BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0021

To Laing O Rourke Construction North
Barnsley Digital Media Centre
County Way
Barnsley
S70 2HG

DESCRIPTION Variation of condition 25 relating to submission of community use agreement on previous permission 2006/1132, dated 16th October 2006. For demolition of existing school and erection of Advanced Learning Centre, Darton High School.

LOCATION Darton High School, Upperfield Lane, Darton, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 07 January 2009 and described above.

The approval is subject on compliance with the following conditions:

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

(a) the siting of the proposed development.

(b) the design of the proposed development.

(c) the external appearance of the proposed development.

(d) landscaping for the site.

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.

2 Application for approval of the matters reserved in Condition No. 1 shall be made to the Local Planning Authority before the expiration of three years from the date of the original outline permission (16 October 2006), and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In order to comply with the provision of Section 92 of the Town and Country

Stephen Moralee

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

Signed
Assistant Director, Planning and Transportation

Dated 11 March 2009

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Planning Act 1990.

3 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all buildings and associated 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 and in accordance with UDP Policy BE6, Design Standards.

4 Unless otherwise agreed in writing by the Local Planning Authority no hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

5 Unless otherwise agreed in writing by the Local Planning Authority development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of: -

A) Roundabout at the entrance to the site on Ballfield lane,
B) Measures to calm/ control traffic/ parking including school zone at existing and proposed school on Ballfield lining.
C) Any necessary improvements/ alterations to signing and lining.
D) Any necessary alterations to street lighting.
E) Any necessary alterations to drainage.
F) Provision of some resident parking within the school.
G) Reinstatement all redundant vehicular accesses.
H) Improvement of the public footpath

Reason: In the interests of highway safety.

6 All on-site vehicular areas shall be hard surfaced and drained prior to the development being brought into use.

Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety.

7 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway.

Reason: In the interest of road safety.

8 Sight lines, having the dimensions 2.4m x 90m, shall be safeguarded at the drive 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 road safety.

9 All parking/manoeuvring facilities shall be constructed prior to the development being brought into use, and thereafter shall be retained for that sole purpose at all times.

Reason: In the interest of road safety.

10 No development shall commence until details of measures to prevent mud/debris from being deposited on the public highway, have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the entire construction period.

Reason: In the interest of road safety.

11 No development shall commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period.

Reason: In the interest of road safety.

12 No development shall commence until a condition survey (including structural integrity) of the highways to be used by construction traffic has been carried out in association with the Local Planning Authority. The methodology of the survey shall first 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 submitted to and approved in writing by 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 developers expense, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety

13 Vehicular and pedestrian gradients within the site shall not exceed 1:12.

Reason: To ensure safe and adequate access

14 No development shall commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved programme of works.

Reason: To ensure a safe and adequate highway network, in the interest of road safety.

15 No development shall commence until details of the means of access for construction traffic have been submitted to and approved in writing by the Local Planning Authority, and such an access shall be retained for the entire construction period.

Reason: In the interest of road safety.

16 Prior to the occupation of the building a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to and approved by the Local Planning Authority and thereafter the approved plan shall be fully implemented.

Reason: In the interests of sustainable development.

17 All redundant vehicular footway crossings shall be reinstated as kerb and footway prior to the development being brought into use.

Reason: In the interests of road safety.

18 No development shall commence until it has been shown that the foul and surface water flows entering the public sewerage system will be restricted to those of the existing/previous use of the site. Details of any necessary flow attenuation shall be submitted to and approved by the Local Planning Authority.

Reason: To prevent overloading of the receiving waste treatment works and consequent pollution of the aquatic environment.

19 The site shall be developed with separate systems for foul and surface water on and off-site.

Reason: In the interests of satisfactory and sustainable drainage.

20 No development shall commence until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be properly drained.

21 There shall be no piped discharge of surface water from the development prior to the completion of approved surface water drainage works and no buildings shall be occupied or brought into use prior to the completion of the approved foul water drainage works, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

22 No building or other obstruction shall be located over or within 3 metres either side of the centre line of the sewer that crosses the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

23 No development shall commence until details of the phasing of the development, including the provision of the sports facilities have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use.

