BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0092

To Turley Associates
33 Park Place
Leeds
West Yorkshire
LS1 2RY

DESCRIPTION Change of use from agricultural land to playing fields
LOCATION Land West of Engine Lane, Shafton Two Gates, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 05 February 2010 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 permitted by this planning permission shall only be carried out in accordance with the submitted Design & Access Statement BP4L_SHA_BDP_DR_93_BW_LL_001 from BDP dated October 2009, page 56, Chapter 7.1.1 entitled 'Surface Water' and inparticular the surface water discharge rate must be limited to 5 litres/second/ hectare of site.

In addition to this the development permitted by this planning permission shall only be carried out in accordance with drawing number BP4L_SHA_BDP_DR_93_BW_LL_C001 Drainage Strategy dated June 2009.

Reason:
To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Stephen Moralee

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed
Assistant Director, Planning and Transportation

Dated 25 March 2010

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3 The new playing fields shall be provided in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, March 2000) or the relevant National Governing Body of Sport Performance Quality Standard.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision, which secures a continuity of use

4 Unless otherwise agreed in writing by the Local Planning Authority before the development hereby permitted is commenced a scheme of playing field drainage and maintenance including an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The playing fields shall thereafter be improved and maintained in accordance with the approved scheme.

Reason: To ensure the quality of pitches is satisfactory and they are available for use prior to development.

5 Prior to the commencement of the use a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

6 Within 12 months of the commencement of the development/use hereby permitted:
i. A detailed assessment of ground conditions of the proposed playing field within the curtilage of the site shall have been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
ii. Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field, especially in relation to those areas where playing fields are proposed on the site of existing buildings or landfill sites.

7 Unless otherwise agreed in writing by the Local Planning Authority no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced. 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 U.D.P. Policy BE6, Design Standards.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no ancillary building which would otherwise be permitted by Part 32 of Schedule 2 to that Order shall erected within the application site.

Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with UDP Policy GS7, Development in the Green Belt.

Reason(s) for Granting Permission

1 Unique The decision to grant planning permission has been taken having regard to the policies
and proposals in the Barnsley Unitary Development Plan, set out below, and to all relevant
material considerations, including the Education Sites DPD and the particular circumstances summarised below:
GS7 - Green Belt
GS12-Green Belt
Regional Spatial Strategy Policy ENV7-Green Belt
In reaching this decision the Council were mindful of the particular circumstances of this
application, namely:
It is proposed to replace the existing secondary schools on a site which is considered
accessible to the communities it will serve. Subject to compliance with the attached conditions it is considered that the proposed development can be adequately accommodated on the site without resulting in any significant detriment to the visual amenities of the Green Belt, loss of agricultural land, highway safety, residential amenities or the character of the
area.

Informative(s)

1 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:

- Collapse of shallow coal mine workings;
- Collapse of, or risk of entry into, mine entries (shafts and adits);
- Gas emissions from coal mines including methane and carbon dioxide;
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
- Transmission of gases into adjacent properties from underground sources through ground fractures;
- Coal mining subsidence
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vacinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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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