BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0895

To Roland Bolton
DLP Planning Ltd
11 Paradise Square
Sheffield
S1 2DE

DESCRIPTION Erection of a lift centre containing a health centre with three GP practices to provide consulting rooms, treatment rooms and ancillary office facilities (D1), a pharmacy (A1) plus associated parking and landscaping

LOCATION Land at Wakefield Road, New Lodge, Smithies, Barnsley,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 15 July 2009 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.

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

Stephen Moralee

Signed
Assistant Director, Planning and Transportation

Dated 24 September 2009

Planning and Transportation Service **Telephone: 01226 - 772000**
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2 The development hereby approved shall be carried out in strict accordance with the following plans and specifications, unless prior written consent has been given by the Local Planning Authority to any minor variation:-

-Planning application forms
-drawing no 001 'Existing Site Plan'
-drawing no 101 rev A 'Proposed Site Plan'
-drawing no 102 rev A 'Proposed Ground Floor Plan'
-drawing no 103 rev A 'Proposed First Floor Plan'
-drawing no 104 rev A 'Proposed Roof Plan'
-drawing no 105 rev A 'Proposed Elevations'
-drawing no 106 rev A 'Proposed Sections'
-the recommendations contained in the draft Travel Plan prepared by MJM Consulting Engineers Ltd
-the recommendations contained in the Desk Study Report prepared by SOLMEK, report no S80818
-the recommendations contained in the Archaological Evaluation prepared by ARCUS, report no 1267b.2(2)
-the site specific recommendations in the Ecological Survey prepared by Thomson Ecology
-the recommendations contained in the Tree Condition Survey prepared by Active Arborist
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

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 UDP Policy BE6, Design Standards.

4 The building hereby approved shall not be occupied 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; and a scheme of maintenance and maintenance responsibilities. The approved hard landscaping details shall be implemented prior to the occupation of the building, or in accordance with timescales to be submitted to and approved in writing with the Local Planning Authority.
Reason: In the interests of the visual amenities of the locality.

5 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.

6 The development hereby approved shall not be brought into use 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 building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. 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.

7 Prior to the commencement of any work on site, a detailed scheme for the foundation design, details and all new ground works shall have been submitted to and approved in writing by the LPA and the development shall be carried out in accordance with the approved details.
Reason: To ensure that ground disturbance is restricted to a minimum and is carried out in the agreed manner to preserve archaeological remains in situ and in order to protect the sewerage infrastructure.

8 No development shall take place until the applicant, their agent, or their successor in title, has secured the implementation of a programme of archaeological work (including building recording) in accordance with a written scheme of investigation that has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
Reason: In order to satisfactorily ensure the recording of archaological remains, in accordance with UDP Policy BE3 and PPG16: Archaelogy & Planning

9 The development shall not be occupied until details of the proposed security shutters for the windows and doors of the building have been submitted to and approved in writing with 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 UDP Policy BE6, Design Standards.

10 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. A survey of the extent, scale and nature of contamination.

2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.

3. An appraisal of remedial options, and proposal of the preferred option(s).

4. A remediation statement summarising the works to be undertaken.

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".
Reason - to protect the environment and ensure the site is suitable for the proposed use.

11 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use, to prevent mud/debris being deposited on the public highway.
Reason: In the interests of highway safety.

12 The parking/manoeuvring facilities indicated on the submitted plan shall be 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.

13 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of:-

(a) any necessary signing/lining to direct motorists from Wakefield Road into the estate;

(b) any necessary alterations/provision of street lighting;

(c) any necessary alterations/provision of drainage;

(d) any necessary resurfacing/reconstruction of adjacent carriageways and footways;

(e) reinstatement of redundant vehicular accesses; and

(f) provision of vehicular accesses.
Reason: In order to mitigate against the effect of the development in the interests of traffic management and highway safety.

14 No development shall take place 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.
-Loading and unloading of plant and materials.
-Storage of plant and materials used in constructing the development.
-The erection and maintenance of security hoarding.
-Measures to prevent mud/debris being deposited on the public highway
-Means of access for construction traffic
Reason: In the interests of highway safety.

15 Prior to any works commencing on site a condition survey of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved, in writing by the Local Planning Authority and shall assess the state of the existing highway. On completion of the development a second condition survey shall be submitted for the written approval of the Local Planning Authority which shall identify any defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed, in writing by the Local Planning Authority.
Reason: In order to maintain the integrity of the public highway in the interests of highway safety.

16 Within 6 months of occupation of the development a detailed Travel Plan shall be submitted to, and approved in writing by the Local Planning Authority.
Reason: In order to deliver more sustainable patterns of travel in accordance with SPG32 Parking, Transport Assessments & Travel Plans and the principles advocated in PPG13 Transport & the Supplement to PPS1: Planning and Climate Change

17 Notwithstanding the development hereby approved, no development shall not be occupied until details of a link and access gate connecting the rear access of the building to the land to the rear (south west) and a timescale for provision has been submitted to and approved in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In order to deliver more sustainable patterns of travel in accordance with SPG32 Parking, Transport Assessments & Travel Plans and the principles advocated in PPG13 Transport & the Supplement to PPS1: Planning and Climate Change

18 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved 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.
Reason: In order to ensure satisfactory and sustainable drainage.

19 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 UDP Policy ES1, Pollution.

20 Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 4.0 (four) metres either side of the centre line of the 525mm public surface water sewer, which crosses the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times

21 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
Reason: In the interest of satisfactory and sustainable drainage

22 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 and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal

23 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.
Reason: In the interest of satisfactory drainage

Reason(s) for Granting Permission

1 Unique In the opinion of the Local Planning Authority the proposed development is acceptable in that:-

The use is compatible with a housing policy area and the provision of primary care services/community facilities outweighs any considerations in respect of undesignated urban greenspace.

It provides a modern state of the art health care centre with a range of services and facilities.

It achieves a high standard of design in respect of scale, layout, landscaping and sustainability.

It would not result in any significant harm being caused to the residential amenity of neighbouring properties.

The site is located in a sustainable location which is convenient and accessible to the surrounding communities of New Lodge, Smithies, Royston and Mapplewell.

The proposal makes acceptable provision for accessibilty, car and cycle parking and sustainable travel and is not prejudicial to highway safety.

It is acceptable with regards to considerations of drainage, archaeology, contamination and ecology.

Accordingly the proposed development is considered to comply with Policies H8/BE2, BE6, BE6A, BE6B & T2 of the Barnsley UDP and PPS1: Delivering Sustainable Development, Supplement to PPS1: Planning and Climate Change, PPG13 Transport and Policy ENV11 'Health and Recreation' of the Yorkshire and Humber Plan: Regional Spatial Strategy 2008-2026.

Informative(s)

1 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.

2 The applicant is reminded to provide copies of the report by South Yorkshire Mining Advisory Service to the persons responsible for construction.

3 The applicant is reminded to take on board the comments provided by Yorkshire Water.

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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