BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0961

To Kilmartin Plowman and Partners Ltd
KPP Architects
Lodge House
12 Town Street
Horsforth
Leeds
LS18 4RJ

DESCRIPTION Demolition of existing hotel and erection of 27 no. dwellings with associated car parking and landscaping.
LOCATION Ardsley House Hotel, Doncaster Road, Ardsley, Barnsley, S71 5EH

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 30 September 2015 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT/UNILATERAL UNDERTAKING MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

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.

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 and Building Control

Dated 15 July 2016

Development Service
PO Box 634, Barnsley, S70 9GG
Telephone: 01226 - 773555
Fax: 01226 - 772591

2 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission.

Plans;
2020-202-H - Site Plan
2020-210-C - GA's & Elevations plots 1, 4, 26
2020-211-C - GA's & Elevations plots 7,8, 22,23
2020-212-D - GA's & Elevations plots 2
2020-213-D - GA's & Elevations plots 20, 25
2020-214-C - GA's & Elevations plots 3
2020-215-C - GA's & Elevations plots 6, 17, 21, 24
2020-216-C - GA's & Elevations plots 13-14, 15-16
2020-217-C - GA's & Elevations plots 9-10, 11-12
2020-218-C - GA's & Elevations plots 5
2020-219-E - GA's & Elevations plots 27
2020-220-C - GA's & Elevations plots 18-19

Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

3 The development hereby approved shall be carried out in accordance with the recommendations set out in section 4.0 of the 'Extended Phase 1 Habitat Survey and Bat Surveys' prepared by SLR Global Solutions dated November 2014 (REF: 402.05154.00001.00002).
Reason: in the interest of protected species and in accordance with CSP 36 'Biodiversity and Geodiversity'.

4 No development shall take place until full details of the proposed external materials have been 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 the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before any dwelling is occupied. Development shall be carried out in accordance with the approved details 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 CSP 29, Design.

6 No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Discharge from the northern section of the site into the public surface water sewer network via the existing surface water connection shall be restricted to a maximum of 42.7 (forty two point seven) litres per second. The scheme shall be implemented in accordance with the approved details.

Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.
Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

7 No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. The peak pumped foul water discharge shall not exceed 3 (three) litres per second. The scheme shall be implemented in accordance with the approved details. Furthermore, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

8 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 Core Strategy Policy CSP 26, New Development and Highway Improvement.

9 Prior to commencement of development full highway engineering construction details, (including highway retaining structures, and phasing of the highway works) shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

10 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

11 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, 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. 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 Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

12 No hedges or trees on the site (except those shown to be removed on the approved plan), 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.

13 No development or other operations being undertaken on site shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details
Tree protection plan
Arboricultural method statement

The documents shall be in accordance with British Standard 5837:2012 (Trees in relation to design, demolition and construction - Recommendations)
The development shall be carried out in accordance with the approved details and the approved fencing shall be installed before 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 the continued wellbeing of the trees in the interests of the amenity of the locality.

14 No development shall take place until a Historic England Level 3/4 survey of the historic Ardsley House structure, including a structural watching brief during soft strip and demolition works, is submitted to, and approved by, the Local Planning Authority. The works shall be carried out in accordance with the approved document.
Reason: In the interest of the Historic Environment and in accordance with CSP 30.

15 Prior to demolition a 'confirmatory' dusk/ dawn bat detector survey should take place, the findings of which shall be submitted to, and approved in writing by, the Local Planning Authority. Furthermore, a sensitive demolition protocol should be followed in order to minimise the risk of killing or injuring bats during building works. Sensitive demolition will involve the careful hand-removal of ridge tiles, facia boards, soffit boxes, hanging tiles, lead flashing and loose roof tiles. Should bats, or signs of bats (such as droppings) be found, work should stop locally and an ecologists consulted. The scheme shall be implemented in accordance with the approved details.
Reason: in the interest of protected species and in accordance with CSP 36 'Biodiversity and Geodiversity'.

16 No 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:
-The parking of vehicles of site operatives and visitors
-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
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

17 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 CSP 40, Pollution Control and Protection.

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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: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

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

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on website at:
www.gov.uk/government/organisations/the-coal-authority

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.

3 The granting of planning permission does not effect 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

4 The applicant should ensure that they have dealt with any right of way/right of access issues concerning the site and adjoining land.

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.

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