



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/1617

**To** Planning Partners  
177 Cross Hill  
Ecclesfield  
S35 9WS

**DESCRIPTION** Conversion of ticket office to 1 no. 3 bed dwelling, erection of 1 block of 4 no. of disabled living apartments and erection of 9 no. dwellings for dependent relative living.

**LOCATION** The Old Ticket Master's Office, Hill Street, Elsecar, Barnsley, S74 8EL

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 05 January 2018 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.**
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:  
Location Plan - Ordnance Survey Map  
Site Plan 01 REV E amended plan received 23/4/18  
House Type A - 02 REV D - amended plan received 21/3/18  
House Type B - 03 REV D amended plan received 21/3/18  
House Type C - 04 REV E amended plan received 24/01/18  
House Type D - 05 REV B amended plan received 24/01/18  
House Type E - Drawing 06  
Ticket Office - Drawing 06  
Viz Splay details 20 REV A amended plan received 23/4/18  
Viz Splay details with blue line boundary Drawing 10 received 1/5/18  
Hard and Soft Landscaping Plan LSP-1 REV A  
Noise Management Plan by Sivill Engineering dated Nov 17  
Amended Noise Report by Blue Tree Acoustics dated 27/2/18  
Dust Management Plan by Sivill Engineering dated Nov 17  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**



- 3 On commencement of development a representative sample of the roofing materials, facing stone and brick has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall proceed in strict accordance with the details as approved. Facing stone should be natural sandstone dressed with either a pitched or split face. Roofing tiles shall be either natural blue / grey slate or a high quality artificial alternative.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 4 Rooflights shall be genuine conservation style rooflights, with black or anthracite framing, a single vertical divider, and low in profile.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design**
- 5 The windows, doors and frames shall be set in at least 75mm in the reveal and decorated in a colour to be agreed in writing with the Local Planning Authority on commencement of development. Thereafter, the agreed fenestration shall be installed and retained for the duration of the development.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 6 The gutters shall be ogee in section mounted either on corbels or brackets (no fascias) with matching circular down pipes and soil pipes all in black.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 7 The roof verges shall be finished with a mortar fillet or verge tabling / coping, or if necessary a timber barge board to match the existing Ticket Office.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 8 The properties shall be built in accordance with the details, including the glazing, specified in the Blue Tree Acoustics Noise Impact Assessment Report ref. 02974-550100. The glazing shall remain in situ thereafter.  
**Reason: In the interests of residential amenity and to minimise effects of noise on residents, in accordance with CSP Policy CSP 40 Pollution Control and Protection.**
- 9 Prior to the occupation of any dwelling, the properties shall be provided with an acoustic fence built in accordance with the recommendations specified in the Blue Tree Acoustics Noise Impact Assessment Report ref. 02974-550100. The fencing shall remain in situ thereafter.  
**Reason: In the interests of residential amenity and to minimise effects of noise on residents, in accordance with CSP Policy CSP 40 Pollution Control and Protection**
- 10 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material ( ie not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: to ensure that satisfactory off street parking/manoeuvring are provided, in the interests of highway safety and the free and safe flow of traffic and in accordance with Core Strategy Policy CSP26, New Development and Highway Improvement.**
- 11 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway, in the interest of road safety  
**Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**

- 12 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
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**
- 13 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.**
- 14 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-
1. A survey of the extent, scale and nature of contamination.
  2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
  3. An appraisal of remedial options, and proposal of the preferred option(s).
  4. A remediation statement summarising the works to be undertaken (if required).
- The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".
- Should the site require a remediation scheme to address any contamination risks identified, then the approved scheme shall be implemented in accordance with the approved timetable of works. On the completion of the measures identified in the approved remediation scheme, a Validation Report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to the Local Authority.
- Reason: To protect the environment and ensure the site is suitable for the proposed use and in accordance with CSP 39 Contaminated and unstable land.**
- 15 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 CSP4.**
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres of the Public Sewer shown on the approved plan.
- Reason: To prevent damage to the existing Public Sewer in accordance with CSP4.**

- 17 Notwithstanding the submitted plans, upon commencement of development, 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 the building(s).  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 18 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.**
- 19 No development shall take place until intrusive site investigations have been undertaken by a suitably qualified person to evaluate ground conditions and to determine any actual mining legacy risks. The site investigation and subsequent development shall be undertaken in compliance with Construction Industry Research and Information association publication 32 "Construction over abandoned mine workings" where applicable. A report detailing the findings of the investigations and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, and the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner"  
**Reason: In the interests in contaminated or unstable land in accordance with CSP 39 and in accordance with NPPF section 120 & 121 Land stability.**
- 20 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures 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 and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.  
**Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.**
- 21 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 22 The sightline shown at the junction of the access road with the shared drive, shall be safeguarded at the entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 23 Visibility splays, having the dimensions 2.4m x 64m to the north and 2.4m x 70m to the south, shall be safeguarded at the junction of the access road with Hill Street, such that there is no obstruction to visibility and forming part of the adopted highway.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 24 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 interests of Highway safety and in accordance with Core Strategy Policy CSP26, New Development and Highway Improvement.**
- 25 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.  
**Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 26 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use,  
**Reason: In the interests of road safety and in accordance with CSP 26.**
- 27 Prior to the commencement of development, details shall be submitted to and approved in writing to the Local Planning Authority of measures to prevent parking on the visibility splays on Hill Street.  
**Reason: In the interests of interests of road safety and in accordance with CSP 26.**

## 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.*

*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.*

1	<p>Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: <a href="https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property">https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property</a></p>
2	<p>At least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or anyworks to be carried out on site that may affect the safety, operation, integrity and access to the railway.</p>
3	<p>Network Rail have stated that the developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no oversailing into Network Rail air space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.</p>
4	<p>Network Rail have stated that method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.</p>

5	The development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval
6	With regards to condition 15 the applicant is advised that, where necessary, the details of the disposal of surface water drainage should include evidence to:  - demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical; - show existing positive drainage to public sewer and the current points of connection; - show the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event.

Signed

Joe Jenkinson

Head of Planning and Building Control



Dated 22 May 2018

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 given 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.