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.

- 20 The facing stone used in the development shall be natural sandstone, matching that of existing historic buildings in terms of colour, general grain size, type of face dressing, and method of coursing.
Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.
- 21 The roof covering for the proposed development shall utilise either natural stone flag or natural blue / grey slate, with matching ridge tiles.
Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.
- 22 For the listed or historic buildings all cementitious pointing shall be removed using hand tools to twice the depth of the width of the joint. Pointing mix to the listed and curtilage listed buildings (1-6) and A-C shall be lime (NHL 3.5) : aggregate at a ratio of 1:3. Sand / aggregate should be well graded or river sand. Preparation of the joints will require careful removal of cement by hand at a depth equal to twice that of the width. Pointing mix to be of the same colour or as close as possible to the original lime and to be finished slightly back from arms of surrounding stonework and brushed off or stippled to remove laitance and expose aggregate to a depth of 2 or 3 mm
Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.
- 23 All windows, doors and frames shall be timber and mounted in the reveal a minimum of 75mm. Gutters are to be half round in metal on rise and fall brackets with circular rainwater pipes complete with all stop ends, outlets, jointing seals and internal corners. Rainwater pipes to include traditional collared connectors with hardwood bobbins and discharge shoe at outlet.
Reason: In the interests of the visual amenities of the locality and to conserve and enhance the historic buildings on site, in accordance with Local Plan policies HE3 Developments affecting Historic Buildings' and D1 'High Quality Design and Place Making'.

- 24 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
- The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.
 - The programme for post-investigation assessment.
 - The provision to be made for analysis and reporting.
 - The provision to be made for publication and dissemination of the results.
 - The provision to be made for deposition of the archive created.
 - Nomination of a competent person/persons or organisation to undertake the works.
 - The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

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.

- 1 Roads other than agreed shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980). Engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority before works commence on site. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email HighwaysDC@barnsley.gov.uk as soon as possible to arrange the setting up of the agreement.
- 2 The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.
- 3 Whilst no information is given at this stage about the method of disposal of highway drainage, I am mindful of restrictions on surface water disposal and the emphasis on the use of sustainable solutions. The use of a soakaway system has to be located outside the carriageway and at least 5m from any building which may affect the layout shown. It should be noted that a commuted sum to be used towards the future maintenance costs of each highway drain soakaway, shall be agreed with and paid to the Council, prior to the issue of the Part 2 Certificate.
- 4 Agreement should be sought for all pipes, culverts, water attenuation tanks or similar greater than 900mm that are proposed to be placed beneath the area to be defined as public highway. All drainage installed under the Highway is to be adopted by the sewerage undertaker or, in the case of highway drainage, the Local Highway Authority.
- 5 Street lighting design and installation is undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with the authorities Street Lighting Team, Tel 01226 770770. Email Streetlightingdesign@barnsley.gov.uk as soon as possible.
- 6 Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 13. They should be constructed to withstand a minimum carrying capacity of 26 Tonnes without deflection.
- 7 Fees associated with the required condition survey together with any necessary remedial works and any relevant s278 agreement are to be borne by the developer. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email HighwaysDC@barnsley.gov.uk for further information prior to commencement.

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 03/02/2022

A handwritten signature in black ink, appearing to read 'JM Jenkinson', written in a cursive style.

Joe Jenkinson
Head of Planning and Building Control

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.