



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0494

To Ms Michelle Bath
DPP One
5tyh Floor
2 Wellington Place
Leeds
LS1 4AP

DESCRIPTION Variation of Condition 2 of application 2012/0699 - Amend store roof and external works.

LOCATION Former Market Street School, Market Street, Hoyland, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 10 May 2013 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development shall commence on or before 11th July 2014.
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 plans and specifications as approved unless required by any other conditions in this permission or if prior written consent is given by the Local Planning Authority to any variation. The approved plans are:
Site Plan 10842-20
Proposed Site Plan 10842-201RevJ
Elevations 10842-217RevD
Proposed GA Layout 10842-16RevA
Proposed Roof Layout 10842-215RevD
Proposed External Materials 10842-207RevJ
Existing Site Sections 10842-18 1 & 2
Proposed Tree Removal Plan 10842-22
Tree Survey
Electrical Services Proposed External Lighting Layouts 40179-E-01
Proposed Site Sections 10842-09RevE
Drainage details drawing 10086 - 285 (revision A) dated 17/01/2011 10086-242 (revision B) 02/05/2012 and 10086-241 (revision B) dated 02/05/2012 that have been prepared by BSP Consulting.

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

Signed 
Head of Planning, Building Control and Sustainability

Dated 14 June 2013

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP29 Design.

- 3 The parking/manoeuvring facilities indicated on the approved plan shall be hard surfaced and provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: In the interests of road safety in accordance with Core Strategy Policy CSP26.

- 4 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. The highway works are shown on the following drawing Nos submitted by Crofts, BSP and EDCM: -

344 - D001RevE

344 - D002RevB

344 - D003RevF

344 - D004RevF

344 - D005RevE

344 - D008

344 - D010

344-Boundary Plan RevE

10086 - SK1RevC

10086 - SK2RevD

50205-E-01Rev2

Reason: In the interests of highway safety and in accordance with Core Strategy Policy CSP26

- 5 On completion of the development a highway 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 interests of highway safety and in accordance with Core Strategy Policy CSP26.

- 6 The gradient of vehicular and pedestrian accesses and car parking shall not exceed 1:12.

Reason: To ensure safe and adequate access and in accordance with Core Strategy Policy CSP26.

- 7 If any highway retaining structures are proposed development of these shall not commence until details, 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 interests of highway safety and in accordance with Core Strategy Policy CSP26.

- 8 Within 6 months of the development being brought into use a 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. Once approved the Travel Plan shall be fully implemented

Reason: In the interests of sustainable development and in accordance with Core Strategy Policy CSP25

- 9 The approved Construction Method Statement by Wildgoose dated 24 April 2013 shall be adhered to throughout the construction period.

Reason: In the interest of highway safety.

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- 10 The development shall be implemented in accordance with the approved sustainable

drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.

Reason: To ensure proper, sustainable drainage of the area and in accordance with Core Strategy Policy CSP4.

- 11 There shall be no external storage within the service yard that would by virtue of its size and location prevent an articulated vehicle undertaking any manoeuvre within the service yard to allow it enter and leave in a forward gear.

Reason: In the interests of public safety and in accordance with Core Strategy Policy CSP26.

- 12 No building or structure shall be placed or erected within 3 metres, measured horizontally from the outside edge of the pipe or culvert, of any sewer or culverted watercourse, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent damage to the existing sewer or watercourse and to allow sufficient access for maintenance and repair work at all times and in accordance with Core Strategy Policy CSP4.

- 13 Parking for cycles/motorcycles shall be provided before the use commences in accordance with the approved details and thereafter retained.

Reason: In the interests of sustainable development and in accordance with Core Strategy Policy CSP26.

- 14 No part of the development shall be occupied or brought into use until the approved foul drainage 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 and in accordance with Core Strategy Policy CSP26

- 15 No development or other operations shall take place except in complete accordance with the approved methodologies contained within the Arboricultural method statement (AMS) by Adam Winson dated April 2013.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality in accordance with Core Strategy Policy CSP36.

- 16 All planting, seeding or turfing comprised in the approved details of landscaping (Drawing No V10842L01 RevH and 10842-14 RevE) shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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 Core Strategy Policy CSP29.

- 17 No hedges or trees on the site (either shown to be retained or proposed as part of an approved landscaping scheme) 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: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

building/commencement of the use and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light.

- 19 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 15 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 landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality in accordance with Core Strategy Policy CSP29.
- 20 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.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP40.
- 21 Deliveries shall be only take place between the hours of 0700 & 2200 Monday to Saturday and between 0800 & 1800 on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP40.
- 22 The development shall be carried out in accordance with the approved details of the acoustic barrier to the service yard before the use commences 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 Core Strategy Policy CSP40.
- 23 The development hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' and before the development is occupied the relevant certification, demonstrating that BREEAM 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority .
Reason: In the interest of sustainable development and in accordance with Core Strategy Policy CSP5.
- 24 No vehicle mounted refrigeration units and audible reversing alarms shall operate outside the hours of 0700 & 2200 Monday to Saturday and between 0800 & 1800 on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP40.
- 25 Before the development is brought into use full details of the proposed footpath links and associated landscaping into the site from Market Street and Wombwell Road shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and the footpath links shall thereafter be retained for public use.
Reason: In the interests of promoting convenient, safe and secure pedestrian accessibility and in accordance with Core Strategy Policy CSP25.

open to the public between the hours of 07.00 - 22.00 hours on Monday - Saturday and between the hours of 08.00 - 20.00 on a Sunday.

Reason: In the interests of residential amenity and in accordance with Core Strategy Policy CSP40.

Reason(s) for Granting Permission

- 1 Unique The proposed variation to the condition will not have an adverse impact on the character and appearance of the area, residential amenity of nearby residential occupiers, TPO trees, highway or pedestrian safety and therefore complies with the requirements of Core Strategy policies CSP 26, CSP29 and CSP40.

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.

- 1 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.

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 www.coal.decc.gov.uk

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. 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 Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.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.