
May 2010

Goldthorpe Colliery, Doncaster Road
Planning Support Statement To Support
The Substitution of Residential House
Types to an Extant Planning Permission

On behalf of

Ben Bailey Homes

Prepared by

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Appendix 1 - Extant Planning Approvals

1.0 Introduction and Description of Proposed Development

- 1.1 This planning statement has been prepared on behalf of Ben Bailey Homes to support the substitution of a number of plot types to an extant residential development site at Goldthorpe Colliery, Doncaster Road.
- 1.2 The extant planning permissions which gave approval for the site to be developed out for the purposes of residential are noted as follows;
- **Application No. B/03/1025/DE : Restoration of Site. Approved 26th September 2006.**
 - **Application No. B/04/2330/DE : Mixed use employment and housing development (323) dwellings with new site access. Approved 19th October 2005.**
- 1.3 The extant planning approval incorporated a number of residential property types that are not considered to be unattractive to the open market and, as such, in order to deliver the scheme it is the case that a number of the properties have had to be amended to ones that are more 'appropriate' given the current economic climate.
- 1.4 As such, a number of apartments and traditional dwellings have had to be removed and replaced with properties that are not only more affordable but ultimately ones that are considered to respond to specific market demand within the local area.
- 1.5 The extant planning approval gave permission for a total of 323 residential properties in total. As the re-planning of the site has subsequently altered the house types proposed, it is also the case that the number of properties to be completed on the site has also changed.
- 1.6 As such it is proposed that the site can now deliver 339 residential properties in totality and as such this is an increase of 16 units. It is important to note, for clarity, that two planning applications have been lodged. The first application relates to 5 of the proposed house types, and, it is this application that will form the basis of the proposed show homes. The additional application then seeks permission for the substitution of 219 plots
- 1.7 This amendment in respect of the plot substations is however considered to be acceptable. The extant point of access is considered to be wholly safe and, as such, the additional units which only represent a marginal increase over and above the approved development.
- 1.8 The key point however is that in amending the scheme it is envisaged and hoped that the development will subsequently become economically deliverable and that the site can be unlocked.
- 1.9 This is an exceptionally important point as, not only is the site partially developed at this moment in time but also that in delivering the wider site and

importantly 339 dwellings the site will assist the Local Authority in delivering much needed new local housing to meet its future housing growth targets.

1.10 The planning submission comprises: -

- **Design and Access Statement (incorporated within this Planning Statement);**
- **Planning Support Statement;**
- **Topographical Survey;**
- **Full plans and elevations;**
- **Summary of Geo-Environmental Issues;**
- **Drainage Summary; and**
- **Sustainability Statement.**

1.11 A number of technical reports were lodged and approved with the extant planning approvals that have subsequently been implemented. For clarity, and the avoidance of lodging unnecessary technical data, these elements have been held back. It is the case however that should the Local Planning Authority consider that reference to these documents should be made that these can be lodged for completeness in due course.

1.12 An assessment of the development proposals against those policies is then undertaken in order to determine whether the proposed development is considered to be in accordance with the relevant planning policy.

1.13 In forming the development proposals for the site, the characteristics of the surrounding area and the relationship of the site to adjacent buildings have been carefully considered.

1.14 In this context, it should be emphasised that in developing the proposals for the site, careful consideration has been given to the following key criteria: -

- i. **The site's brownfield status and the appropriateness of residential development in the context of the site sustainability and the adjoining land uses.**
- ii. **The need to provide a high quality design in order to make a positive contribution to the local environment and street scene.**
- iii. **The requirement to provide a scheme which creates a high degree of residential amenity for its occupiers without prejudicing the amenities of existing occupiers of both the adjoining residential properties.**

iv. **The delivery of an important residential development site within the locality of Barnsley in order to aid the Local Planning Authority to achieve and deliver much needed new housing.**

1.15 In seeking to achieve such a high quality scheme, the requirements of the Statutory Development Plan for the area have been borne in mind, as has the national and regional planning context. This scheme is assessed against these material considerations in the following sections and will also be considered against both national and local planning policies.