24 Prior to the building being occupied a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Agreement shall include details of the pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. Thereafter the approved Agreement shall be fully implemented before the development is brought into use.

Reason: To secure well managed safe community access to the sports facilities and ensure sufficient benefit to the development of sport.

25 Detailed plans shall accompany the reserved matters submission indicating:
a) a detailed assessment of ground conditions (including drainage topography) to identify constraints which could affect pitch quality and quantity;
b) based of the results of the assessment, a detailed scheme to ensure that an acceptable quantity and quality of playing pitches will be provided. The playing fields and pitches shall be constructed and laid out in accordance with drawing AL(0) 01 and 'Information to support the outline planning application for Darton Advanced Learning Centre' accompanying the

application and strategies and methodologies set out in guidance note 'Natural Turf for Sport' (Sport England March 2000).

All sports pitches shall be constructed in accordance with: Sports England/NGB Technical Design Guidance Notes to include 'Access for Disabled People' unless otherwise agreed in writing with the Local Planning Authority .

Reason: To ensure that site surveys are undertaken for the replacement playing fields that demonstrate any ground condition constraints can be mitigated, to ensure the provision of an adequate quantity and quality of playing fields and pitches.

Reason(s) for Granting Permission

1 Unique The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley UDP, set out below and all relevant material considerations, including Supplementary Planning guidance and the particular circumstances summarised below:

Policy CF1 - Community Facilities
Policy GS8 - New development in the Green Belt
Policy GS34 - Urban Greenspace
Policy T2 - New development and the highway network
PPG2 - Green Belt
PPG17 - Planning for Open Space, Sport and Recreation

In reaching the decision the Council were mindful of the particular circumstances of this application namely:

This is a major proposal for a new educational facility on a site designated as Green Belt, Community Facility and serving as function as Urban Greenspace on the Barnsley UDP. It is proposed to replace the existing secondary school on the existing site, which serves the existing community.

Informative(s)

1 Green Belt Issues: PPG2 and Policy GS8 state that the construction of new buildings in Green Belt will not be permitted except in very special circumstances. Following consideration of the present school including its operational difficulties and condition and consideration of available options, the applicants provided a very special circumstances case for the redevelopment of this site. The benefits to education provision, together with the lack of alternative, available non-Green Belt sites for a new school, and the benefits to openness, in terms of replacing a range of sprawling, old buildings with a purpose designed building occupying a smaller footprint. The new building could be developed over part of the existing building footprint and the hard surfaced areas and could have a lower profile and massing. Overall the significant benefits would outweigh any encroachment in Green Belt.

2 Greenspace Issues: New playing fields would be developed and existing pitches would be up-graded to accord with Sport England's standards. There would be an overall improvement in the quality and quantity of playing pitches as part of the proposed development.

Visual Amenity Issues: The design and layout of the new development will be fully assessed at Reserved Matters stage. However, the indicative proposed layout and massing demonstrate that a new school can be accommodated on the site with potentially less impact than that of the present group of school buildings. Overall the redevelopment proposals

could be accommodated on this site with a betterment to visual amenity.

3 Residential Amenity Issues: It is not envisaged that the new development would create any significant additional noise and disturbance compared to the existing school. The main impacts are likely to arise from the extended use of the new centre. However, it is considered that the effects on local residents would not be so significant so as to warrant withholding planning permission.

Highway Safety Issues: the traffic likely to be generated by the proposed would not be materially different from that arising from the use of the existing school. There would be no significant impact on nearby junctions in terms of capacity and highway safety. A School Travel Plan will help to reduce the amount of vehicular traffic generated and mitigate any effect of the development on the highway network

4 Public Rights of Way may be affected during the construction stage of this development, and you should contact Mr. Labdon to discuss the possible need for a temporary closure or diversion, on 01226 772142.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

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