



GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/1573

To Cushman & Wakefield
St Pauls House
23 Park Square South
Leeds
LS12ND

DESCRIPTION Hybrid planning application for a development up to 102,193sqm of employment uses (use classes B1/B2 and B8) and associated works including provision of internal access roads, drainage and landscaping, a) Outline with all matters reserved apart from means of access; and b) full application for associated earthworks and creation of access points including new roundabout to access Local Plan allocation site ES15.

LOCATION Land to the north and south of Dearne Valley Parkway, Hoyland, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 06/02/2020 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 unless required by any other conditions in this permission:

Site Location Plan 12006-1-100
Existing Phase 3 Site Plan 12006-1-101
Existing Phase 2 Site Plan 12006-1-102
Existing Site Sections 12006-1-103 Rev A
Existing Site Section 12006-1-104 Rev A
Constraints Plan 12006-1-105
Proposed Parameters Plan 12006-1-106 Rev C rec 17/7/20
Proposed Masterplan 12006-1-110 Rev L rec 17/7/20
Proposed Phase 2 Site Plan 12006-1-111 Rev J rec 17/7/20
Proposed Phase 3 Site Plan 12006-1-112 Rev H rec 17/7/20
Section 1 12006-1-118 Rev C - submitted 17th July 2020
Section 2 12006-1-119 Rev C - submitted 17th July 2020
Section 3 12006-1-120 Rev C - submitted 17th July 2020
Section 4 12006-1-121 Rev D - submitted 17th July 2020
Section 5 12006-1-122 Rev C - submitted 17th July 2020
Section 6 12006-1-123 Rev C - submitted 17th July 2020
Proposed Earthwork Levels 4652-2-JPG-SW-00-DR-C-1200-S4-P07 rec 24/4/20.
Phase 2 Cut/Fill Analysis 4652-2-JPG-SW-00-DR-C-1201-S4-P12 rec 15/7/20
Phase 3 Cut/Fill Analysis 4652-2-JPG-SW-00-DR-C-1203-S4-P07 rec 15/7/20
Phase 2 Proposed Earthworks 4652-2-JPG-SW-00-DR-C-1200-S4 Rev P11 rec 15/7/20 20
Phase 3 Proposed Earthworks 4652-2-JPG-SW-00-DR-C-1202-S4-Rev P07 rec 15/7/20
General Arrangement S38 4652-2-JPG-SW-00-DR-D-1600-S2-P13 rec 15/7/20
General Arrangement S278 4652-2-JPG-SW-00-DR-D-1601-S2-P10 rec 15/7/20
Geological Plan and remastered key to geology plan rec 16/6/20
Geological Plan with British Coal Overlay FPCR Plan Figure 1 - submitted 16th June 2020
Design and Access Statement 12006010DA01B amended (June 2020) rec'd 1st June 2020
Transport Statement (including access plans) December 2019
Transport Assessment May 20 received 26/5/20
Proposed Footpath Diversion 12006-1-115 REV B rec 26/5/20
Travel Plan REV 2 June 2020 rec 3/6/20
Transport Note -Rockingham Phases 2 & 3, Modelling of Amended Proposed Roundabout. 12th June 2020
Flood Risk Assessment and Drainage Strategy December 2019
Ecological Appraisal 2019 December 2019 rec 17 2 19
Ecological Appraisal 2018 March 2018 rec 20 5 2020
Ecological Appraisal 2016 September 2016 rec 22 5 20
Great Crested Newt Report May 2020 rec 21 5 20
Reptile Survey May 2020 (submitted 20th May 2020)
Confidential Badger Plan 6424/E/03 (submitted 17th December 2019).
Water Vole Survey (June) rec 17 12 2019
Bat Survey FPCR rec 2nd July 2020
Breeding Birds Survey FPCR June 20 updated Submitted 4th June 2020
Biodiversity Net Gain Offsetting Report Rev B - May 2020
Biodiversity Net Gain Calculation Submitted 8th July 2020

