

## Development Services

Howden House • 1 Union Street • Sheffield • S1 2SH



Officer: Marcus Young  
Our Ref: 16/01169/OUT  
Barnsley Ref : 2016/0350

Tel: (0114) 20 37860  
28 October 2016

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Mr Chris Darley  
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### TOWN AND COUNTRY PLANNING ACT 1990 PLANNING PERMISSION

- Proposal:** Demolition of existing buildings and structures and erection of residential development (Use Class C3) with means of site access including a new vehicular bridge and a pedestrian/cycle bridge across the River Don, and associated landscaping and infrastructure works (As amended by drawings received on the 11 and 16 August 2016)
- Location:** Site Of Oughtibridge Mill Sheffield Site, 22 - 24 Main Road, Wharncliffe Side, Sheffield, S35 0DN,
- Applicant:** CEG

Planning permission is hereby **GRANTED** for the above-mentioned development in accordance with application 16/01169/OUT deposited with Sheffield City Council on 22nd March 2016 and with delegated authority from Barnsley Metropolitan Borough Council (being the Local Planning Authority for the purposes of application reference 2016/0350 deposited with Barnsley Metropolitan Borough Council on 23rd March 2016), together with the relevant plans, including any amendments now agreed, subject to the following condition(s), in each case followed by the relevant reason:-

#### Time limit for Commencement of Development

1. Application for approval in respect of any matter reserved by this permission must be made not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

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2. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the date of approval of the last reserved matters application for the first phase or before the expiration of five years from the date of this permission.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

3. No development of a phase shall be commenced unless and until full particulars and plans have been submitted to and approved by the Local Planning Authority in respect of (a) Appearance, (b) Landscaping, (c) Layout and (d) Scale (matters reserved by the permission).

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

### **Approved Plan(s)**

4. The development shall be carried out broadly in accordance with the following approved plans:

01 Use and Development Area (Dwg. Ref. no. 1526:10 Rev N)  
02 Landscaping and Open Space (Dwg. Ref. no. 1526:11 Rev E)  
03 Storey Heights (Dwg. Ref. no. 1526:12 Rev B)  
04 Density (Dwg. Ref. no. 1526:13 - Rev D)  
05 Access (Dwg. Ref. no. 1526:14 - Rev C)  
06 Tree Removal Plan (Dwg. Ref. no. 1526:15 Rev F)  
Proposed Access Arrangement Langsett Road North (Dwg. No. 15/215/TR/003)  
Proposed Footway Widening Scheme on A6102 Langsett Road North: Drawing 1 (Dwg. Ref. no. 15/215/TR/008 Rev B), Drawing 2 (Dwg. Ref. no. 15/215/TR/009 Rev C), and Drawing 3 (15/215/TR/010 Rev B).

Reason: In order to define the permission.

### **Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)**

5. No advance infrastructure and enabling works (including but not limited to any works of demolition and/or works of a temporary nature, such as, temporary hard and/or soft landscaping or temporary vehicular routes, site remediation, archaeological investigation, earthworks and/or re-profiling of site levels) within a Phase ("Advance Infrastructure and Enabling Works") shall commence until details of the proposed Advance Infrastructure and Enabling Works have been submitted to and approved in writing by the Local Planning Authority.

The Advance Infrastructure and Enabling Works shall be carried out in accordance with those approved details. For the avoidance of doubt, any Advance Infrastructure and Enabling Works may be undertaken prior to the submission or approval of Reserved Matters Applications pursuant to Conditions

1 and 2 and without compliance with pre-commencement conditions 7, 8, 9, 10, 14, 16, 17, 18, 21, 22, 23, 25, 26, 30, 31 and 32.

Reason: To safeguard highways safety and amenity during early development activities.