2.0 National Planning Policy

Planning Policy Statement 1 Delivering Sustainable Development

2.1 Planning Policy Statement 1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. It advises at paragraph 5 that:

“Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- Making suitable land available for development in line with economic, social and environmental objectives to improve people’s quality of life;
- Contribution to sustainable economic development;
- Protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- Ensuring high quality development through good and inclusive design, and the efficient use of resources; and
- Ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.”

2.2 PPS 1 further emphasises in paragraph 27 the general approach to delivering sustainable development which includes: -

“Promote urban and rural regeneration to improve the wellbeing of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. Policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places.”

“Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport, rather than having to rely on access by car, while recognising that this may be more difficult in rural areas.”

“Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and unused previously developed land and buildings back into beneficial

use to achieve the targets the government has set for development on previously developed land.”

- 2.3 Good design is also emphasised in the PPS advising that this should: -
- Address the connections between people and places by considering the needs of people to access jobs and key services;
 - Be integrated into the existing urban form and the natural and built environments;
 - Be an integral part of the process for ensuring successful, safe and inclusive villages, towns and cities;
 - Create an environment where everyone can access and benefit from the full range of opportunities available to members of society; and
 - Consider the direct and indirect impact on the natural environment.”
- 2.4 PPS 1 is clear that all new development should be underpinned by the principle of sustainable development. To that end new residential development sites should be positioned so as to make the best use of local amenities including public transport.
- 2.4 The development seeks to redevelop an existing brownfield site that is located within an existing residential area. The application site is a short distance to local amenities such as public transport, daily conveniences and employment opportunities.
- 2.5 It is therefore considered that this is a wholly sustainable site and suitable for redevelopment. Planning permission was granted by the Local Authority originally for the development of the site as it was acknowledged that the scheme brought a significant amount of major enhancements to the amenity of the wider area.
- 2.6 The site has, as noted, the benefit of planning permission for residential development already and, accordingly, the revised proposals are merely seeking to substitute a number of the approved house types in order that these will be more attractive to the open market and thus enable the site to be finally delivered.

Planning Policy Statement 3: Housing (April 2007)

- 2.7 Planning Policy Statement 3, 'Housing', was introduced by Government in November 2006 although was not adopted until 1st April 2007.
- 2.8 PPS 3 states that the planning system should deliver;

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- **“High quality housing that is designed and built to a high standard;**
 - **Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.”**
- 2.9 PPS 3 is clear that the specific outcome of the planning system should be to deliver high quality housing that is built within accessible areas. New developments should aim to provide new housing that will then be accessible to the market in order to address the specific housing requirements of the community.
- 2.10 PPS 3 continues to promote the key development theory of sustainability. The premise is that all new housing development should be located in such a way that it is accessible to local amenities and employment opportunities.
- 2.11 A requirement is then placed on the Local Planning Authority to ensure that there is a consistent five year supply of housing land in order to meet the short term needs of the local area.
- 2.12 The five year supply is not solely the delivery of planning permission for new development but also to ensure that the level of housing completions within the district is at a level which will ultimately ensure that the market is met with the necessary supply to meet anticipated demand.
- 2.13 The guidance within PPS 3 specifies that it is the Government's target to achieve 60% of all new development on previously developed land, i.e. brownfield land.
- 2.14 The key theme for development is however that it should be sustainably located, a point which is further noted in paragraph 41 of PPS 3 which then recognises that not all land, in particular brownfield land will be suitable for development if it poorly located in relation to existing amenities.
- 2.15 Ultimately, it is important that the site is developed in order to aid the Local Planning Authority in meeting their requirement to ensure an appropriate supply of housing within the District. The key point to note is that the extant planning approval is not considered to be appropriate and, as such, it is the case that at this moment in time the site cannot be delivered.
- 2.16 The approved layout and house types have therefore had to be amended in order to achieve a scheme that is considered to be more attractive to the open market and thus deliverable.
- 2.17 On that basis the proposed re-planning of the site is in line with the guidance contained within PPS 3.
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Planning Policy Guidance Note 13: Transport (March 2001)