Planning Statement (Incorporating Statement of Community Involvement)
 December 2019
 Noise Assessment December 2019
 Environmental and Geotechnical Site Investigation 322368-R02(01) May 2020 recd 29 5 20
 Remediation Strategy 322638-R04(00) May 2020 recd 3 6 20
 Arboricultural Impact Assessment V2 Feb 2020 The Environment Partnership recd 3/6/20
 Air Quality Assessment December 2019
 Air Quality Mitigation Strategy dated 5th May 2020
 Environmental Statement
 Phase 1 Habitat Plan - Appendix 12 of ES Ref: Figure 7.3 ref: 6426-E-7.3 amended by: Figure 4 Rev B submitted January 2020
 Figure 4 Rev B (submitted 20th May 2020) are these two both correct?
 Figure 5 offsite habitat creation rec 20 5 20
 Landscape Mitigation Plan - ref: 3334, ES 01 Rev A Submitted 6th July 2020
 Aerial GCI Plan of site as existing - ref: 12006- CGI-001 Rev B Submitted 6th July 2020
 Landscape Technical Note by Wildscapes dated 13th July 2020
 Heritage Assessment (archaeology) December 2019
 Photomontages set out in Landscape and Visual Impact Assessment by Urban Wilderness dated 22 July 2020

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 No earthworks, engineering cut/fill operations or highway construction shall take place, including any works of demolition, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the period of engineering operations or highway construction. The Statement shall provide for:
- i. The parking of vehicles of site operatives and visitors;
 - ii means of access for construction traffic
 - iii. Loading and unloading of plant and materials;
 - iv. Storage of plant and materials used in constructing the development;
 - v. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - vi. Wheel washing facilities;
 - vii. Details of the provision of an on-site water supply or water storage facility;
 - ix Measures to control the emission of dust and dirt during earthworks or cut/fill;
 - viii Measures to control noise emissions during earthworks or cut/fill;
 - x. A scheme for recycling/disposing of waste resulting from earthworks or cut/fill
 - xi. temporary surface treatment of all development plots within the site following completion of cut/fill operations.
 - xi additional measures to protect the amenity of residents in Shortwood Villas from noise, dust or other impacts during engineering or cut/fill operations

Reason : To protect residential amenity in accordance with Local Plan Policy POLL1

- 4 No development or other operations being undertaken on site shall take place until tree protection is erected in accordance with the method statements in the approved Arboricultural Impact Assessment V2 dated Feb 2020 by The Environment Partnership. Thereafter the development shall be implemented in accordance with the approved documents.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.
- 5 No vegetation clearance shall take place between the months of March and August inclusive unless nesting birds have been shown to be absent by a suitably qualified ecologist in accordance with written details to be submitted and approved by the Local Planning Authority.
Reason: In the interests of biodiversity and in accordance with Local Plan Policy POLL1 Pollution Control and Protection.
- 6 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 1300 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 7 Prior to commencement of development any areas proposed for works within 60 m of Pond 1 and Pond 2 shall be subject to a 'finger-tip' search for all amphibian species by a qualified ecologist immediately prior to works commencing and outside of the hibernating season (typically November - February inclusive). Vegetation shall thereafter be removed within 24hrs of the search and measures taken to avoid creation of new habitat. In the event that Great Crested Newts are found works shall immediately cease and advice sought from the LPA ecologist.
Reason: In the interests of protected species in accordance with Local Plan Policy BIO1.
- 8 Prior to commencement of development Herras fencing (or similar suitable protective fencing shall be installed around all ponds and surrounding terrestrial habitat and shall remain in place for the duration of works. No machinery / plant or construction material shall be stored within fenced area.
Reason: To avoid potential harm to GCN and their habitat through pollution in accordance with Local Plan policy BIO1 and POLL1.
- 9 Prior to commencement of construction, a Construction and Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority as specified in the Ecological Appraisal by FPCR at para 5.2(page 13) of Appendix 7 of Vol 3 of the Environmental Statement to protect nearby Shortwood and Haygreen Local Wildlife Site during construction operations. Thereafter the development shall proceed in accordance with the approved plan.
Reason: To ensure that the LWS is not affected during construction, including through habitat degradation arising from dust deposition, accidental damage or pollution incidents and in accordance with Poll1 and BIO1.

- 10 Development of the proposed roundabout to serve Phase 3 shall not be commenced until full engineering, drainage and street lighting and constructional details of the proposed roundabout have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.

Reason: In interests of highway safety and in accordance with Local plan Policy T4 New development and Transport Safety.