6. No development of a phase shall take place until a Construction Method Statement for that phase 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 following matters in respect of the development of the phase:
- i. The parking of vehicles of site operatives and visitors
  - ii. Means of access for construction traffic
  - iii. Loading and unloading of plant and materials
  - iv. Storage of plant and materials used in constructing the phase of development
  - v. The erection and maintenance of security hoarding
  - vi. Wheel washing facilities
  - vii. Measures to control the emission of dust and dirt during construction
  - viii. Measures to protect potential reptiles during construction
  - ix. Measures to protect potential otters during construction
  - x. Measures to protect badgers from being trapped in open excavations and/or pipe culverts.

Reason: To provide for appropriate on-site facilities during construction, in the interests of highway safety and the general amenity of the area.

7. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5 prior to the commencement of development a phasing plan setting out the proposed phasing of construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application for a phase submitted pursuant to Condition 3 above shall be accompanied by an updated phasing plan. The updated phasing plan shall set out any proposed changes from the phasing plan previously approved pursuant to this Condition. The development shall be carried out in accordance with the phasing plan as approved and updated unless otherwise agreed in writing with the Local Planning Authority or required by other conditions of this permission. For the purposes of this permission all references to a "phase" or "phase of development" shall be interpreted as being a reference to a phase as defined on the phasing plan approved or subsequently updated pursuant to this condition.

Reason: To ensure the satisfactory delivery of elements of the proposed development.

8. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, no development shall take place until a scheme has been submitted to, and approved in writing by, the Local Planning Authority detailing:
- i. Means of crossing the River Don for pedestrians and cyclists and links into wider footpath/cycleway network;
  - ii. The provision of pedestrian access points onto Main Road/Langsett Road North;

- iii. The provision of public art; and
- iv. The timing of the provision of i, ii and iii.

Thereafter the approved scheme shall be implemented in accordance with the timescales set out within the approved scheme.

Reason: To provide sustainable travel options to local services and facilities within Oughtibridge and Wharncliffe Side and in order to satisfy the requirements of Policy BE12 of the Unitary Development Plan.

9. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, no development shall take place until a scheme has been submitted to, and approved in writing by, the Local Planning Authority detailing:

- i. Means of crossing the River Don for vehicles; and
- ii. The timing of the provision of i.

Thereafter the approved scheme shall be implemented in accordance with the timescales set out within the approved scheme.

Reason: To provide a satisfactory vehicle crossing over the River Don.

10. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5 no phase of development shall commence until a Phase II Intrusive Site Investigation Report in respect of that phase of development has been submitted to, and approved in writing by, the Local Planning Authority. The report will confirm that supplementary intrusive site investigations, gas monitoring and risk assessment have been undertaken as recommended in report Geoenvironmental Appraisal Report of land at Oughtibridge Mill, ref: C6485A, Final Rev A, dated March 2016, Volumes 1 to 3 (Sirius), and as are required by the Environmental Protection Service. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: To minimise risks from land contamination to the future users of the land and neighbouring land in accordance with saved UDP Policy GE25.

11. No development of any phase, or other operations being undertaken on site in connection with the development, shall take place until the following documents, prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) for that phase, are submitted to and approved in writing by the Local Planning Authority:

- Tree protection plan and barrier details (TPP)
- Arboricultural Method Statement (AMS)

No development or other operations shall take place except in complete accordance with the approved TPP and AMS. The erection of barriers for the protection of any retained tree shall be undertaken in accordance with the approved TPP and AMS 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 ensure trees are adequately considered and protected during construction of the development.

12. Part A (pre-commencement)

No development within the areas outlined in red and orange on Figure 11 of NAA Report No. 16/10 (v.3, March 2016), including the Advanced Infrastructure and Enabling works as defined in Condition 5, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed."

Reason:

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

**Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)**

13. No dwellings within any phase of development shall be occupied until the vehicular site access has been implemented in accordance with the details approved by Dwg No. 15/215/TR/003 (Proposed Access Arrangement Langsett Road North), or any alternative access arrangements submitted to, and approved in writing by, the Local Planning Authority which is substantial accordance with this plan.