- 2.18 Planning Policy Guidance Note 13 sets out the over arching principles of sustainable travel and methods of movement that should be considered when assessing development proposals.
- 2.19 The key theme of sustainability, as noted in PPS 1 is carried through PPG 13 to ensure that developments are located in such a way so as to enable accessible movement.
- 2.20 To that end Paragraph 13:-
- “To promote more sustainable patterns of development and make better use of previously developed land, the focus for additional housing should be existing towns and cities. PPG3 requires Local Planning Authorities to build in ways which exploit and deliver accessibility by public transport to jobs, education and health facilities, shopping, leisure and local services.”**
- 2.21 PPG 13 also requires Local Planning Authorities to: -
- “Place the needs of people before the ease of traffic movement in designing the layout of residential development; and**
- Seek to reduce car dependence by facilitating more walking and cycling, by improving linkages by public transport between housing, jobs, local services and local amenity and by planning for mixed uses.”**
- 2.22 The development site is located within an area of accessibility to local amenities, employment opportunities, modes of public transport and also recreational open space.
- 2.23 The application site is located within an existing urban area which is well located to necessary amenities such as public transport. On that basis it is considered that this is a wholly sustainable site suitable for residential development.
- 2.24 It is also the case that the extant planning approval gave permission for a specific quantum of development and, as the re-planning of the site has yielded a marginal increase in the number of units proposed, that the site's access will still operate in an appropriate and safe manner.
- 2.25 As such the proposed redevelopment will therefore not detrimentally impact upon highway safety in the local area. On that basis the proposal is considered to be wholly appropriate when determined against national planning policy guidance.

Conclusions

- 2.26 It is considered that the proposed substations of the previously approved plots is wholly compatible with the terms of national planning policy. The application site is an existing brownfield site located within an urban area and, on that basis it is determined that this is a fully sustainable location for new residential development.
- 2.27 Furthermore, the proposed re-planning of the site has been specifically to enable the scheme to be responsive to the local housing need and as such it is envisaged that in re-drafting the proposals the site will be deliverable.

3.0 Development Plan Assessment

- 3.1 The Statutory Development Plan for the area comprises the Barnsley Metropolitan Borough Council Unitary Development Plan.
- 3.2 There are a number of 'saved' policies within the Unitary Development Plan that are relevant to the proposed development. The Local Planning Authority is at present working towards producing the Local Development Framework which ultimately will replace the extant Unitary Development Plan.
- 3.3 However, at this moment in time the Local Development Framework (LDF) remains a work in progress and, as such, the extant Unitary Development Plan's (UDP) saved policies will guide development in the District.
- 3.4 These policies can be summarised as;
- **Housing Policies;**
 - **Built Environment Policies;**
 - **Environment Standards;**
 - **Transport Policies;**
 - **Utilities; and**
 - **Relevant Supplementary Planning Guidance.**

- 3.4 The proposed development has been assessed against these groups of policies in the following sections.

Housing Policies

- 3.5 Policy **H2** states that the Local Planning Authority will ensure that there is a sufficient supply of land is available in order to meet the future housing demand within the District.
- 3.6 Policy **H5** then notes that the Authority will encourage a diversity in residential property types in order to ensure that all needs of the market are fully met by new housing development.
- 3.7 Policy **H6** then states that all residential development above a specific threshold must incorporate sufficient public open space in order to meet the future needs of the end residents.

Built Environment Policies

- 3.8 Policy **BE5** identifies that the Local Authority will seek to enhance the environmental quality of existing housing, commercial and industrial areas.
- 3.9 Policy **BE6** then notes that the Local Planning Authority will seek to ensure that good design is achieved in all new developments in order to form a development that is considered compatible with its surroundings.

Environment Standards

- 3.10 Policies **ES7** states that where the Local Planning Authority are aware that a site is potentially contaminated, it is the case that the Council will seek to ensure that the necessary remediation work is undertaken in order to bring such a site forward for development safely. The site has been completely contaminated in accordance with conditions previously set down by the Local Authority and as such the site is considered to be 'clean'.