- 11 Development of the proposed link road and connection to Shortwood roundabout shall not be commenced until full engineering, drainage and street lighting and constructional details of the proposed link road and connection to Shortwood roundabout have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.

Reason: In the interests of highway safety and in accordance with Local plan Policy T4 New development and Transport Safety.

- 12 Prior to any works commencing on-site, a scheme for the restoration of any damage to the adopted highway to be arising from the development shall be submitted to and approved by the Council. The scheme shall include provision for

(i) a condition survey of the adopted highways to be used by construction traffic to be carried out in association with the Local Highway Authority. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken which shall comprise

- a. A plan to a scale of 1:1250 showing the location of all defects identified
- b. 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.

(ii) The methodology of subsequent surveys of the state of the highways, on completion of each phase of development (or other milestone in the development) identifying defects attributable to the traffic ensuing from the said phase of the development.

(iii) The timing of any necessary remedial works to be completed which shall be at the developer's expense.

The scheme once approved shall be carried out in accordance with the said approval.

Reason: To ensure that any damage to the adopted highway sustained throughout the phases of the development process is identified and subsequently remedied at the expense of the developer in interests of highway.

- 13 The development of each plot or plots hereby permitted shall not be commenced unless and until approval of the following reserved matters for each plot or plots has been obtained in writing from the Local Planning Authority:-

- (a) the layout of the proposed development.
- (b) scale of building(s)
- (c) the design and external appearance of the proposed development.
- (d) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

- 14 Application for approval of the reserved matters shall be made for Gateway 36 Phase 2A (Units 1-6 south of Dearne Valley Parkway) as shown on indicative masterplan 12006-1-110 REV L within the expiration of 5 years of the date of issue of this permission. Thereafter development shall be begun before the expiration of 2 years from the date of approval of the last reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990 and in accordance with Hoyland North Masterplan.

- 15 Application for approval of the reserved matters shall be made for Gateway 36 Phase 2B (Units 7-8 as shown on indicative masterplan 12006-1-110 REV L) within the expiration of 8 years of the date of issue of this permission. Thereafter development shall be begun before the expiration of 2 years from the date of approval of the last reserved matters to be approved.

Reason: In accordance with the powers allowed under Section 92 of the Town and Country Planning Act 1990 due to the scale of the development and phasing Arrangements.

- 16 Application for approval of the reserved matters shall be made for Gateway 36 Phase 3 (Units 1 and 2 on land to the north of Dearne Valley Parkway as shown on indicative masterplan 12006-1-110 REV L within the expiration of 13 years of the date of issue of this permission. Thereafter development shall be begun before the expiration of 2 years from the date of approval of the last reserved matters to be approved.

Reason: In accordance with the powers allowed under Section 92 of the Town and Country Planning Act 1990 due to the scale of the development and phasing arrangements.

- 17 Buildings shall be located no closer to the southern boundary of the site than is shown on indicative masterplan 12006-1-110 REV L

Reason: In order to provide sufficient space for landscape screening to reduce impacts on visual amenity and to satisfy Local Plan Policy GD1 and D1.

- 18 The proposed layout in reserved matters submissions shall substantially accord with the approved masterplan 12006-1-110 REV L. Buildings shall be located no closer to the southern boundary of the site than is shown on the indicative masterplan 12006-1-110 REV L.
Reason: To ensure the development conforms with the approved outline planning permission and to protect residential amenity and in accordance with Local Plan Policy D1 and GD1.
- 19 Buildings heights shall not exceed 10m to eaves other than Unit 2 on Gateway 36 Phase 3 as shown on indicative masterplan 12006-1-110 REV L which shall not exceed 12.5m to eaves.
Reason : In the interests of visual amenity in the locality and wider landscape.
- 20 Notwithstanding condition 19 above, where a prospective occupier of a plot or plots can demonstrate that, the prospective use cannot physically be undertaken in a building or buildings of the approved heights as set out in condition 19 above or where the alternative is to bring forward speculative development which exceeds the heights specified in condition 19, then the reserved matters submission shall be accompanied by an amended landscape and visual assessment, including photomontages showing the same views as the photomontages in the Landscape and Visual Impact Assessment by Urban Wilderness dated 22 July 2020, which shall clearly demonstrate that there would be no harm to the wider landscape or other sensitive receptors, including impacts on the housing allocations adjoining the site. The visual assessment shall use the same viewpoints previously agreed with the Local Planning Authority and used for outline planning application 2019/1573.
Reason: To determine the potential impacts of taller buildings on landscape and visual amenity within the locality and wider landscape in accordance with Local Plan Policy D1 and GD1.
- 21 The development hereby approved shall not exceed a maximum of 102,193sqm of employment use floorspace (use classes B1/B2 and B8), of which a maximum 75% may be B8 uses, the details of which shall be submitted as part of the application for approval of reserved matters.
Reason: To ensure the development conforms with the approved outline planning Permission and stays with the maximum assessed level of development.

