



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/1556

To The Planning Bureau Ltd
Unit 3 Edward Court
Altrincham Business Park
Broadheath
Altrincham
WA14 5GL

DESCRIPTION Demolition of former Council office building and part new build/part conversion development of 58 apartments (including 49 retirement living apartments) together with communal facilities, landscaping, car parking and associated access.

LOCATION Berneslai Close, Barnsley, S70 2HL

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 05 December 2017 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT/UNILATERAL UNDERTAKING 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 plans and specifications as approved unless required by any other conditions in this permission:
NE-2473-03-01-AC-001 REV B Site location and context Plan
NE-2473R-03-01-AC-006-1 REV A Former Barnsley CO Offices Plans and Elevations - Existing
NE-2473R-03-01-AC-006-2 REV A Former Barnsley CO Offices Plans and Elevations - Demolition
NPS-DR-A-(00)-060 REV P1 rec'd 7/2/19 Retained Building Alternative ground Floor Plan and Elevations
NPS-DR-A-(00)-041 REV P1 Proposed First Floor Plan received 07/02/2019
NPS-DR-A-(00)-042 REV P1 Proposed Second Floor Plan
NE-2473-03-02-AC-006-1 REV S Elevations 1 of 2 rec'd 07/02/2019
NE-2473-03-02-AC-006-2 REV M Elevations 2 of 2 rec'd 07/02/2019
NE-2473-03-02-AC-006-7 REV D Materials and precedence sheet rec'd 07/02/19
NE-2473-03-02-AC-002-2 REV Q Proposed site layout rec'd 7/2/19

NE-2473-03-02-AC-002-3 REV C Boundary treatment plan rec'd 7/2/19
 NE-2473-03-02-AC-002-3 Proposed comparative site layout rec'd 21/2/19
 NE-2473-03-02-AC-005-1 Comparative context elevations
 NE-2473-03-02-AC-002-9 REV Q Floor Plans rec'd 07/02/2019
 NE-2473-03-02-AC-005 REV F Context Elevations rec'd 7/2/19
 NE-2473-03-01-AC-012 REV A Sub station layout
 NPS-B1-PL-GF-A-Zz_70_60_X-200 REV P1 Received 12/2/19 Proposed refuse store
 NE-2473-3-AC-133 16 Victoria Road - Shading Study
 NE-2473-04-LA-01 REV K Landscape General Arrangement Plan rec'd 11/2/19
 NE-2473-03-LA-03 REV D Detailed Landscape Plan rec'd 12/7/18
 NE-2473-03-DE-001 REV C Drainage Strategy rec'd 16/2/18
 9871-KC-XX-YTREE-TCP-01 Tree Constraints Plan
 9871-KC-XX-YTREE REV A Tree Survey impact assessment and method statement
 rec'd 2/2/18
 9871-KC-XX-YTREE Tree Protection Plan rec'd 2/2/18
 Bat Mitigation Statement dated V3 dated 31/7/18 WSP received 20/8/18
 Figure 5 Bat Mitigation Location received 20/8/2018
 Phase I Desk Top Study Report by Arc Environmental
 Phase 2 Ground Investigation report by Arc Environmental
 Construction Method Statement dated 5/2/18
 NE-(XXXX)-1-AC-15 dated 6/27/17 Annotated Indicative retained building reinstatement plan
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 On commencement of development a representative sample of the roofing materials, facing stone and brick shall have been submitted to, and approved in writing by, the Local Planning Authority. This shall include the building on site, of a sample panel of at least 1m by 1m in size of the proposed brick and facing stone. Thereafter the development shall proceed in strict accordance with the details as approved.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 Design.
- 4 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 Local Plan Policy D1 Design.
- 5 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 Local Plan Policy D1 Design.
- 6 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 Local Plan Policy T4 New Development and Transport Safety.
- 7 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Local Plan Policy Poll1 Pollution Control and Protection.

- 8 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 Local Plan Policy T4 New Development and Transport Safety.
- 9 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity and in accordance with Local Plan Policy Bio1. Biodiversity and Geodiversity.
- 10 On commencement of development full details of the mitigation measures identified in Part 5 of the Bat Mitigation Statement by WSP dated July 2018, and Part 8 of the Extended Phase 1 Habitat Survey by Innovation Group Environmental Services dated 26/2/18 reference E-13792 REV 3, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy Bio1 Biodiversity and Geodiversity.
- 11 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 Local Plan Policy BIO1 Biodiversity.
- 12 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 Local Plan Policy Bio1 Biodiversity and Geodiversity.
- 13 Upon commencement of development details of measures to facilitate the provision of high speed 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 shall be carried out in accordance with the approved details.
Reason: In order to ensure compliance Local Plan Policy I1 Infrastructure and Planning Obligations, in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

- 14 Upon commencement of development, details of external lighting shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to occupation of the development hereby approved and retained in accordance with the approved details.
Reason: To enhance the quality of the development in the interests of the amenities of the locality, in accordance with Local Plan Policy D1 Design and POLL1 Pollution Control and Protection.
- 15 On commencement of development, details of a scheme to reduce the developments carbon dioxide emissions to at least achieve carbon compliance targets as defined in Building Regulations 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 the required 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 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 Local Plan Policy RE1 Low Carbon and Renewable Energy.
- 16 The development shall not advance above damp-proof course level until details of the works to the exterior of the retained Edwardian Building have been submitted to and approved by the Local Planning Authority substantially in accordance with annotated indicative plan NE-(XXXX)-1-AC-15 dated 6/27/17. The submitted details shall include, inter-alia, making good the separation of the Edwardian Building as well as replacing and repairing matching stone detailing and matching bricks. The development shall be carried out in accordance with the approved details before the first occupation of the new apartment building.
Reason: in the interests of visual amenities of the locality and in accordance with Local Plan Policy D1 Design and to preserve the historic character of the area in accordance with Local Plan Policy and HE1 The Historic Environment.
- 17 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;
- Measures to prevent mud/debris being deposited on the public highway.
Reason: In accordance with Local Plan Policy T4 New Development and Transport Safety.
- 18 Any gates/barriers shall be located at least 5 m from the adopted highway, to allow a vehicle to wait clear of the highway whilst the gates are being opened/closed.
Reason: In the interests of highway safety and in accordance with Local Plan Policy T4 New Development and transport Safety.
- 19 On commencement of the development a plan shall be submitted to and approved in writing by the Local Planning Authority which indicates the position of boundary treatment to be erected and shall provide details of each boundary type proposed. The boundary treatment shall be completed before the building is occupied. Development shall thereafter be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining properties in accordance with Local Plan Policies HE1 and D1.

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	The developer will be charged for initial provision of waste bins for residents
2	Issues with waste services either during the construction phase or when upon occupation - should contact Rebecca Kaye 01226 774176.
3	This planning permission does not confer permission to undertake external building works to the retained Edwardian building unless they are shown on the approved plans.
4	You will require Building Control Regulations Approval in addition to Planning Permission. Please contact buildingcontrol@barnsley.gov.uk for advice and service.
5	You may require a Notice of Demolition under Section 80 of The Building Act 1984. Please see https://www.barnsley.gov.uk/services/planning-and-buildings/building-control/get-permission-to-demolish-a-building/
6	During construction, the developer is requested to have a viewing panel in the construction boundary fencing to allow view into the site for public to see the construction works.

Signed

Joe Jenkinson

Head of Planning and Building Control



Dated 10 June 2019

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.