Transport Policies

- 3.11 Policy **T2** states that development will only be allowed where it can be demonstrated that the site can be accessed safely and without the detriment or harm to the adjacent highway network.
- 3.12 Policy **T17** states that all new development proposals should be designed in accordance with the Local Planning Authority's requisite parking standards. The basis for this is to ensure that all new proposals are formed in such a way so as to provide a sufficient level of private, off street parking which in turn will ensure that the adopted highway remains free from parked vehicles.
- 3.13 Policy **T27** then notes that all new development proposals will be required to take into account the needs of pedestrians and, as such, layouts should be appropriately designed.

Utilities Policies

- 3.14 Policy **UTL2** identifies that all new development should be capable of being accommodated or served by the existing utilities network. In particular, any development which cannot be accommodated in such a way will therefore be refused permission unless appropriate mitigation and improvements can be secured through the planning process.

Supplementary Planning Guidance 2 : The Design and Layout of New Housing Development

- 3.15 Supplementary Planning Guidance 2 (SPG 2) supports the relevant planning policies saved and retained within the extant Unitary Development Plan.
- 3.16 The submitted revisions are considered to be wholly appropriate and in line with the guidance as set out in SPG 2. The extant approved scheme was clearly designed in order to ensure that the proposals led to an acceptable level of amenity for both the future and the adjacent occupiers.
- 3.17 The Local Planning Authority noted that the scheme was considered to be wholly appropriate and, as such the proposals should be supported by the Local Authority.
- 3.18 The revisions seek further to enhance both the proposed layout and finished residential properties in order to provide a scheme that reflects and

incorporates the local vernacular whilst at the same time creating a clear sense of identity.

Assessment

- 3.19 The proposed redevelopment of this existing residential site is considered to be wholly in line with the relevant planning policies contained within the UDP.
- 3.20 The application site is an existing brownfield site located within an urban area, and, on that basis the proposed redevelopment of the site to provide new residential properties is considered to be wholly appropriate and in line with both national and local planning policy.
- 3.21 The submitted planning application provides an opportunity to enhance the visual amenity of the surrounding area whilst at the same time forming a scheme that is reflective with the local vernacular whilst also forming a clear sense of identity.
- 3.22 It is important to note that the application site has been partially developed and, as a direct result of the economic downturn and, in particular how this impacted upon the residential development market, the site was stalled as funding was subsequently withheld.
- 3.23 This viability of the site was further delayed as a further result by the financial institutions withholding mortgages and funding for members of the public and, as such, given the paucity of investors and homeowners who could secure a clear line of available funding the development of the site had to be withheld.
- 3.24 Following a detailed review of the scheme by Ben Bailey Homes it is now deemed that in substituting a number of the approved house types that these will be more attractive to new potential owners and, as such, there is renewed confidence that the scheme can be delivered.

4.0 Design and Access Statement

4.1 This statement takes account of the advice set out in DCLG Circular 01/2006, "Guidance on Changes to the Development Control System". It has also taken account of the CABE publication, "Design and access statements – how to write, read and use them".

4.2 These documents have a common approach to the form and content of a design and access statement:

"A design and access statement is a short report accompanying and supporting a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way" (S60, Circular 01/2006)

"The level of detail required in a design and access statement will depend on the scale and complexity of the application, and the length of the statement will vary accordingly. Statements must be proportionate to the complexity of the application, but need not be long." (S62, Circular 01/2006)

4.3 Both documents also indicate the issues to be addressed, these being **amount** of development, **layout** of buildings, **routes** and spaces, **scale** of buildings, **landscaping** and **appearance**: the CABE document also make reference to **use**: all six matters are addressed herein.

4.4 It is worthwhile noting that Circular (01/2006) accompanies the requirements for Design and Access statements. Paragraph 62 of the Circular is clear insofar as Design and Access statements will vary according to the type and scale of development to which they will support.