- 22 Prior to the approval of the first reserved matters the applicant shall submit to the Local Planning Authority for approval a scheme for the specification and provision of :

1. new/improved/replacement public rights of way on a phased basis, which shall all be of adoptable multi user standards and shall be completed prior to the occupation of each building
2. Landscaping of the common areas on a phased basis, based on Landscape Mitigation Plan 334-ES-01 REV A
3. Ecological Habitat creation and management relating specifically for protected and notable species based on Landscape Mitigation Plan 334-ES-01 REV A and Biodiversity Impact Assessment REV B
4. boundary treatment (excluding on-plot boundary treatment) on a phased basis
5. Fencing to Public Rights of Way on a phased basis
6. management responsibilities and maintenance schedules for all the common areas of the development on a phased basis.

Thereafter the agreed scheme shall be implemented prior to the occupation of any development plot and shall be maintained for the duration of the development. Subsequently, with each reserved matters application, the approved scheme shall be updated and submitted to the Local Planning Authority for approval in writing for each subsequent plot. The approved document shall be implemented prior to the first occupation of the plot to which it refers. Any trees or shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason: To safeguard the visual appearance and character of the area.

- 23 Prior to the submission of reserved matters a feasibility study shall be undertaken and a report submitted to the LPA for approval in writing. The study and report shall assess the feasibility of using heat from minewater in the development, and shall set out information in a manner which could be used to inform future funding proposals for the use of heat from minewater

Reason: To promote and support the delivery of renewable and low carbon energy in accordance with Local Plan Policy CC1 Climate Change.

- 24 The first reserved matters submission shall be accompanied by a report of intrusive site investigations undertaken to locate mine entries identified in Phase 2 Geo-environmental and Geotechnical Site Investigation, dated May 2020 by RSK. The report shall establish the exact situation in respect of coal mining legacy features on the site and will be accompanied by a plan which identifies:

- (a) the location of the mine entries established as being present on the site
- (b) any no build zones deemed necessary
- (c) identify the highwall/fault present on site in order to demonstrate that built development avoids this area.

Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no construction works shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to and approved in writing by the Local Planning Authority.

Following implementation and completion of the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details prior to the first occupation of the development in that area. Responsibility for securing a safe and development rests with the developer and/or landowner"

Reason- To satisfactorily deal with unstable land, in accordance with Local Plan Policy CL1 Land stability NPPF sections 178 a,b,c. 179 and 170 e & f.

- 25 The following detailed plans shall accompany the application for the approval of reserved matters:

- a) Details of the proposed external facing materials for each plot. The details, specifications, and colours shall be the same as or similar to those colours on the "colour palette based on the surrounding landscape" on page 14 of the adopted Hoyland North Masterplan Framework and shall be shown on the elevation plans and any associated imagery that is submitted in support of the application.
- b) photo montages of the proposals within a Landscape and Visual Impact Assessment.

- c) 3D aerial view and 3D perspective views shall be submitted to illustrate the submitted details, the latter as seen from ground level which shall show the buildings in their setting of:

- 1.the Dearne Valley Parkway and existing employment units located on Dearne Valley Parkway,
- 2.the proposed housing and open spaces of the Hoyland North Masterplan Framework area,
- 3.Hoyland Lowe Stand and St Peter's Church,
- 4.existing housing bordering the Hoyland North Masterplan Framework Area.