Reason: In the interests of highway safety.

14. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, no phase of development shall commence until an agreed timetable for implementation of the Proposed Footway Widening Scheme has been agreed in writing by the Local Planning Authority. Thereafter the approved widening scheme shall be implemented in accordance with the details approved by: Drawing 1 (Dwg. Ref. no. 15/215/TR/008 Rev B), Drawing 2 (Dwg. Ref. no. 15/215/TR/009 Rev C), and Drawing 3 (15/215/TR/010 Rev B), or any alternative improvement scheme agreed in writing with the Local Planning Authority, and the agreed timetable for implementation, subject to such variations as may be agreed by the Local Planning Authority.

Reason: In the interests of highway safety.

15. Prior to the commencement of demolition of buildings fronting Langsett Road North/Main Road, a conditions survey of the retaining structure supporting Langsett Road North/Main Road shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter any remediation measures required by the conditions survey in order to maintain the structural integrity of the retaining structure shall be carried out in conjunction with the demolition works. If, ultimately, the retaining structure is back-filled, full details of materials, method of compaction, drawings and any calculations shall have been submitted to and approved in writing by the Local Planning Authority in advance. If, ultimately, the retaining structure is not being back-filled, details of the space being set aside to allow the Local Planning Authority access to carry out periodic inspections of the retaining structure shall have been submitted to and approved in writing by the Local Planning Authority prior to any dwellings being constructed, with any remedial/strengthening/construction works identified by the inspection being undertaken by the owners of the retaining structure with immediate effect.

Reason: In the interests of highway safety

16. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5 prior to the commencement of any phase of development, a detailed Travel Plan for that phase which is in broad accordance with the Bryan G Hall Framework Travel Plan (March 2016), and finalises the measures to be put in place for the phase shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan for that phase shall thereafter be carried out and operated as approved.

Reason: To promote the use of more sustainable modes of transport.

17. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5 no phase of development shall commence until full details of the proposed surface water drainage for that phase have been submitted to and approved by the Local Planning Authority, including the arrangements for surface water infrastructure management for the life time of the development. These works shall be carried out concurrently with the development of the phase to

which they relate and shall be operational in accordance with the approved details prior to the occupation of any dwellings within the relevant phase of development.

Reason: To ensure that the site is properly drained and that surface water is appropriately discharged.

18. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5 the surface water discharge from this brownfield site shall be reduced by at least 30% compared to the existing peak flow as referred to within Table 1 of the Drainage Assessment (Oughtibridge Mill, Oughtibridge, Sheffield - Drainage Assessment, Final Report v1-0, March 2016, Weetwood Services Ltd). This should be achieved by sustainable drainage methods where feasible. Should the design not include sustainable methods evidence is to be provided to show why sustainable drainage methods are not feasible for this site. Detailed proposals for surface water disposal for each development phase, including calculations to demonstrate the reduction, must be submitted to and approved by the Local Planning Authority prior to commencement of any phase development. Each phase of development shall thereafter be carried out in accordance with the approved details for that phase.

Reason: To ensure that the development can be properly drained and to prevent the increased risk of flooding.

19. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed for each development phase in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

20. The access to Wharnccliffe Side Waste Water Treatment Works shall be maintained throughout all phases of the development.

Reason: To ensure access to Wharnccliffe Side Waste Water Treatment Works is maintained throughout the development.

21. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, a minimum of 1.38ha shall be provided as public open space for the development as a whole. Such public open space shall comprise of informal amenity space, including the riverside walkway, and facilities for children's play. No development within a phase shall commence until the Local Planning Authority has approved in writing the details of, and arrangements for, the setting out of on-site public open space as part of that phase of the development to include the following matters in respect of the phase:

- i. The delineation and siting of the proposed public open space;
- ii. The type and nature of the facilities to be provided within the public open space, including where relevant children's play provision;

- iii. The arrangements to ensure that the Public Open Space is laid out and completed during the course of the development; and
- iv. The arrangements for the future maintenance of Public Open Space.