4.5 To that end as the proposed form of development is relatively simple in that it seeks approval to substitute a number of plots within an approved scheme, it is considered that a full raft of assessment is not required in this instance.

The Proposed Development

4.6 The attached planning applications seek permission for two forms of development. These are noted as follows;

- **Substitution of previously approved plots to form 5 dwellings;**
and
- **Substitution of previously approved plots to form 219 dwellings.**

4.7 The overall re-plan of the site therefore renders a total of 224 properties. When these are set against the wider site's approval it is the case that the development will deliver a further 16 units over and above the previously approved 323 properties. This is considered to be acceptable in both national and local planning policy.

Relevant Planning Policy Considered

- 4.7 Regard to Section 3 of this formal Planning Statement should be made in relation to the relevant national and local planning policy that has been considered.

Amount

- 4.8 The attached planning application seeks permission to substitute approximately 208 plots from the extant planning approval and replace these with 224 units which are considered to be more attractive and thus deliverable to the open market.

Layout

- 4.9 The proposed layout is similar to that previously granted planning permission. There are however some subtle changes in the orientation of the internal road network which has been redesigned so as to ensure that a more appropriate configuration is delivered which in turn has an impact in relation to the number of properties that can be integrated as part of the development as a whole.

Routes

- 4.9 This is considered to be inappropriate. As noted above, the layout of the revised proposals is not considered to be too dissimilar to that previously approved by the Local Planning Authority. Nonetheless, the changes in the delineation and orientation of the internal estate road is considered to be appropriate in relation to the form of the site as a whole.

Scale

- 4.10 The proposed dwellings will be of a two, two and half storey and three storey construction.

Landscaping

- 4.11 The proposed development incorporates significant areas of public open space and private landscaping. The location of the internal greenspace is as previously approved and, given that there is only a marginal increase in the number of residential units this is considered to be wholly appropriate.
- 4.12 Nonetheless, the extant planning approval incorporated the provision of a payment to Barnsley following laying out of the approved area of publicly access open space. That land has not yet been laid out and as such the requirement is still considered to be valid. The applicant company has indicated that the requisite payment, as set out in the extant Section 106 Agreement will be paid to the Local Authority.

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- 4.13 However, rather than pay 50% of the total sum agreed, it is the case that Ben Bailey Homes will forward the payment of £218,703 to the Authority in June.

Appearance

- 4.14 The proposed residential properties are considered to be of a form and scale that is reflective of the properties to be retained. It is important to note the schedule of materials as stated on the submitted plans are consistent with those properties that have either been constructed or, are in the process of being constructed.
- 4.15 Notwithstanding this point the proposed dwellings have sought to take reference from the immediate adjacent properties, as ultimately it will be the case that they are seen in context of these properties. The use of brick and render for the proposed materials is one that is consistent within the locality and as such would be wholly appropriate when viewed in this local context.

Access

- 4.15 DCLG Circular 01/2006 describes the purpose of this component of the Design and Access Statement as being to
- “explain how access arrangements will ensure that all users will have equal and convenient access to buildings and spaces and the public transport network”**
- 4.16 As noted the wider development site already benefits from an extant planning permission. The site is considered to be in an accessible location where the end users will have access to the public transport network.

5.0 Conclusions

- 5.1 The development proposed has been carefully formed, laid out and designed so as to ensure that the end scheme will be fully consistent with the surrounding area in terms of form, layout and appearance.
- 5.2 The proposal has a number of significant benefits deriving from it and should be supported by the Local Planning Authority for the following reasons: -
- The site clearly falls within the definition of previously developed land as set out in PPS 3;
 - The site benefits from an extant planning permission for 323 units of which it is proposed to remove 208 dwellings and replace these with a total of 224 differently designed properties.
 - The re-planning of the site and the subsequent substitution of the approved plots will facilitate the development to be unlocked and thus aid the Local Authority in the delivery of new homes which are considered important to meet the area's demand;
 - Given the brownfield status and the site's location within the urban area, the site should be accorded first priority as a residential development opportunity;
 - The site enjoys a relatively sustainable location whereby public transport and local services and facilities are readily available.
 - The scheme would generate clear and unequivocal environmental gains through the securing of the redevelopment of an unattractive site which is presently sat idle and it's replacement with aesthetically pleasing structures.
 - The scheme fully satisfies all residential amenity policies of the UDP and incorporates areas of fully usable public and private space; and
- 5.3 The proposed development is considered to be wholly appropriate and thus planning permission should be granted for the substitution of the approved plots within the extant planning permission for properties of a slightly varied design.

