BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Culture
Planning and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/1013

To National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

DESCRIPTION Planning application for National Grid's Visual Impact Provision (VIP) project involving the following works:1) Construction of a new sealing end compound, including permanent access; 2) Construction of a temporary haul road from Brook Hill Lane including widened bellmouth; 3) Construction of a temporary Trans Pennine Trail Diversion to be used for approximately 12 - 18 months; following construction approximately 410m of said diversion surface would be retained permanently; and 4) Erection of two bridges (one temporary and one permanent) along the Trans Pennine Trail diversion

LOCATION Land off Brook Hill Lane, Dunford Bridge, Barnsley, Sheffield

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 06/09/2019 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

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 amended plans and specifications as approved:

PKD_660952_002_Location_Plan Rev 6
PDD-33492-LAY-002 A Rev P9 SEALING END COMPOUND LAYOUT
PDD-33492-LAY-003 REV P9 CABLE SEALING END COMPOUNDS_V1
PDD-33492-LAY-030 REV P10 PRELIMINARY BELLMOUTH LAYOUT (AP7)
PDD-33492-LAY-037 REV P15 FIGURE 2.1 - CONSTRUCTION WORKS BOUNDARY DURING CONSTRUCTION PHASE - SHEET 2 OF 5
PDD-33492-LAY-038 REV P18 FIGURE 2.1 - CONSTRUCTION WORKS BOUNDARY DURING CONSTRUCTION PHASE - SHEET 3 OF 5
PDD-33492-LAY-039 REV P18 FIGURE 2.1 - CONSTRUCTION WORKS BOUNDARY DURING CONSTRUCTION PHASE - SHEET 4 OF 5
PDD-33492-LAY-040 REV P17 FIGURE 2.1 - CONSTRUCTION WORKS BOUNDARY DURING CONSTRUCTION PHASE - SHEET 5 OF 5
PDD-33492-LAY-046 REV P9 FIGURE 2.3 - PROPOSED PERMANENT OPERATIONAL DEVELOPMENT - SHEET 1 OF 4
PDD-33492-LAY-047 REV P16 PROPOSED PERMANENT OPERATIONAL DEVELOPMENT - SHEET 2 OF 4
PDD-33492-LAY-048 REV P13 FIGURE 2.3 - PROPOSED PERMANENT OPERATIONAL DEVELOPMENT - SHEET 3 OF 4
PDD-33492-LAY-049 REV P15 FIGURE 2.3 - PROPOSED PERMANENT OPERATIONAL DEVELOPMENT - SHEET 4 OF 4
PDD-33492-LAY-050 REV P9 TPT DIVERSION ANALYSIS - SHEET 1
PDD-33492-LAY-051 REV P10 TPT DIVERSION ANALYSIS - SHEET 2
PDD-33492-LAY-052 REV P9 TPT DIVERSION ANALYSIS - SHEET 3
PDD-33492-LAY-053 REV P9 TPT DIVERSION ANALYSIS - SHEET 4
PDD-33492-LAY-054 P11 TPT DIVERSION ANALYSIS - SHEET 5
PDD-33492-LAY-055 REV P10 TPT DIVERSION-TEMPORARY BRIDGE 2 GENERAL ARRANGEMENT
PDD-33492-LAY-056 REV P11 TPT DIVERSION-TEMPORARY BRIDGE 2 CUT & FILL ANALYSIS AND PROFILE
PDD-33492-LAY-057 REV P6 PERMANENT BRIDGE - GENERAL ARRANGEMENT
PDD-33492-LAY-058 REV P5 TEMPORARY BRIDGE 1 AND 2 - SIDE ELEVATION
PDD-33492-LAY-080 REV P2 ELEVATIONS SHOWING PROPOSED NEW CABLE SEALING END COMPOUND ADJACENT TO TOWER 4Z0157R & EXISTING TOWER REMOVAL
PDD-33492-LAY083 REV P5 AP7 Visibility Splays
PDD-33492-LAY086 REV P4 Construction Access Route to AP7
PDD-33492-LAY089 REV P1 Construction Access Route to AP7
PDD-33492-LAY090 REV P1 Construction Access Route to AP7

unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3 Prior to development commencing the final Construction Environmental Management Plan shall be submitted to and agreed in writing by the LPA and the development hereby approved shall be carried out in accordance with it.
Reason: In the interests of the amenities of local residents in accordance with Local Plan Policy Poll1, Pollution Control and Protection and BIO1, Biodiversity and Geodiversity.

