BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/1516

To Barnsley MBC
Westgate Plaza 1
Westgate
Barnsley
S70 9FA

DESCRIPTION Replacement and upgrade of A61 Birdwell Roundabout, realignment and upgrade of links to the A61 Sheffield Road and to Junction 36 of the M1, construction of a new balancing pond, to create a new roundabout junction to the east side of Birdwell Roundabout, carriageway re-alignment and tie-in to the A6135 Sheffield Road, construction of a new section of carriageway linking northwards, the creation of a second new roundabout junction connecting to Rockingham Roundabout, inclusion of new spurs at Roundabout 1 and Roundabout 2 to facilitate links for future development and the creation of an additional slip road exit lane off the M1 at Junction 36.

LOCATION Birdwell and Rockingham Roundabouts A6195, Dearne Valley Parkway, Birdwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 02 December 2014 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.

Signed
Service Director Economic Regeneration, Development, Environment & Culture

Dated 18 February 2015

Development Service
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2 The development hereby approved shall be carried out strictly in accordance with the plans Nos. HD/A61.69.1/PA/1 General Layout, HD/A61.69.1/PA/2 General Drainage Arrangement and specifications contained within reports
Extended Phase 1 Habitat Survey (wildscapes May 2014 as amended Feb 2015), Archaeological Desk Based Assessment ref 2603, Geophysical Survey 2648, SYMAS Mineral Report, Desk Study Report ref 151045DS, Ground Investigation Report ref NE3312A, Noise & Vibration Survey ref SHF.422.001.No.R.001,Air Quality Assessment Ref A089530 as approved unless required by any other conditions in this permission.
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 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

Development shall proceed in accordance with the approved plans.

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

4 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.

5

No hedges or trees on the site (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.

6 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 in accordance with a phasing plan to be agreed in writing with the local Planning Authority.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29.

7 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.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

8 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.

9 Prior to the commencement of the development, a Traffic Management Plan, including phasing of the works and measures for pedestrians and cyclists, covering the duration of the construction works shall be submitted to, and approved in writing by the LPA. The development thereafter shall be carried out in accordance with the approved Traffic Management Plan.
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

10 No development shall take place, including any works of demolition, 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;
- Means of access for construction traffic;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Measures to prevent mud/debris being deposited on the public highway;
- Hours of movement of vehicles associated with the construction of the development;
- The routes to be used by construction traffic.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

11 Prior to any works commencing on-site, a condition survey (including structural integrity) 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 existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify 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 the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

12 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- Measures to control vehicle speeds;
- Measures to prevent parking and loading on the new highway network;
- Measures to prevent parking and loading on the existing highway network;
- Provision of off carriageway servicing bays for controller equipment;
- Any necessary signing/lining including any temporary measures;
- Provision of/any necessary amendments to street lighting including any temporary measures;
- Provision of /any necessary amendments to highway drainage including any temporary measures;
- Resurfacing/reconstruction as necessary

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.

13 Prior to the commencement of development full details of the site investigation works and mitigation measures(including any additional remedial works arising from such investigations) identified in the Technical Report (October 2014 Prepared by Sub Surface North East Limited) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
Reason: To accord with sections 120 & 121 of NPPF

14 The development hereby permitted shall not be commenced until such time as a surface water scheme has been submitted to, and approved in writing by, the Local Planning Authority. The mitigation measures shall be fully implemented in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the Local Planning Authority.
Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Core Strategy Policy CSP3 and CSP4 .

15 Before the development hereby permitted commences a scheme shall be submitted to and approved by the Local Planning Authority which shall specify the provisions to be made for the control of noise emanating from the site, and the development shall be carried out in strict accordance with the approved scheme.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

16

Prior to the commencement of development full details of the mitigation measures identified in the Ecological Survey (Wildscapes May 2014) including a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

17 No development, including any groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Core Strategy Policy CSP 30.

18 Within 2months of the completion of the development a full detailed Nosie assessment shall be submitted to the local Planning Authority for approval in writing. The Assessment shall address the noise impact of the development arising to residential properties located along Cross Keys Lane and Sheffield Road. The assessment shall include full details of any mitigation proposals to ensure that residential amenity has not been adversely affected through a worsening of noise pollution. The mitigation measures shall be implemented within a time table to be agreed in writing by the local planning authority.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.

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 The Environment agency advise that the development should be carried out to observe:

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3) Refer to our guiding principles on groundwater protection are set out in our document GP3 - Groundwater Protection Policy and Practice, which is intended to be used by anyone interested in groundwater and particularly those proposing an activity which may impact groundwater. GP3 is available on our website at: https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3

4) Refer to our website at www.environment-agency.gov.uk for more information.

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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