

FAO Elaine Ward

Planning and Building Control
Barnsley MBC
PO Box 634
Barnsley
S70 9GG

Our ref.
Your ref. 2019/1573

5 October 2022

Submitted via Planning Portal only

Dear Ms Ward

PLANNING PERMISSION REF. 2019/1573
“GATEWAY 36” EMPLOYMENT DEVELOPMENT AT DEARNE VALLEY PARKWAY, HOYLAND
APPLICATION TO DISCHARGE PLANNING CONDITIONS
PLANNING PORTAL REF. PP- 11405871

Please find enclosed application, submitted on behalf of Harworth Group, for partial discharge of the following condition(s) of planning permission ref. 2019/1573 for employment development, specifically in relation to ground conditions and remediation within the Phase 2A.1 site, as approved by reserved matters ref. 2021/1007. The submission comprises the following plans and documents:

Condition	Submitted Material
<ul style="list-style-type: none">• 24• 47	<ul style="list-style-type: none">• Ground Treatment Validation Report – Units 1, 2 and 3: Gateway 36 Phase 2A.1 Rev.01 (June 2022) by RSK• Gas Membrane Installation Validation Report (2 September 2022) by MEC Environmental Ltd

This application seeks partial discharge of the conditions as set out below:

Approval Sought	Extent of Approval
24 Partial	<ul style="list-style-type: none">• Final remaining parts of the condition• Phase 2A.1 area only as defined by dashed red line shown on the Location Plan ref. 12006-2 (P)100C
47 Partial	<ul style="list-style-type: none">• All parts of this condition

Coronet House
Queen Street
Leeds
LS1 2TW

t 0113 887 0120
e mark@johnsonmowat.co.uk
e richard@johnsonmowat.co.uk
w www.johnsonmowat.co.uk

	<ul style="list-style-type: none">Phase 2A.1 area only as defined by dashed red line shown on the Location Plan ref. 12006-2 (P)100C
--	--

[REDACTED]

Please see also the explanatory notes appended to this letter.

I trust that this submission satisfies the requirements of these conditions and will allow it to be formally discharged for the applicable phase / area of the site.

If you have any queries or there are any matters that it would assist to discuss further, then please contact me by email or by the telephone number above. Otherwise I would be grateful to receive confirmation of the validation of this application and the target date for determination.

Yours sincerely

[REDACTED]

Hamish Robertshaw
Director

Enc.

cc. Harworth Group
Caddick Construction Ltd

Condition 24 – Ground Conditions

Condition 24 of planning permission reference 2019/1573 states:

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.

Note

Partial discharge of this condition has already been confirmed by the grant of reserved matters approval for the Phase 2A.1 development, as confirmed within Informative 1 of the decision notice (ref. 2021/1007) which states:

“This reserved matters application will also serve to discharge the following conditions for outline planning permission 2019/1573 in relation to the redline area shown on approved drawing number Location Plan ref. 12006-2 (P)100C:

- i. 24 (Verification report) partial discharge for phase 2 area (site investigation and remediation scheme only) agreed by SYMAS*
- ii. ...”*

This partial discharge was on the basis of the following RSK reports submitted in relation to the Phase 2 site:

- Summary Note: Phase 2 Planning Condition 24 ref. 325389L01 Rev.01
- Ground Treatment Strategy ref. 322638-R03 rev.02

This left the requirement for the verification report still be discharged on the basis that it is only able to be prepared following completion of a phase of development.

The Ground Treatment Validation Report hereby submitted provides this verification for the Phase 2A.1 development area.

Confirmation of discharge of all aspects of this condition in relation to the Phase 2A.1 development area is therefore sought by this application.

Following the progression and completion of further phases of development in accordance with the approved site investigation and remediation scheme (in due course), corresponding verification reports will be submitted for approval.

Condition 47 – Ground Conditions

Condition 47 of planning permission reference 2019/1573 states:

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.

Note

The Ground Treatment Validation Report hereby submitted validates the remediation works as specified above with the exception of the gas protection measures.

The Gas Membrane Installation Validation Report (2 September 2022) by MEC Environmental Ltd provides validation of the gas protection measures installed as part of the construction of the buildings within the Phase 2A.1 development.

Confirmation of discharge of all aspects of this condition in relation to the Phase 2A.1 development area is therefore sought by this application.

Following the progression and completion of further phases of development in accordance with the approved site investigation and remediation scheme (in due course), corresponding validation reports will be submitted for approval.