Thereafter the development shall be carried out in accordance with the details approved by the Local Planning Authority

Reason: to enable the built form to be considered in their wider setting, and to ensure their visual impact on important views and existing residential properties is able to be adequately assessed and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 26 Each reserved matters application shall be accompanied by a plan identifying the location and details of boundary treatments and fencing for that development plot. The boundary treatment shall thereafter be erected before the building is occupied and in accordance with the approved details
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policy D1.
- 27 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1 design.
- 28 Notwithstanding the details submitted within the ecological assessment detailed plans shall be submitted with each Reserved Matters application indicating biodiversity mitigation and enhancement measures, including long term management, for each plot. Thereafter the development shall proceed in accordance with the approved details.
Reason: To conserve and enhance biodiversity in order to achieve 10% net gain from FPCR baseline in accordance with Local Plan Policy BIO1.
- 29 Each Reserved Matters submission shall be accompanied by a scheme detailing the improvement and retention of existing or provision of alternate footpaths/cycleways within the plot or plots, together with timetable for implementation. Thereafter the development shall proceed in accordance with the proposed details.
Reason: In the interests of residential amenity and to ensure that pedestrian access is facilitated in accordance with Local Plan Policy T4.

30 Each reserved matters application shall be accompanied by a scheme which sets out:

1. full foul and surface water drainage details
2. works to provide outfall or surface water
3. full details of the relevant phases of Sustainable Urban Drainage including attenuation, storage and treatment capacities as detailed in the CIRIA SUDS Manual (C697).
4. the scheme shall include the following details: - Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; - A timetable for its implementation; and - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

The development of each phase shall thereafter be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan

Reason: To ensure proper, sustainable drainage of the area in accordance with Local Plan Policy CC3 and CC4 and to reduce the risk of contaminating surface water run-off and to reduce the risk of localised flooding and downstream flooding accordance with Local Plan policy Poll1 Pollution Control and Prevention.

31 Each reserved matters submission shall be accompanied by a scheme which shall identify the location and number of each air quality mitigation type to be installed on each plot as set out in the approved document (including damage cost calculation) A115145 Rockingham AQ Mitigation Strategy 5 May 20 by WYG, noting that the WYG Mitigation Strategy A115145 proposes the total number of mitigation types for the entire site. Thereafter the air quality mitigation measures shall be installed prior to occupation of the plot(s).

Reason: In the interests of minimising the impact of the proposal on air quality in accordance with Local Plan Policy Poll1.

- 32 Details shall accompany each reserved matters application setting out a preliminary assessment of the buildings BREEAM rating which shall be submitted for approval in writing to the Local Planning Authority. The assessment shall:

- a) Identify what measures shall be used to achieve BREEAM standard of 'very good' or equivalent;
- b) consider the use of green roofs or partial green roofs to achieve BREEAM standard of "very good" or equivalent standard
- c) Where the BREEAM standard of 'very good' or equivalent standard cannot reasonably be achieved the assessment shall justify why not; and
- d) Shall identify what standard shall be achieved.
- e) Upon completion of the development, a certificate shall be provided to the Local Planning Authority demonstrating that the agreed standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.

Reason: To enable delivery of efficient and sustainable design and construction in accordance with Local Plan Policy CC2.

- 33 No building construction phase or plot development shall take place, including any works of demolition, until a Construction Method Statement and Air Quality Management Plan for that phase or plot 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 vehicles
- iii. Loading and unloading of plant and materials;
- iv. Storage of plant and materials used in constructing the development;
- v. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi. Wheel washing facilities;
- vii. Details of the provision of an on-site water supply or water storage facility;
- viii Measures to control the emission of dust and dirt during construction;
- ix Measures to control noise emissions during construction;
- x. A scheme for recycling/disposing of waste resulting from demolition and construction.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection, and in the interests of retaining highway efficiency and safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

- 34 Prior to construction of any substation, full details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved plans.

Reason: For clarification and in accordance with Local Plan Policy D1 Design.

- 35 Prior to the commencement of development of each plot, 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 shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of each building.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 36 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas for each plot, 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 specifications shall thereafter be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.
- 37 No construction works shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary of each plot have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand -off or protection measures are to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.
Reason: In the interest of public health and maintaining the public water supply and in accordance with Local Plan Policy Poll1.
- 38 Prior to the start of construction of each phase details of measures to facilitate the provision of high speed full fibre broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development of each phase shall thereafter be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1 Infrastructure and Planning Obligations.
- 39 Prior to construction of any building, a detailed scheme for off-site tree planting shall be submitted to the Local Planning Authority for approval in writing. The scheme shall detail a tree planting strategy for off-site tree planting in accordance with mitigation measures in para 4.28 The amended Arboricultural Impact Assessment version 2.0 dated 12th February 2020 by The Environment Partnership, submitted on 3rd June 2020. The scheme shall include location of planting, area of planting, planting specification, size, species and programme of planting and maintenance for a period of 40 years. The agreed scheme shall thereafter be implemented in full.
Reason: To mitigate and compensate for tree loss as a result of the development and in the interests of sustainable development.