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 at no time on Sundays or Bank Holidays. Saturday working may be agreed subject to submission and prior agreement of the following details: works to take place, hours to be worked and best practice measures to be used to reduce noise. For the avoidance of doubt Saturday working may be allowed on 1 day every rolling 4 weeks of the construction period.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.

5 No construction works in the relevant area (s) of the site shall commence until measures to protect the public water supply and waste water infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority in consultation with the relevant statutory undertakers. The details shall include but not be exclusive to the means of ensuring that access to the infrastructure for the purposes of repair and maintenance by the statutory undertakers shall be retained at all times.
Reason: In the interest of public health and maintaining the public water supply and sewerage.

6 No development, including any demolition and groundworks, shall take place until a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation has been submitted to and 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.
Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed for its fulfillment.
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.

7 The development hereby approved shall be carried out in accordance with the Potential Areas for Willow Tit Enhancement in the East of Wogden Foot LWS report (Aecom). This shall include the submission of an ecological survey and final details of appropriate mitigation to be agreed in writing by the LPA.
Reason: In the interests of conserving and enhancing biodiversity in accordance with Local Plan Policy BIO1 and the SPD Biodiversity and Geodiversity.

8 Prior to development commencing the final Landscape and Ecological Management Plan shall be submitted to and agreed in writing by the LPA and the development hereby approved shall be carried out in accordance with them. Pre-commencement surveys shall be undertaken in accordance with the final LEMP and submitted to the LPA for approval in writing prior to development commencing within the surveyed areas. Post construction monitoring shall be carried out and a written report outlining the findings of the monitoring submitted to the LPA within 3 months of each indicated monitoring date.
Reason: In the interests of conserving and enhancing biodiversity in accordance with Local Plan Policy BIO1 and the SPD Biodiversity and Geodiversity.

9 The Transpennine Trail Diversion, as approved by this planning permission, shall be carried out in accordance with the TPT Management Plan including reinstatement works to commence within 1 month of the transpennine trail reopening.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1.

10 Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for any off-site highway works has been submitted to and approved in writing by the LPA. Details of work include:

i. traffic signs
ii. road markings
iii. alterations to the highway in respect of carriageway resurfacing and verge hardening/drainage requirements.

The development shall be carried out in accordance with the approved scheme for any off-site highway works.
Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety.

11 No development shall take place, including any works of demolition, until the updated Construction Traffic Management Plan (CTMP) 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:

i. The parking of vehicles of site operatives and visitors
ii. Means of access for construction traffic
iii. Method of control of access to prevent queuing of site traffic on the public highway
iv. Means of parking provision to prevent any parking on the public highway
v. Loading and unloading of plant and materials
vi. Storage of plant and materials used in constructing the development
vii. Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway.

12 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. Additional interim surveys to be agreed prior to commencement of works (quantum dependant on project start date) and are initially expected to be required at approximately 4 monthly intervals and include both the start at end of the winter season (dependant on project start). Final survey to be undertaken on completion of the development. Each survey must consist of:

A plan to a scale of 1:1250 showing the location of all defects identified
A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

Each survey is required to identify defects to the adopted highway attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer.
Reason: In the interests of highway safety and Local Plan Policy T4.

13 The vehicular access point from Windle Edge to Wogden Foot (AP7) shall be provided and retained for the duration of the project in at the position shown on the approved plan PDD-33492-LAY083 REV P5 AP7 Visibility Splays and constructed in accordance with the BMBC highway specification, or other specification to be agreed with BMBC highways officers.
Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water from or onto the highway and in the interests of highway safety.