The open space for that phase shall be completed in accordance with the approved details and arrangements for that phase.

Reason: To ensure adequate provision of public open space to meet the needs of future occupiers of the development in accordance with saved UDP Policy H16.

22. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, no development shall begin until a scheme for the provision of affordable housing (as defined in Annex 2 of the National Planning Policy Framework (or any revocation or modification thereof in force from time to time)) which equates to 10% of the total gross internal floor area to be provided within by the development has been submitted to and approved in writing by the Local Planning Authority. The scheme may provide for the provision of the affordable housing on a phase by phase basis. The development (and each phase thereof) shall be carried out in accordance with the approved scheme.

Reason: To secure the provision of affordable housing in accordance with Core Strategy Policy CS40.

23. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5 no phase of development shall commence until a Remediation Strategy Report detailing those remediation works recommended within the Phase II Intrusive Site Investigation Report approved pursuant to Condition 10 for that particular phase have been submitted to, and approved in writing by, the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures, including the YAHPAC Technical Guidance (October 2014), Acceptable Methods of Validating Capping Thickness (May 2013) and Verification of Gas Protection Measures (February 2009).

Reason: To minimise risks from land contamination to the future users of the land and neighbouring land in accordance with saved UDP Policy GE25.

24. Upon completion of any measures identified in the approved Remediation Strategy, or any approved revised Remediation Strategy, for a phase, a Validation Report shall be submitted to the Local Planning Authority in respect of that phase. No dwellings within a phase shall be occupied until the final Validation Report for that phase has been approved in writing by the Local Planning Authority. The Validation Reports shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures, including the YAHPAC Technical Guidance (October 2014), Acceptable Methods of Validating Capping Thickness (May 2013) and Verification of Gas Protection Measures (February 2009).

Reason: To minimise risks from land contamination to the future users of the land and neighbouring land in accordance with saved UDP Policy GE25

25. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, no development of any phase shall take place until a woodland management plan has been submitted to, and approved in writing by, the Local Planning Authority, which details measures to manage the adjacent woodland edge up to the existing fence line, and the timescales for the implementation of such measures. Thereafter the approved scheme management plan shall be implemented in accordance with the approved details.

Reason: To ensure that the ancient woodland surrounding the site is adequately considered and protected.

26. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, no phase of development shall commence until details of mitigation measures as set out within Section 5 of the Ecological Survey prepared by Baker Consultants (March 2016) for that particular phase have been submitted to, and approved in writing by, the Local Planning Authority, to the extent only that such measures are relevant to the particular phase under consideration. Mitigation measures are specific to the following paragraphs of the Ecological Survey:

- i. Replacement bat roost habitat - Paragraph 5.3.9 (p48);
- ii. Provide nesting and feeding habitats for birds - Paragraph 5.3.17 (p49); and
- iii. Invasive species management - Paragraph 5.3.18-5.3.20 (p49).

The details will include a timetable for the implementation of mitigation measures for that particular phase. Thereafter, the development of that phase shall be carried out in accordance with the approved details.

Reason: To ensure adequate protection of species and habitats.

27. Demolition of Buildings B10 and B18 as shown in the Ecological Survey prepared by Baker Consultants (March 2016) and removal of the existing vehicular bridge shall not commence unless the Local Planning Authority has been provided with either:

- a) A licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 (R53 Licence) authorizing the specified activity/development to go ahead; or
- b) A statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require an R53 Licence.

Reason: To protect the interests of bats as a protected species.

28. No dwellings within a phase of development shall be occupied until a scheme of sound insulation works for that phase has been installed. Such scheme of works shall be first submitted to and approved in writing by the Local Planning Authority and shall:

- a) Be based on the findings of approved Noise Assessment report ref. 15/0651/R1-3.

b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours); and  
External Amenity Areas (rear gardens): LAeq (16 hour) 55dB (0700 to 2300 hours).

c) Where the above internal noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms. Such works shall thereafter be retained.