- 40 Prior to occupation of any building in the first phase of the development (see condition 14) the drainage basin to west of ES17 together with any swales, landscape corridors and greenspace shall be provided.
Reasons: For clarity and to ensure the development is in accordance with the outline approval and in accordance with (in accordance with Hoyland North Masterplan Appendix 1 page 100).
- 41 Prior to the occupation of any building a scheme for the provision of bus stops on the link road shall be submitted to the Council for its approval in writing. The scheme shall include details of the location, shelter design, seating, realtime information provision and the timing of provision of the bus stops. Thereafter the approved scheme shall be carried out in accordance with the approved timing of provision
Reason: For clarification and in accordance with Hoyland North Masterplan Appendix 1 page 104).and Local Plan Policy D1 High Quality Design and Place Making.
- 42 Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan General Arrangement S38 4652-2-JPG-SW-00-DR-D-1600-S2-P13 or subsequent amendment thereof. The splay shall thereafter be maintained at all times free from any obstruction exceeding 900mm above the level of the adjacent highway carriageway.
Reason: In interests of highway safety and in accordance with Local Plan Policy T4.
- 43 Prior to first occupation, the roads and footways shall be constructed to binder course level from the building to the adjoining public highway in accordance with details of a completion plan to be submitted and approved in writing by the LPA. Thereafter the development shall be implemented in accordance with the approved details
Reason: To ensure streets are completed prior to occupation and satisfactory development of the site and in accordance with Local Plan Policy T4.
- 44 Prior to the first occupation of the development hereby permitted, sufficient space shall be provided within each plot for pedestrian and bicycle access and egress, and for bicycles and motorised vehicles to park, turn and re-enter the highway in a forward gear. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the LPA and retained thereafter available for that specific use.
Reason: In interests of satisfactory development and highway safety in accordance with Local Plan Policy T4 new development and Transport Safety.
- 45 Prior to occupation of any building a scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the design, number and location of signs and links which to the TransPennine Trail for pedestrians and other users. The agreed scheme shall thereafter be implemented in full.
Reason: To ensure pedestrian and other non vehicular users can easily find access to the Trans Pennine Trail, in accordance with Local Plan Policy GS2 and in accordance with the Hoyland North Masterplan.

- 46 Prior to the occupation of each plot full details of security lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented on each plot prior to occupation of the building of the use and retained as such thereafter.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

- 47 Prior to occupation of any units, a validation report to certify the remediation works, highlighted within RSK report (ref 322638-R02). This report should include the following:

- i Details of who carried out the work.
- ii Details and justifications of any changes from the original Remediation Statement.
- iii Records of chemical characteristics of any imported capping soils/materials.
- iv Gas protection measures.
- v Laboratory and in situ test results
- vi Records of any materials disposed of off site and their disposal locations.
- vii Confirmation that remediation objectives have been met.

Reason: to protect the environment and ensure the site is suitable for the proposed use.

- 48 Any oil and chemical storage tanks to be constructed within the application site shall be sited on an impervious base and surrounded by a liquid retentive bund wall. The bunded area shall be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges shall be enclosed within its curtilage. The construction should be in line with the most up to date guidance for design of storage tanks.

Reason: For the purposes of avoiding pollution of groundwater and in accordance with Local Plan Policy POLL1.