APPENDIX 1



BARNLSLEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. B/04/2330/DE

To A Ogden & Sons Ltd
c/o RPS
52 Princess Street
Manchester
M1 6JX

Proposal Mixed use employment and housing development (323 dwellings) with new site access.
At Site of former Goldthorpe Colliery and adjacent land off Doncaster Road, Goldthorpe, R

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 23 November 2004 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 5 years from the date of this permission.
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 in strict accordance with the following (amended) plans and specifications, unless prior written consent has been given by the Local Planning Authority to any minor variation: DLA 1838-10a;11a;12b;13b - DLT 0050-15A - 2500 /5 Draft; 10/02c; 10/01e; 10/03e; 12/01b; 10/04b; 14/01 - DP1051 PL/001B; 002; 003; 004; 005; 006; 007; 008; 009 - 2101/01D - 2101/01 (SH.2)b - 2101/11c - 2101/POS/LEVELS - Harrow2005 - Hanley2005 - Abbeydale(M)2005 - Abbeydale(E)2005 - Chatsworth2005 - Devon(M)2005 - Devon(E)2005 - Elsmere2005 - Fairford(M)2005 - Fairford(E)2005 - Hertford2005 - Ilston2005 - Jarrow2005 - Kirkland2005 - Lindrick2005 - Norton2005 - Newstead2005 - Oakland2005 - Portland2005 - S.garage - S.garagex2 - S.garagex3 - S.garagex4 - S.garagex5 - S.garagex6 - D.garage - 2+2+2as/Elevations - AP/2+2+2 GFas/WD - AP/2+2+2+FFas/WD - AP/2+2+2 SFas/WD - APT/12

For the avoidance of doubt as amendments have been submitted during the course of processing the application.

3. The boundary treatment as indicated on 2101/01d - DM - 1.8st - 1.2p&4r - 1.2fr - 1.8p&p shall be completed before the associated buildings are occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

In the interests of the visual amenities of the locality and the amenities of occupiers of

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 19 October 2005

adjoining property.

4. The development shall be carried out in accord with the agreed Remediation Strategy submitted by Encia ref no 9060/1 dated March 2005 and Encias letter dated 11 April 2005.
To ensure that the site is appropriately remediated.
5. No residential development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The residential development shall be carried out in accordance with the approved details.
In the interests of the visual amenities of the locality.
6. No industrial development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The industrial development shall be carried out in accordance with the approved details.
In the interests of the visual amenities of the locality.
7. The development shall proceed in accordance with the submitted flood risk assessment incorporating the recommended mitigation measures into the construction of the development.
To minimise the impacts of flooding.
8. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation to a rate of 5 litres/second/hectare has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.
To prevent the increased risk of flooding.
9. The site shall be developed with separate systems of drainage for foul and surface water on and off-site.
In the interests of satisfactory and sustainable drainage.
10. All facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
To prevent pollution of the water environment.
11. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained throughout the construction period.

To prevent the pollution of the water environment.

- 12 Prior to the commencement of works on site, a settlement facility for the control of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved by the Local Planning Authority. The approved scheme shall be retained throughout the construction period.

To prevent pollution of the water environment.

- 13 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 (three) metres of either side of those lengths of the existing sewer to be retained and the proposed new sewer, which cross the site as shown on drawing no.s 2500/10/02c; 2500/10/01e and 2500/10/03e.

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

- 14 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.

To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

- 15 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing ponds, have been submitted to and approved in writing by the Local Planning Authority.

To ensure that the development can be properly drained.