Reason: In the interests of residential amenity.

29. Prior to the occupation of any phase of development, Validation Testing of the scheme of the sound insulation works provided for dwellings pursuant to Condition 28 shall have been carried out for each house type within that phase and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

a) Be carried out in accordance with a method statement approved by the Local Planning Authority.

b) Demonstrate that the noise levels specified in Condition 28 have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant for the relevant development phase shall be submitted to and approved by the Local Planning Authority before any dwellings within the phase are occupied. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before any dwellings within the phase are occupied and shall thereafter be retained.

Reason: In the interests of residential amenity.

30. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, unless it can be shown not to be feasible and viable, no phase of development shall commence until details identifying the strategy for providing a minimum of 10% of the predicted energy needs arising from that phase from decentralised and/or renewable or low carbon energy, or an alternative energy saving mechanism, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development of that phase shall be carried out in accordance with the approved details.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change, in accordance with Sheffield Development Framework Core Strategy Policy CS65.

31. Save for any Advance Infrastructure and Enabling Works approved pursuant to Condition 5, no development of land adjacent to Main Road/Langsett Road North shall commence until details of the landscape buffer to be provided along the Main Road/Langsett Road North boundary as indicated on Parameter Plan 02: Landscaping and Open Space (Dwg. Ref. no. 1526:11 Rev E), to include species, timescales for implementation, and future management, has been

submitted to and approved in writing by the Local Planning Authority. The landscape buffer shall comprise the retention of existing trees as shown on Parameter Plan 06: Tree Removal Plan (Dwg Ref. no. 1526:15 Rev F) and new planting, with a minimum depth of 10m and shall thereafter be implemented in accordance with the agreed details. Existing trees retained within the identified landscape buffer shall be managed and enhanced with new planting, in accordance with the approved details.

Reason: In the interests of the visual amenity of the surrounding area

32. Save for any Advance Infrastructure and Enabling Works approved to pursuant to Condition 5, no phase of development shall commence until a "lighting design strategy for biodiversity" for semi-natural habitats including ancient woodland, sensitive species has been submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats, badgers and otters, ancient woodland, and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and  
b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To ensure adequate protection of species and habitats

### **Other compliance Conditions**

33. The development shall comprise no more than 320 dwellings.

Reason: to ensure that the development can be safely accommodated on the highway network in line with the submitted Transport Assessment.

34. Site levels shall be set in accordance with the approved Flood Risk Assessment (FRA) Weetwood dated March 2016 and the following mitigation measures detailed within the FRA:

- Site levels for the development platform and floor levels of any building are set no lower than the 1 in 1000 year (ie 0.1% annual probability) flood level.

No dwellings within a phase of development shall be occupied until the above mitigation measures have been fully implemented for that phase.

Reason: To prevent the increased risk of flooding to the proposed development and future occupants.

35. Each phase of the development shall be carried out in accordance with the details shown on the submitted Drainage Assessment reference 2992/DA/Final/v1.0 dated 18/03/2016 prepared by Weetwood, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of satisfactory and sustainable drainage.

36. Each phase of development and the associated remediation of the phase shall proceed in accordance with the recommendations of approved Remediation Strategy approved for the phase pursuant to Condition [23]. In the event that remediation for that development phase is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works on that development phase shall cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To minimise risks from land contamination to the future users of the land and neighbouring land in accordance with saved UDP Policy GE25.

37. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0730 to 1800 Monday to Friday and 0800 to 1300 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity.

38. A minimum 5m wide vegetated buffer zone shall be provided in accordance with the Woodland Buffer indicated on Parameter Plan 01 Use and Development Area (Dwg. Ref. no. 1526:10 Rev N).

Reason: In the interests of biodiversity and protection of the adjoining ancient woodland from deterioration.

