BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2022/0659

To West 8 Architecture Ltd
Belgrave House
15 Belgrave Crescent
Scarborough
YO11 1UB

DESCRIPTION Change of use from Class E(d) to Class F1(a) Provision of education facility, including external alterations to the building fabric and changes to the site layout consisting of a new external 2.4m high palisade fencing and new vehicular access and parking area (Amended Plans)

LOCATION Athersley Youth Centre, Newstead Road, Athersley North, Barnsley, S71 3NA

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 26/08/2022 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 amended plans and documents:
- Block Plan - Amended (Dated 24 10 2022)
- Proposed Ground Floor Plans (Dwg. No. 8013-W8-15-GF-DR-A-2003-S4--P01 Rev. P01)
- Proposed First Floor Plans (Dwg. No. 8013-W8-15-01-DR-1-2004-S4-P01 Rev.P01)
- Proposed Elevations (Dwg. No. 8013-W8-15-XX-DR-A-2006-S4-P01 Rev. P01)
- Proposed Parking Layout (Dwg. No DPL-SK001 Rev. C)
- Proposed Site Plan (Dwg. No. 8013-W8-15-ZZ-DR-A-2002-S4-P03 Rev. P03)
- Proposed Site Location Plan (Dwg. 8013-W8-15-ZZ-DR-A-2001-S4-P02)
- Transport Layout (Dwg. No. DPL-SK002 Rev. B)
- Transport Report (Dated 26th October 2022)
- Swept Path Analysis (Dwg. No. DPL-SK005 Rev. B)
- Swept Path Analysis for Minibus (Dwg. No. DPL-SK003 Rev. A)
- Swept Path Analysis for Van (Dwg. No. DPL-SK004 Rev. A))

and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3 The proposed development hereby approved shall only be operated during the hours of 7.30am-6.30pm weekdays.
Reason: To protect the amenity of neighbouring residential properties, in accordance with Local Plan Policy GD1: General Development.

4 Prior to occupation of the building, full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to occupation of the building and retained as such thereafter, and shall only be operated during the approved operational hours of the proposed use hereby approved.
Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Local Plan Policy GD1 'General Development'.

5 The proposed boundary treatment shown on Proposed Site Plan (Dwg. No. 8013-W8-15-ZZ-DR-A-2002-S4-P03 Rev. P03) shall match the existing palisade fencing on the site and shall be installed prior to first occupation of the building for the proposed development.
Reason: In the reason of visual amenity, in compliance with Local Plan Policy D1: High Quality Design and Place Making.

6 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1.

7 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.
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 Local Plan Policy T4 New Development and Transport Safety.

8 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.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

9 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

10 The development hereby approved shall not be occupied until details have been submitted to, approved in writing by the Local Planning Authority and implemented, arrangements which secure the following offsite highway improvement works relating to the formation of traffic calming and a safe pedestrian walkway from Newstead Road into the shared access area:
- Installation of double yellow lines
- Installation of tactile paving
- Removal of boundary wall and widening of access
- Street markings for the safe pedestrian access
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.
Reason: In the interests of highway safety and the free flow of traffic in accordance with Local Plan Policy T4 New Development and Transport Safety.

11 The palisade fencing shall be installed on site using localised excavations in a sympathetic manner which reduces the impact on the trees on site, and no trees shall be removed or pruned unless agreed in writing by the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.

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 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.

2 The granting of planning permission does not affect 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

3 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).

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.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

4 S278 Works on the Public Highway - The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.

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 16/12/2022



Joe Jenkinson
Head of Planning, Policy 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.