14 A visibility splay shall be provided in full accordance with the details indicated on the approved plan PDD-33492-LAY083 REV P5 AP7 Visibility Splays. The splay shall thereafter be maintained throughout the use of this construction access, free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.
Reason: In the interests of highway safety and Local Plan Policy T4.

15 Upon completion of the development the land utilised for access point AP7 shall be fully reinstated, including the dry-stone wall along its existing route, to the satisfaction of the Local Planning Authority. A timetable and detailed plans for these works shall be submitted upon commencement of the development.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1.

16 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

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 within a fenced off area, without the written consent of the Local Planning Authority.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

17 Upon commencement of development, full details of new tree planting and woodland creation, including details of the species, positions and planted heights of proposed trees and timescales for implementation; together with details of the position and condition of any existing trees and hedgerows to be retained shall be 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 Local Plan Policy D1 High Quality Design and Place Making.

18 A management plan, including long term design objectives, management responsibilities and maintenance schedules for all new trees and woodland areas for a minimum of 10 years, shall be submitted to and approved by the Local Planning Authority prior to the completion of the development. The new tree planting and woodland creation shall be carried out and maintained in accordance with the details and timescales approved within the management plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making and In the interests of conserving and enhancing biodiversity in accordance with Local Plan Policy BIO1 and the SPD Biodiversity and Geodiversity.

19 No development shall take place unless and until full foul and surface water drainage details, have been submitted to 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.
Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3.

20 Prior to the commencement of any works on site, a strategy for the control of surface water run-off during the construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained throughout the construction period.
Reason: To prevent pollution of the water environment in accordance with Local Plan Policy Pol1.

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 proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water.

Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

2 Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

3 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.

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.

4 S278 Works on the Public Highway - The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.

5 Fees associated with the required condition survey together with any necessary remedial works and any relevant s278 agreement are to be borne by the developer. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk for further information prior to commencement.

6 Private Road(s) - You are advised that as a result of the proposed layout and construction of the internal access street, it will not be accepted for adoption by the LHA under S38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 of the Highways Act 1980 (the Advanced Payments Code) unless you agree to exempt the access road. The exemption from adoption will be held as a Land Charge against all properties within the application boundary Contact the Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.

7 Traffic Regulation Order (s) - You are advised that a Traffic Regulation Order (TRO) is necessary. You must submit a plan to a scale of 1:1250 of the indicative scheme, along with timescales for the commencement and completion of the development hereby approved. Please be aware that the process is statutory and involves public advertisement of the proposals and the resolution of objections. The outcome of the process cannot be guaranteed. Time based fees are payable for the administrative process, including legal costs, and are separate from the costs of lining, signing and resurfacing required by the TRO. You should expect a minimum of six months to elapse between the LHA's Traffic team confirming that it has all the information necessary to enable it to proceed and the TRO is advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed. For more information and arrangements contact Traffic by emailing Traffic@barnsley.gov.uk

8 Road Licences - You are advised that the development hereby permitted requires you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers), or to place any equipment, materials in , on, above or abutting a highway requires you to have a licence. Further details are available on the BMBC website at: https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/ or by contacting Streetworks@barnsley.gov.uk

9 Public Right of Way - The development abuts / incorporates a Public Right of Way, Footpath / Bridleway / BOAT no#. You are advised that before undertaking any work you must contact the PROW team to discuss requirements, including the need for any Temporary Traffic Regulation Order to close or divert the PROW for the duration or part of the works on grounds of public safety. For more information, please call on 01226 773555. The applicant needs to ensure that their consultants continue to work with Highways England on all operational Abnormal Load route matters in the interests of SRN safety, and to ensure any planned works are taken in to account with route matters. Information on the requirements for transporting Abnormal Loads is found at: https://www.gov.uk/esdal-and-abnormal-loads/notifying-the-authorities

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction.*

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed Dated 21/09/2020



Joe Jenkinson
Head of Planning and Building Control

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

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.