Please Note: There may not be conditions under each heading.

### **Date of Decision made by the Council's Planning & Highways Committee**

28 October 2016

Planning Service  
Sheffield City Council

### **Attention is drawn to the following directive(s):**

1. Where conditions require details to be submitted, an Application for Approval of Details Reserved by Condition is required (unless the condition gives the option of implementing the details already submitted). The Local Planning Authority is expected to determine these applications within 8 weeks of being validated, so it

is essential to include all the information required. Apply online at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). There are fees, which are also set by the Government.

2. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
3. To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact Mr S A Turner on Sheffield (0114) 2734383.

4. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received a signed consent under the Highways Act 1980. An administration/inspection fee will be payable and a Bond required as part of the consent.

You should apply for a consent to: -

Highways Adoption Group  
Development Services  
Sheffield City Council  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

For the attention of Mr S Turner  
Tel: (0114) 27 34383

5. You are required as part of this development, to carry out works within the public highway: As part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Sheffield City Council  
Town Hall  
Penistone Street  
Sheffield  
S1 2HH

For the attention of Mr P Vickers

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

6. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group on Sheffield 2736677, prior to commencing works. The Co-ordinator will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.
7. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
8. On 23 February 2016 Barnsley Metropolitan Borough Council's Planning & Regulatory Board resolved to authorise the delegation to Sheffield City Council pursuant to Section 101(1)(b) of the Local Government Act 1972 of Barnsley Metropolitan Borough Council's decision making functions as local planning authority for a forthcoming outline planning application and planning related activities relating to the Site.

## NOTES

The term 'true conditions precedent' is used to mean a condition that expressly requires that development shall not commence until the condition has been complied with, and is central to the consent. Development commencing without complying with these conditions would be unlawful.

### Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act, 1990.

Enforcement - If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice. If you want to appeal against your Local Planning Authority's decision on our application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Householder - If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Minor Commercial - If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

All Other Applications - If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State, at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel: : 0303 444 5000 or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Planning Appeals Guidance is also available from the Council's website [www.sheffield.gov.uk/planning-and-city-development/applications/planning-appeals.html](http://www.sheffield.gov.uk/planning-and-city-development/applications/planning-appeals.html)

The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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 appeal solely because the Local Planning Authority based its decision on a direction given by the Secretary of State.

#### Purchase Notices

If either the Local Planning Authority or the Secretary of State 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 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. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

#### Notes Regarding Access for Fire Service

Notwithstanding this planning permission, attention is drawn to Section 55 of the South Yorkshire act 1980 which requires that any application made under the Building Regulations shall be rejected unless, after consultation with the Fire Authority, they are satisfied that the plans show:-

- (a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and
- (b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

Any queries in this respect should be directed to:-

South Yorkshire Fire and Rescue, 197 Eyre Street, Sheffield, S1 3FG. Telephone: 0114 2727202

#### Demolition

Section 80 (2) of the Building Act 1984 requires that any person carrying out demolition work shall notify the local authority of their intention to do so. This applies if any building or structure is to be demolished in part or whole. (There are some exceptions to this including an internal part of an occupied building, a building with a cubic content of not more than 1750 cubic feet or where a greenhouse, conservatory, shed or pre-fabricated garage forms part of a larger building). Where demolition is proposed in City Centre and /or sensitive areas close to busy pedestrian routes, particular attention is drawn to the need to consult with Environmental Protection Services to agree suitable noise (including appropriate working hours) and dust suppression measures.

Form Dem 1 (Notice of Intention to Demolish) is available from Building Standards, Floor 4 Howden House, Union Street, Sheffield, S1 2SH. Tel (0114) 273 4170 email [buildingcontrol@sheffield.gov.uk](mailto:buildingcontrol@sheffield.gov.uk)

Environmental Protection Services can be contacted at Floor 5 Howden House, Union Street, Sheffield, S1 2SH. Tel (0114) 2734651