- 49 Noise from fixed building services plant associated with the proposed development shall not exceed the Noise Rating Level Design Limits stated in Table 5.1 of the WYG Noise Assessment Report (Ref: A115145, dated 16th December 2019) at free field locations representing facades of nearby dwellings.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

- 50 Noise from deliveries and servicing associated with the proposed development shall not exceed the predicted Noise Rating Level Design Limits stated in Table 5.2 of the WYG Noise Assessment Report (Ref: A115145, dated 16th December 2019) at free field locations representing facades of nearest dwelling.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

51 No phase or plot development shall take place, including any works of demolition, until a Construction Method Statement and Air Quality Management Plan for that phase or plot 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. Loading and unloading of plant and materials;
- iii. Storage of plant and materials used in constructing the development;
- iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. Wheel washing facilities;
- vi. Details of the provision of an on-site water supply or water storage facility;
- vii Measures to control the emission of dust and dirt during construction;
- viii Measures to control noise emissions during construction;
- ix. A scheme for recycling/disposing of waste resulting from demolition and construction.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

52 Outside storage will only take place in specified locations and at maximum heights to be defined on plans submitted and approved as part of the Reserved Matters

Reason: In the interest of visual and residential amenity in accordance with Local Plan Policy POLL1.

53 No building or other structure including landscape features shall be located over or within 3 (three) metres either side of the centre line of the public 150 mm diameter foul sewer i.e. a protected strip width of 6 (six) metres, that crosses the site. If the required stand -off distance is to be achieved via diversion or closure of the sewer , the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken. (In order to allow sufficient access for maintenance and repair work at all times).

Reason: To prevent damage to the existing sewer or watercourse and to allow sufficient access for maintenance and repair work at all times.

54 Drainage maintenance and management of drains, sewers, and other drainage infrastructure including detention pond shall be undertaken in accordance with approved document Drainage and flood Risk Statement by JPG dated Dec 19 referenced 4652-JPG-XX-XX-RP-D-0620-S2-P01

Reason: In the interests of long term maintenance of drainage infrastructure.

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 If the developer is to make discharge flows to the existing watercourse he must gain the written agreement of the Land Drainage Authority to discharge flows at an agreed rate - Contact Wayne Atkins (01226 772182)
- 2 If the developer is to carry out works within or in the proximity of any watercourse he must gain the relevant permissions from the Lead Local Flood Authority - Contact Wayne Atkins (01226 772182)
- 3 Definition: What is full-fibre? Full-fibre networks use fibre optic cables to connect the exchange directly to each premises. Full-fibre connections are capable of delivering speeds greater than 1 gigabit per second (Gbps; 1 Gbps is equal to 1000 Mbps). Full-fibre networks are more reliable than copper-based networks and cheaper to maintain and operate. Full-fibre networks are also important for supporting high capacity mobile broadband networks, particularly future 5G networks. Full-fibre networks, also referred to as fibre-to-the-premises (FTTP) or fibre-to-the-home (FTTH), consist of fibre optic cables running from the local exchange directly to each premises. Fibre optic cables transmit data using light and can carry more data with faster speeds and significantly less signal loss with distance compared to copper cables.
- 4 The applicant is reminded that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner. Although the Local Planning Authority has used its best endeavours to determine the application on the basis of the information available to it, this does not mean that the land is free from instability. The question of instability has been a material planning consideration and resolution of this issue does not necessarily imply that the requirements of any other controlling authority would be satisfied; in particular, the granting of planning permission does not give a warranty of support or stability.
- 5 The granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk
- 6 Public Rights of Way may be affected during the construction stage of this development, and you should contact Mrs Sarah Ford (tel: 01226 772696) or Mr Mike Gibson (tel: 01226 772569) to discuss the possible need for a temporary closure or diversion.

- 7 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.
- 8 S38 Streets to be Adopted - The development hereby approved includes the construction of new highway. To be considered for adoption and on-going maintenance at public expense, it must be laid out and constructed to the BMBC engineering standard details and to the terms of phasing of the development. You are advised that you must enter into a highway agreement under s38 of the Highways Act 1980. 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 on email HighwaysDC@barnsley.gov.uk or call to 01226 773555 prior to any work commencing on site. Please note that it is necessary to gain all technical and legal approvals for all street road details from the LHA prior to submission of such approved details to the LPA to discharge conditions within this consent.
- 9 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
- 10 Public Right of Way - The development abuts / incorporates a Public Right of Way, Footpath / Bridleway / BOAT. 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.
- 11 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

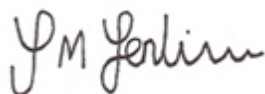
Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- 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 10/08/2020

A handwritten signature in dark ink, appearing to read 'JM Jenkinson', written in a cursive style.

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.