



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1511

To Mr Gary Jones
BMBC
Westgate Plaza
Westgate
PO BOX 603
Barnsley
S70 9FA

DESCRIPTION Creation of a new roundabout on the A635 Barnsley Road, Goldthorpe. Works also include new drainage, street lighting and signs and lines

LOCATION A635 Barnsley Road, Goldthorpe, Rotherham

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 15/11/2021 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 strictly in accordance with the following plans and documents:

- Plan no.100-SK-001 Rev E
- Plan no. 100-SK-009 Rev A
- Plan no. HD/A635.69.1/LP/1
- Plan no. HD/A635.691/PROW/1
- Air Quality Assessment dated Feb 2021
- Arboricultural Method Statement dated Jan 2022
- Ecological Impact Assessment dated 4th Nov 2021
- Flood Risk Assessment dated Nov 2021
- Noise Survey dated 3rd April 2020
- Ground Investigation Report dated Nov 2021

and specifications as approved unless required by any other conditions in this permission.

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.

3 Operations shall not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There shall be no working on Sundays or Public Holidays unless approved by the local planning authority. Any local residents affected by noise shall be notified as soon as possible of any working on Sundays or Public Holidays. If night time working is required due to health and safety or traffic management risks, then the Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such works and a schedule of essential work shall be provided. Any local residents affected by noise shall be notified as soon as possible.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

4 No construction 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 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.

5 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading in accordance with Local Plan Policy CC3.

6 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation into the watercourse has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with an approved programme and details.
Reason: To prevent the increased risk of flooding in accordance with Local Plan Policy CC3.

7 The site is located within a Coal Authority development high risk referral area due to the presence of relatively shallow coal, coal mine workings, opencast backfill and an opencast highwall. As detailed in the Abbeydale Building Environment Consultants Ltd ground investigation report ref 151089GI dated November 2021, the land could therefore be at risk from mining legacy risks such as ground instability.

As recommended in the report, further site investigations must be undertaken to complete the geotechnical evaluation of the site. In order ensure the sustainability of the development, mitigation/remediation will be required including, but not limited to, excavation and re-compaction of opencast backfill and the consolidation of voided ground/shallow mineworking's. The development should be undertaken in consideration of Construction Industry Research and Information association publication C758D "Abandoned Mine Workings Manual" where applicable.

A validation report detailing the findings of the outstanding investigations and completed mitigation/remediation shall be produced by a third party geo-environmental consultant and submitted in writing to the Local Planning Authority. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner"

Reason: Land stability NPPF sections 178 a,b,c. 179 and 170 e & f.

8 No construction works shall commence until a scheme of off-site highway improvements to achieve the required visibility distances on the western arm approach of the A635 has been submitted to and approved in writing by the Local Highway Authority. Thereafter the scheme shall be implemented coincidental with the approved main roundabout works.
Reason: In the interest of highway safety, in accordance with Local Plan policy T4.

9 No construction 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:

- Working times
- The parking of vehicles of site operatives and visitors
- Routing of and 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 decorative displays and facilities for public viewing, where appropriate
- Measures to control mud and dust being transferred to the public highway
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction
- A Construction Environmental Management Plan (CEMP) to outline the mitigation to be put in place to ensure no impacts to biodiversity occur as a result of construction
- A Construction Traffic Management Plan including details of volumes and types of construction traffic, identification of delivery routes, identification of agreed access point, Contractors method for controlling construction traffic and adherence to routes, construction period, and temporary signage.

Reason: In the interests of highway safety, residential amenity, ecology and visual amenity, in accordance with Local Plan policies T4, BIO1, and Poll 1.

10 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:

- A plan to a scale of 1:1250 showing the location of all defects identified
- 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 Local Plan Policy T4.

11 No construction works shall commence until a phasing plan and arrangements have been submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and timescales.

Reason: In the interest of highway safety, in accordance with Local Plan policy T4.

- 12 Prior to any works commencing on site full details shall be submitted to and approved in writing by the Local Planning Authority that secure the following works:
- Detailed highway engineering
 - Drainage
 - Street lighting
 - Signing / lining details and
 - Any temporary highway arrangements to be in place until such time as the southern arm is opened.

The works shall subsequently be constructed in accordance with the approved details.

Reason: In interests of highway safety, in accordance with Local Plan Policy T4.

- 13 Upon commencement of development, 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 shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

- 14 Development shall be undertaken in accordance with the approved Arboricultural Method Statement Report Reference TCC-1461-1 dated January 2022.

Reason: In the interests of ecology and visual amenity, in accordance with Local Plan policies BIO1.

- 15 Upon commencement of development details of the biodiversity mitigation, compensation, and enhancement measures, as referenced in Section 6 of the Ecological Impact Assessment dated 4th November 2021, including a timetable for their implementation, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details..

Reason: In the interests of biodiversity and to accord with Local Plan Policy BIO1.

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 Fees associated with the required condition survey together with any necessary remedial works and any relevant agreements 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.
- 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.

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 15/02/2022



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.