



BARNSLEY
Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/1376

To Turley Associates
33 Peel Place
Leeds
LS1 2RY

Proposal Redevelopment of site as a special school (Reserved Matters of planning application 2007/0208)

At Greenacre School, Keresforth Hill Road, Kingstone Barnsley, South Yorkshire, S70 6RG

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 27 October 2009 and described above, being matters reserved in the permission granted on 5th April, 2007 under Application Number 2007/0208.

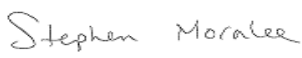
The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

- 1 The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved, unless prior written consent is given by the Local Planning Authority to any variation:-

-Application Forms

- drawing BP4L_GRE_AWP_DR_94_BW_LL_01 'Masterplan'
- drawing BP4L_GRE_AWP_DR_94_BW_LL_02 'DCSF Areas Plan'
- drawing BP4L_GRE_AWP_DR_94_BW_LL_03 'Topographical Survey'
- drawing BP4L_GRE_AWP_DR_94_BW_LL_05 'Site Section'
- drawing BP4L_GRN_ATK_DR_04_BW_00_001 'Level 00 Floor Plan'
- drawing BP4L_GRN_ATK_DR_04_BW_01_002 'Level 01 Floor Plan'
- drawing BP4L_GRN_ATK_DR_04_BW_02_003 'Roof Plan'
- drawing BP4L_GRN_ATK_DR_04_BW_00_010 'Level 00 Circulation Plan'
- drawing BP4L_GRN_ATK_DR_04_BW_01_011 'Level 01 Circulation Plan'
- drawing BP4L_GRN_ATK_DR_04_BW_00_012 'Level 00 Future Expansion Plan'
- drawing BP4L_GRN_ATK_DR_05_BW_LL_020 'Sections AA & BB'
- drawing BP4L_GRN_ATK_DR_05_BW_LL_025 'Building Section (Stage 1)'
- drawing BP4L_GRN_ATK_DR_05_BW_LL_030 'Elevations'

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 Transportation

Dated 13 January 2010

-drawing BP4L_GRN_ATK_DR_GRN_SK_089 'New Build and Demolition Diagram'
-Facing materials to be those set out drawing BP4L_GRN_ATK_DR_05_BW_LL_030 'Elevations' and in accordance with the Materials Sample Board.

Reason: In the order to define the permission for the avoidance of doubt.

- 2 The development shall be implemented strictly in accordance with the following plans and specifications as approved in respect of trees and hedgerows on the site, unless prior written consent is given by the Local Planning Authority to any variation:-

-drawing BP4L_GRE_AWP_DR_94_BW_LL_03 'Topographical Survey'
-drawing BP4L_GRE_AWP_DR_94_BW_LL_04 'Tree Protection Plan'
-drawing BP4L_GRE_AWP_DR_94_BW_LL_05 'Site Section'
-Tree Survey Report prepared by Greengage Arboriculture & Ecology
-Tree Implications Assessment prepared by Greengage Arboriculture & Ecology

Not less than 5 working days notice of the date of the proposed work shall be given in writing to the Local Planning Authority and the tree surgery shall be carried out to the standards set out in BS3998. Prior to the approved works being carried out on site, the branches/trees to be removed shall be clearly marked. The work shall thereafter be carried out to the satisfaction of the Local Planning Authority.

Reason: To ensure the work accords with good arboricultural practice in accordance with Policy GS22 of the adopted Unitary Development Plan and SPG9 (Trees and Hedgerows)

- 3 Unless otherwise agreed in writing with the Local Planning Authority, before the development is commenced
- (i) A detailed assessment of ground conditions of the remaining grass playing field shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
- (ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The approved scheme shall be complied with in full within 18 months of the new school buildings being brought into use.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with UDP Policy GS35.

- 4 Prior to commencement of the development, details of the design and layout of multi use games areas, which shall comply with Sport England Design Guidance Notes 'Access for Disabled People 2002' and 'A Guide to the Design, Specification and Construction of Multi Use Games Areas (MUGAs) including Multi-Sport Synthetic Turf Pitches (STP's)', shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The Multi Use Games Areas shall be constructed in accordance with the approved design and layout details before they are brought into use.

Reason: To ensure the development is fit for purpose, subject to high quality design standards and sustainable

Reason(s) for Granting Permission

- 1 Unique In the opinion of the Local Planning Authority the application is in accordance with the terms of the outline planning permission, application reference 2007/0208. Reserved Matters of Matters of Layout, Appearance and Landscaping are approved for the following reasons:-

The development will lead to the provision of a high quality enhanced community facility to meet a specialised need.

The proposed scale, architectural style, building design and proposed use of materials are high quality and are appropriate for this site and will relate well in the context of the neighbouring area.

The school will utilise sustainable construction methods and be energy efficient.

School playing field provision is acceptable to meet the needs of the development and will be available for wider community benefit.

Loss of trees from the site will not be significant and will be compensated for by a replacement and enhanced landscaping scheme including new tree planting.

The residential amenity for the occupants of neighbouring properties will not be harmed.

Parking provision is acceptable and the development will not prejudice conditions of highway safety.

Therefore the proposed development is considered to be in accordance with policies CF1/BA35, BE6 and T2 of the Barnsley UDP.

Informative(s)

- 1 In view of the formal comments made on this application by the South Yorkshire Mining Advisory Service, the applicant is reminded that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner. Although the Local Planning Authority has used its best endeavours to determine the application on the basis of the information available to it, this does not mean that the land is free from instability. The question of instability has been a material planning consideration and resolution of this issue does not necessarily imply that the requirements of any other controlling authority would be satisfied; in particular, the granting of planning permission does not give a warranty of support or stability.
- 2 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 adits and the implementation of site investigations or other works. Property specific summary information on any past, current and 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.
- 3 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.
- 4 The applicant is made aware of the following informatives from Sport England:-

Prior to commencement of the development, details of the design and layout of multi use games areas, which shall comply with Sport England Design Guidance Notes 'Access for Disabled People 2002' and A Guide to the Design, Specification and Construction of Multi Use Games Areas (MUGAs) including Multi-Sport Synthetic Turf Pitches (STP's), shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The Multi Use Games Areas shall be constructed in accordance with the approved design and layout details before they are brought into use.

A model Community Use agreement is available on the Sport England website www.sportengland.org

It is recommended that the drainage assessment and improvement/management scheme is undertaken by a specialist turf grass consultant

Sport England technical design guidance for MUGAs can be found on the Sport England website: www.sportengland.org

- 5 Copy of consultation response to this application from CE Electric is attached. The applicant is advised it is their responsibility to comply with the advice given.

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.