BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1558

To Mr Trevor Price
Birchwood (Barnsley) Ltd
The Hayloft
Longbarn Village
Alcester Heath
Alcester
Warwickshire
B49 SJJ

DESCRIPTION Erection of a care facility for young people with autism (Extension of time of application 2008/1622)

LOCATION Former Needlewood Children's Home, Keresforth Hill Road, Dodworth, Barnsley, S70 6RF

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 04 January 2012 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 in strict accordance with the amended plans and specifications received on the 16th December 2008 (Drawings with Ref: 203 Entitled: Proposed Site Plan Rev: C, Ref: 200 Entitled: Proposed Plans and Elevations, Ref: 206 Entitled: Appendix 1- Tree Constraints Plan, Ref: 207 Entitled: Appendix 2 Tree Protection Plan Rev: B, Dwg No: N/OG/236/1a Entitled: Outline Landscape Proposals, Methodology for Construction within the Root Protection Areas Dated 11. 12. 2008, Methodology for the Erection of 2.4m high paladin Fencing) unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with PPG2 and Barnsley LDF Core Strategy Policy CSP 34, Protection of the Green Belt.

Stephen Moralee

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 Regulatory Services

Dated 13 March 2012

Planning and Regulatory Services **Telephone: 01226 - 772000**
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3 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 Barnsley LDF Core Strategy Policy CSP 29, Design.

4 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface surface water run-off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

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, in accordance with Core Strategy policy CSP4.
Reason: To ensure proper drainage of the area and in accordance with Barnsley LDF Core Strategy Policy CSP 4, Flood Risk.

5 The parking/manoeuvring facilities, indicated on the submitted 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 and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.

6 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
" Measures to control the emission of dust and dirt during construction
" Measures to control noise levels during construction
" A scheme for recycling/disposing of waste resulting from demolition and construction works
Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Barnsley LDF Core Strategy Policies CSP 26, New Development and Highway Improvement and CSP 40, Pollution Control and Protection.

7 Prior to the approved tree works being carried out, the branches/trees to be removed shall be clearly marked out on site and 5 days notice shall be given to the Local Planning Authority. The work shall thereafter be carried out to the standards set out in BS3998.
Reason: To ensure the work accords with good arboricultural practice.

8 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 and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

9 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

10 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 building 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 and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

11 A woodland management plan, including long term design objectives, management responsibilities and maintenance schedules for all woodland areas which fall within the boundaries of the site, for a minimum of 5 years, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The woodland management plan shall be adhered to at all times unless prior written approval has been sought from the local planning authority.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

12 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:
Methodology and programme for control of Japanese knotweed including details of subsequent surfacing and management of 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 and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

13 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the exact design, materials and type of boundary treatment to be erected and external lighting to be installed. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

14 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures 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 and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

Reason(s) for Granting Permission

1 Unique It is considered that very special circumstances exist to justify a departure from Green Belt policy. These circumstances relate to the number of jobs which would be created by the development and the fact that there is a need for the facility within South Yorkshire.

Informative(s)

1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

2 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.

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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