BARNSLEY
Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0901

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

Proposal Demolition of existing school and erection of an Advanced Learning Centre (Reserved Matters of application 2009/0451)

At Holgate School, Shaw Lane, Barnsley, S70 6EP

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 27 July 2010 and described above, being matters reserved in the permission granted on 19th November, 2009 under Application Number 2009/0451.

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to 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 specifications as approved, subject to any of the conditions listed below and unless prior written consent has been given by the Local Planning Authority to any variation:-

BP4L_KIN_ATK_PL_04_BW_00_03 _P01

BP4L_KIN_ATK_PL_04_BW_01_04_ P01

BP4L_KIN_ATK_PL_04_BW_02_05 _P01

BP4L_KIN_ATK_PL_04_BW_04_06_ P01

BP4L_KIN_ATK_PL_04_BW_05_07_ P01

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 29 September 2010

Planning and Transportation Service **Telephone: 01226 - 772600**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

BP4L_KIN_ATK_PL_00_BW_03 _06_P01

BP4L_KIN_ATK_PL_00_BW_01_04_ P01

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BP4L_KIN_ATK_PL_05_BW_LL_01_ P01

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BP4L_KIN_ATK_PL_05_BW_LL_04_ P01

BP4L_KIN_ATK_PL_09_BW_LL_01_ P01

BP4L_KIN_LOR_OR_3001_ P02

BP4L_KIN_BUR_DR_51_ EX_LL_01_P03

BP4L_KIN_BUR_DR_51_ EX_LL_03_P02

BP4L_KIN_PL1_91_SW_00_00

BP4L_KIN_PL1_91_SW_00_01_P06
and associated planting schedule

BP4L_KIN_PL1_91_SW_00_02_P04

BP4L_KIN_PL1_91_SW_00_03_P01

BP4L_KIN_PL1_91_SW_00_04_P03

BP4L_KIN_PL1_91_SW_00_05_P04

BP4L_KIN_PL1_91_SW_00_08 (SECTION B-B1only)

BP4L_KIN_PL1_91_SW_00_14_P01

BP4L_KIN_PL1_91_SW_00_13_P02

Reason: In order to define the permission for the avoidance of doubt.

3 Before the school is brought into use a draft car park management plan outlining those persons who can use each of the split car parking areas and enforcement measures to support the plan shall be submitted to and approved in writing by the Local Planning Authority. After 6 months of the use commencing a final management plan, including sufficient information to enable the success of the draft plan to be assessed shall be submitted to an approved in writing by the Local Planning Authority and the provisions of the final management plan shall thereafter be implemented and maintained.
Reason: To ensure traffic congestion and air pollution levels on Dodworth Road levels are not exacerbated by the proposed development.

4 Prior to commencement of the Artificial Grass Pitch:
a. A Sports Development Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Sport England, which secures the delivery of the proposals for sport development for both curriculum and community use and includes a mechanism for review. The Sports Development Plan shall identify the type of Artificial Grass Pitch needed to deliver the Plan. The Plan shall be carried out and implemented in full in accordance with the approved details.
b. Details of the design and layout of the Artificial Grass Pitch, which shall comply with the relevant National Governing Body of Sport Technical Design Guidance Notes, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The Artificial Grass Pitch shall be constructed in accordance with the approved design and layout details.
c. The surface of the Artificial Grass Pitch shall not be changed without notifying the Local Planning Authority and in consultation with Sport England.
Reason: To secure sufficient benefits to the development of sport; ensure the Artificial Grass Pitch is fit for purpose; to ensure the Artificial Grass Pitch continues to deliver the Sports Development Plan; and to accord with PPG17.

5 The landscaping scheme shall be prepared taking into the account the need to minimise any adverse effect on the quantity or quality of the playing field and Artificial Grass Pitch by the location of the proposed trees/shrubs.
Reason: To prevent the location of trees/shrubs on/adjacent to playing fields/STPs reducing the available space for pitches and/or affecting the quality of the surface, use of the pitches and ease of maintenance (roots/leaf fall/shading) and to accord with PPG17.

6 Unless otherwise agreed in writing by the Local Planning Authority prior to commencement of the development details of the design and layout of all indoor sports facilities and hard surfaced games areas, which shall comply with Sport England/NGB Technical Design Guidance Notes to include 'Accessible Sports Facilities 2010', shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The indoor sports facilities and hard surfaced games areas shall be constructed in accordance with the approved design and layout details.
Reason: To ensure the development is fit for purpose, subject to high quality design standards and sustainable and to accord with PPG17.

7 Prior to the bringing into use of the development a Management and Maintenance Scheme for a period of 10 years to include measures to ensure the replacement of all artificial surface/s within the next 10 years and, management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the development.
Reason: To ensure that new facilities are capable of being managed and maintained to deliver a facilities which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (PPG17 Par 14)

8 Unless otherwise agreed in writing by the Local Planning Authority before the development takes place a scheme shall be submitted in writing and approved by the planning authority for the suppression of dust arising from the site. The development shall be completed in accordance with the approved details which shall thereafter be retained.
Reason: To protect the amenities of the neighbouring premises.

9 The hours of operation for construction, the transfer and deposit of materials within the site and noisy activities such as concrete crushing shall be Monday to Friday 08:00 to 18:00 Saturday 08:00 to 13:00 and no work shall take place on Sundays and Bank Holidays
Reason: To protect the amenities of nearby residents.

10 Unless otherwise agreed in writing by the Local Planning Authority no development or other operations being undertaken shall take place on site in connection with the development until the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) have been submitted to and approved in writing by the Local Planning Authority:

1) Arboricultural Method Statement (AMS)

No development or other operations shall take place except in complete accordance with the approved methodologies.
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

11 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, full details of proposed tree planting works, including details of the species, positions and planted heights of proposed trees and shrubs; along with details of mature tree and shrub sizes and their effectiveness for their proposed such a screening or amenity feature. The approved Tree Planting details shall be implemented prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality.

12 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality.

13 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars 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 safeguard existing trees, in the interest of visual amenity.

14 No hedges or trees on the site existing or subsequently planted as part of the Landscaping works (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.

15 Notwithstanding the details shown on the submitted plans revised plans of the biomass boiler stack height (and efflux velocity) shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of construction of the biomass boiler and stack, the development shall be completed in accordance with the approved details and thereafter retained.
Reason: In order to ensure minimal impact on local air quality and prevention of nuisance to nearby residential properties.

16 Notwithstanding the details shown on the submitted plans prior to the construction of the covered cycle parking areas a revised location for the 58 spaces shown to the rear of houses on Branksome Avenue (marked 12 on the submitted plans) shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details and thereafter retained as such.
Reason: In the interests of residential amenity.

Reason(s) for Granting Permission

1 Unique The proposal complies with the outline planning permission granted for the development and policy EDS1 of the Barnsley Education Sites Development Plan Document (DPD)

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 vicinity. 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

2 With regard to the parking management plan this should be based on the premise that the staff car park is at Shaw Lane. Whilst, some disabled members of staff would need to be able to use the car park off Dodworth Road there is no reason why any other staff should be allowed to park there.

3. In order to meet secured by design, I would advise you to contact Chris Squires at South Yorkshire Police. Please see attached e-mail.

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.