



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/0637

To Cushman & Wakefield LLP
St Paul's House
23 Park Square South
Leeds
LS1 2ND

DESCRIPTION Provision of drainage attenuation basins and associated earthworks and landscaping

LOCATION Land south of Bell Ground Woods and east of Black Lane, Black Lane, Tankersley, Hoyland Common, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 25/05/2021 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 plans and specifications as approved unless required by any other conditions in this permission:

Application Boundary DR-A-4400-104 REV P01
Proposed Attenuation GA Basin Sheet 1 DR-D-345 REV P01
Proposed Attenuation GA Basin Sheet 2 DR-D-346 REV P01
Site Location Plan 4400/003 REV P3
Basin Landscape Sections 22-S8-P2
Construction Management Framework Plan P6
Construction Method Statement REV6
Landscape Proposals 20-09-S8 REV P12
Landscape Proposals 20-10-S8 REV P11
Proposed Basin Sections DR-C-SK002 REV P02
Archaeological Desk Based Assessment - by Oxford Archaeology
Archaeological Evaluation Report - by Oxford Archaeology
Heritage Statement by Oxford Archaeology
Biodiversity Metric 2.0
Coal Mining Report
Biodiversity Enhancement and Management Plan REV A dated June 2021 by FCPR
Biodiversity Impact Assessment dated April 2021 by FCPR
Ecological Appraisal letter dated 16 April 2021 by FCPR
Hoyland Southern Catchment by Wallingford
Storm Sewer calculations by Microdrainage
Desk Study and Coal Mining Risk Assessment by Applied Geology
Proposed Drainage Sheet 1 DR-CR-331 REV P10
Proposed Drainage Sheet 2 DR-CR-332 REV P13
Proposed Drainage Sheet 3 DR-CR-333 REV P12
Proposed Drainage Sheet 4 DR-CR-334 REV P11
Proposed Drainage Sheet 5 DR-CR-335 REV P11
Addendum to Flood Risk Assessment by RPS dated 16th April 2021
Evaluation Trenches including aerial view

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 No vegetation clearance shall take place between the months of March and August inclusive unless nesting birds have been shown to be absent by a suitably qualified ecologist in accordance with written details to be submitted and approved by the Local Planning Authority.
Reason: In the interests of biodiversity and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

- 4 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details
Tree protection plan
Arboricultural method statement

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

- 5 No development shall commence until:

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity in line with the Applied Geology Ltd risk assessment report ref: G20149 of April 2021, and;
- b) The site investigation and remediation shall be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned mine workings manual" where applicable.
- c) A report detailing the findings of the investigations and future ground work designs (including evidenced approval from the Coal Authority where necessary) shall be submitted to the Local Planning Authority for approval in writing.
- d) the development thereafter shall be carried out in accordance with the approved details.

Reason: In the interests of land stability NPPF Paras 178 a,b,c. 179 and 170 e & f, based around Land Stability in accordance with Local Plan Policy CL1.

- 6 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 1300 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.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping in condition 2 above shall be carried out prior to occupation of any building approved under planning permission 2020/0647 and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy D1 Design.

- 8 Long term landscape management for a period of 30 years shall be undertaken in accordance with the approved Biodiversity Enhancement Management REV A dated June 2021.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy D1 Design and to ensure 10% biodiversity net gain is achieved, in accordance with Local Plan Policy BIO1.
- 9 Upon the commencement of development of approved attenuation basin 2, a maintenance and management scheme to maintain its structural and operational integrity for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include arrangements for regular inspection and maintenance of the structure and its outfall, or any other arrangements to ensure its satisfactory operation throughout the lifetime of the development approved under planning permission 2020/0647 and any subsequent approvals relating to plots 2 and 3. Thereafter the basin shall be managed and maintained in accordance with the approved management and maintenance scheme upon the development approved under planning permission 2020/0647 first being brought into use.
Reason: In the interests of reducing flood risk and sustainable drainage systems in accordance with Local Plan Policies CC3 and CC4, and to maintain the structural and operational integrity of Basin 2.
- 10 Upon commencement of the development, a scheme for the provision of Basin 2 Biodiversity Pond safety measures shall be submitted to and approved in writing by the Local Planning for approval. The scheme may include (but not be limited to) measures such as ring buoy or other flotation aid and/or signage to the permanent wet pond area. The scheme shall detail:
- a) safety measures to be installed,
 - b) a timescale for their installation,
 - c) plan detailing the location of the measures, and
 - d) arrangements for regular inspection and maintenance

Thereafter the approved safety measures shall be maintained for the duration of the development.

Reason: In the interests of public safety and in accordance with Local Plan Policy D1 to contribute towards place making and be of high quality that contributes to a healthy safe and sustainable environment.

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 If the developer is to make discharge flows to the existing watercourse he must gain the written agreement of the Land Drainage Authority to discharge flows at an agreed rate - Contact Highwaydrainage@barnsley.gov.uk
- 2 If the developer is to carry out works within or in the proximity of any watercourse he must gain the relevant permissions from the Lead Local Flood Authority - Contact Highwaydrainage@barnsley.gov.uk
- 3 The proposed works will require a temporary closure of a public right of way. The developer is required to apply for the temporary closure, at cost, providing at least 4 weeks' notice and details of how public access will be managed throughout. No works affecting a public right of way may take place until a temporary closure order has been agreed in writing with the Council. Details are available via publicrightsofway@barnsley.gov.uk
- 4 The placement of temporary signage on the public highway will require the prior authorisation by the Highway Authority and that there may be a fee payable. Contact should be made with the councils streetworks team as early as possible via email Streetworks@barnsley.gov.uk or call on 01226 773555.
- 5 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.

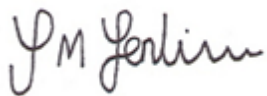
Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- 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 29/07/2021

A handwritten signature in black ink, appearing to read 'JM Jenkinson', written in a cursive style.

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.