



GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0292

To Townsend Planning Consultants
10 Rishworth Street
Wakefield
WF1 3BY

DESCRIPTION Outline application for residential development and car parking to existing chemist.

LOCATION Land off Sheffield Road, Birdwell, Barnsley, South Yorkshire, S70 5TD

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 April 2016 and described above.

The approval is subject on compliance with the following conditions:

1	A2i Reserved Matters Timescale	Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved. Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.
2	A2ii Reserved Matters	The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:- (a) the layout of the proposed development. (b) scale of building(s) (c) the design and external appearance of the proposed development. (d) landscaping Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.
3	B15 Levels with Reserved Matters	Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved



		<p>details.</p> <p>Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Core Strategy Policy CSP 29, Design.</p>	
4	F1A Construction Method Statement - For use on major applications only	<p>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:</p> <ul style="list-style-type: none"> -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 -The erection and maintenance of security hoarding including -Wheel washing facilities -Measures to control the emission of dust and dirt during construction -Measures to control noise levels during construction <p>Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.</p>	
5	Non Standard	<p>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:</p> <p>Tree protective barrier details Tree protection plan</p> <p>Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity</p>	
6	Non Standard	<p>The erection of barriers and any other measures specified 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.</p> <p>Reason: To safeguard existing trees, in the interest of visual amenity.</p>	
7	Non Standard	<p>No 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).</p> <p>Reason: In the interests of the visual amenities of the locality.</p>	

8	F7 Provide parking and turning areas	<p>The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.</p> <p>Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.</p>
9	H16A All surface water run-off	<p>All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.</p> <p>Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.</p>
10	Non Standard	<p>Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:</p> <p>- Measures to prevent parking on the site frontage</p> <p>The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.</p>
11	Non Standard	<p>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 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.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.</p>
12	Non Standard	<p>Vehicular and pedestrian gradients within the site shall not exceed 1:12.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.</p>
13	Non Standard	<p>Plans at the reserved matters stage shall include the provision of 2no parking spaces for No 152 Sheffield Road and 6 parking spaces for Birdwell Pharmacy, No 148 Sheffield Road as is indicated on plan ref PL/001-A. The spaces shall be constructed in accordance with the approved details and permanently retained thereafter.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.</p>
14	Non Standard	<p>Prior to the commencement of development, the detailed design of the access with Sheffield Road, including details of</p>

		<p>sightlines, shall be submitted to and approved in writing by the Local Planning Authority. The approved design will be implemented prior to occupation and retained as such thereafter.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.</p>
15	Non Standard	<p>Prior to the development being brought into use, a site management plan, including potential measures to allow overnight resident parking in the car park, shall be submitted to and approved in writing with the Local Planning Authority. The approved plan shall be adhered to throughout the life of the development.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.</p>
16	Non Standard	<p>Prior to the development being brought into use, a signage scheme for the parking facilities for the chemist shall be submitted to and approved in writing by the Local Planning Authority, it shall then be implemented and retained at all times.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.</p>
17	D17 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries to place	<p>Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.</p> <p>Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.</p>
18	Non Standard	<p>No development shall take place until full foul and surface water drainage details, including a scheme to maintain or reduce existing Greenfield run-off rates and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:</p> <p>Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.</p> <p>Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.</p>
19	Non Standard	<p>No development shall take place until a scheme for disposing of surface water by means of a sustainable drainage system is approved by the Local Planning Authority. The scheme shall include the following details:</p> <ul style="list-style-type: none"> - Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; - A timetable for its implementation; and - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime. <p>The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and</p>

		<p>maintenance plan.</p> <p>Reason: To ensure proper, sustainable drainage of the area in accordance with Core Strategy Policy CSP 3.</p>	
20	Non Standard	<p>The development shall be carried out in accordance with the mitigation/recommendations set out in the Preliminary Ecological Site Appraisal by Middleton Ecological Consultancy dated 29/04/2016.</p> <p>Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.</p>	

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.


Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.

1	<p>The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.</p> <p>It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries</p> <p>Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.</p> <p>Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com</p> <p>If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on website at: www.gov.uk/government/organisations/the-coal-authority</p>
2	<p>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.</p> <p>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.</p>
3	<p>The granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk</p>

Dated 28 April 2017

Signed 
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 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.