



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1340

**To** Chris Carr Architects Ltd  
Orchard Farm  
Goathland  
Whitby  
YO22 5JX

**DESCRIPTION** Erection of new farm buildings, farm shop, indoor play facility, restaurant extension and alterations to existing buildings to create additional classrooms, toilets, offices and storage

**LOCATION** Cannon Hall Farm, Bark House Lane, Cawthorne, Barnsley, S75 4AT

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 November 2011 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 prior written consent has been given by the Local Planning Authority to any variation.

Plans numbered:

R/1267/1 - Landscape Masterplan  
R/1267/2 - New Farm Shop Landscaping  
R/1267/4 - New Farm Buildings Landscaping  
R/1267/9 - Restaurant and Central Building Area Extensions Landscaping

001 - Site Location  
002 - Topographical Site Survey 1 of 2  
003 - Topographical Site Survey 2 of 2  
004 Rev A - Site Masterplan  
005 - Schematic Drainage Proposals  
007 - Topographical Site Survey

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 Regulatory Services

Dated 05 April 2012

FS/002 - Farm Shop Proposed Ground Floor Plan  
FS/003 - Farm Shop Proposed Elevations  
FS/005 - Farm Shop Farm Shop Proposed Streetscapes  
FS/006 - Farm Shop Roof and Site Plan Visuals

CA/002 - Central Area Buildings Proposed Lower Ground Floor Plan  
CA/003 - Central Area Buildings Proposed Ground Floor Plan  
CA/004 - Central Area Buildings Proposed Elevations and Sections  
CA/005 - Central Area Buildings Proposed Roof and Site Plan and Visual

R/001 - Restaurant Existing Site Plan and Elevations  
R/002 - Restaurant Proposed Ground Floor Plan  
R/003 - Restaurant Proposed Elevations  
R/004 - Restaurant Site and Roof Plan Visual

FB/002 - Farm Buildings Site Plan  
FB/003 - Farm Buildings, Site Sectional Elevations  
FB/004 - Farm Buildings, Building 1 Proposed Plan and Elevations  
FB/005 - Farm Buildings, Building 2 Proposed Plan and Elevations  
FB/006 - Farm Buildings, Building 3 Proposed Plan and Elevations  
FB/007 - Farm Buildings, Building 4 Proposed Plan and Elevations  
FB/008 - Farm Buildings, Building 5 Proposed Plan and Elevations  
FB/009 - Farm Buildings, Building 6 Proposed Plan and Elevations  
FB/010 - Farm Buildings, Building 7 Proposed Plan and Elevations  
FB/011 - Farm Buildings, Roof and Site Plan

Supporting information including:

Design and Access Statement by Chris Carr Architects  
Site Survey by Eastwood and Partners Dated 19th October 2011  
Drainage Report by Eastwood and Partners Dated 21 September 2011  
Arboricultural Implication Assessment by James Royston Consultant Dated 4th October 2011  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

- 3 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.**
- 4 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.**

- 5 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.**
- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; 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 other of similar size and species, unless the Local Planning Authority give written consent to any variation.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 7 The parking/manoeuvring facilities indicated on the approved plan shall be surfaced and drained in an approved manner and provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: In the interests of road safety.**
- 8 Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 1.2 (one point two) metres either side of the centre line of the water mains, which cross the site.  
**Reason: In order to allow sufficient access for maintenance and repair work at all times.**
- 9 No development shall take place until:
- (a) Full foul and surface water drainage details have been submitted, including a scheme that reduces surface water run off from the current situation, and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development, unless otherwise agreed in writing with the Local Planning Authority.
- (b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;
- (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;  
**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 10 The foul drainage from the proposed development shall be discharged to a Package Treatment Plant and soakaway system which meets the requirements of Building Research Establishment Digest 365 and which complies with the following:
- a) there is no connection to any watercourse or land drainage system and no part of the soakaway system is situated within 10 metres of any ditch or watercourse.
- b) porosity tests are carried out in accordance with BRE 365 to demonstrate that suitable subsoil and adequate land area is available for the soakaway.
- Reason: To prevent the pollution of the water environment and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 11 This permission is given only on the basis that the farm produce hereby sold at the farm shop shall be produced at Cannon hall Farm
- Reason: The location is within the Green Belt wherein there is a strong presumption against inappropriate development. Planning permission is only being granted because the scheme that will enhance the viability of Cannon Hall Farm in accordance with Policy CSP 34.**
- 12 At least 15% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: In the interest of sustainable development in accordance with Core Strategy Policy CSP 5 'including Renewable Energy in Developments.**
- 13 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the entire construction period.
- Reason: In the interests of road safety in accordance with Policy CSP 26.**
- 14 The development hereby approved shall be carried out strictly in accordance with the Recommendations outlined in the following reports unless prior written consent has been given by the Local Planning Authority to any variation:
- Section 5 "Recommendations" of the Protected Fauna Survey by Whitcher Wildlife Dated 23rd September 2011
  - Recommendations of the Arboricultural Method Statement by James Royston Consultant Dated 3rd October 2011
  - Section 4.5 of the Highways Statement by PAH Consultants dated September 2011.
- Reason: in the interests of the visual and highway amenities of the locality in accordance with policies CSP 29 and CSP 26.**

## Reason(s) for Granting Permission

1	In accord with PPG2, new development will be limited to that which preserves the openness and visual amenities of Green Belt locations and does not conflict with the purposes of including land within it. The proposal complies with PPG2 in that the benefits to the locality through high quality design, improved agricultural and tourism facilities are considered very special circumstances to allow new development within the Green Belt
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## Informative(s)

1	<p>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:</p> <ul style="list-style-type: none"><li>- Collapse of shallow coal mine workings;</li><li>- Collapse of, or risk of entry into, mine entries (shafts and adits);</li><li>- Gas emissions from coal mines including methane and carbon dioxide;</li><li>- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;</li><li>- Transmission of gases into adjacent properties from underground sources through ground fractures;</li><li>- Coal mining subsidence</li><li>- Water emissions from coal mine workings.</li></ul> <p>Applicants must take account of these hazards which could affect stability, health &amp; 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.</p> <p>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.</p> <p>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 <a href="http://www.groundstability.com">www.groundstability.com</a></p>
2	<p>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.</p> <p>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.</p>

## **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.