- 16 Unless otherwise approved in writing by the Local Planning Authority there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

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

- 17 Development shall not commence until arrangements have been entered into to secure highway works to mitigate the effects of the development, and such works shall be completed prior to the residential occupation of the 51st residential property, unless otherwise agreed in writing with the Local Planning Authority, as shown on drawing no. DLT 0050-15a and these works shall comprise of: -

- a) Provision of central island on Doncaster Road;
- b) Provision of central island within the access road;
- c) Provision of kerb build out/sheltered parking area on Doncaster Road;
- d) Provision of all necessary signing and lining;
- e) Resurfacing of carriageways and footways as required
- f) Relocation/provision as necessary of street furniture.

In the interests of highway safety.

- 18 Vehicular and pedestrian gradients within the site shall not exceed 1 in 12 to ensure safe and adequate access.
In the interests of highway safety.
- 19 Residential development shall not commence until details of the residential site compound, sales office and customer parking areas, onsite plant and material storage areas and parking for all employees vehicles have been submitted to and approved in writing by the Local Planning Authority and such areas shall be retained for that sole purpose at all times.
In the interests of highway safety.
- 20 Industrial development shall not commence until details of the industrial site compound, sales office and customer parking areas, onsite plant and material storage areas and parking for all employees vehicles have been submitted to and approved in writing by the Local Planning Authority and such areas shall be retained for that sole purpose at all times.
In the interests of highway safety.
- 21 Development shall not 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 duration of the works.
In the interests of highway safety.
- 22 Development shall not commence until a condition survey of the highways to be used by construction traffic, including structural integrity, has been carried 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 state of the existing 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 any 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 agreed in writing by the Local Planning Authority.
In the interests of highway safety.
- 23 No dwelling shall be occupied until that part of the access road within the residential area that provides access to it has been constructed up to at least binder course level and provided with operational drainage and street lighting.
In the interests of highway safety.
- 24 No development shall take place until full highway engineering construction details have been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.
In the interests of highway safety.
- 25 Prior to the commencement of building operations within the residential and industrial development areas, details of the phased hard surfacing and drainage of each respective site vehicular area shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter all on site vehicular areas shall be hard surfaced and drained in an accordance with the approved phasing scheme prior each respective part of the residential

and industrial developments being brought into use, to prevent mud/debris from being deposited on the public highway to the detriment of road safety.
In the interests of highway safety.

- 26 All structural planting adjacent and surrounding the industrial development shall be carried out within the first planting season prior to the commencement of the industrial development.
In the interests of the visual amenities of the locality.
- 27 All structural planting adjacent and surrounding the residential development shall be carried out within the first planting season following commencement of the development.
In the interests of the visual amenities of the locality.
- 28 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 within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
In the interests of the visual amenities of the locality.
- 29 The applicant shall provide a report detailing the physical mitigation measures and management practices to be employed to ensure that the impact of noise, fumes/odour and dust from the proposed industrial units, service areas and access roads does not cause disamenity to existing residential properties (Frederick Street, Beaver Street, Cross Street, Claycliffe Terrace and Doncaster Road) or the proposed housing development to the east of the site. The report shall also detail mitigation measures to reduce the likelihood of noise nuisance from existing and proposed nearby industrial use and traffic noise to residents of the proposed residential development. The report shall be submitted to the Local Planning Authority for approval prior to any work on the proposed development commencing and the operations shall be undertaken in complete accordance with the approved scheme.
In the interests of the amenities of existing and future residents.
- 30 Noise levels arising from the use of the proposed industrial units shall not give rise to site attributable noise levels in excess of 35dB LAeq (1 hour) within bedrooms and 45dB LAeq maximum and 40 dB LAeq (1 hour) within living rooms between 23:00 and 07:00 hours when measured with windows closed, from existing residential properties and the proposed residential properties.
In the interests of the amenities of existing and future residents.
- 31 Noise levels arising from the use of the proposed industrial units shall not give rise to site attributable noise levels in excess of 55dB LAeq (16 hour) free field within the habitable rooms of existing residential properties and the proposed residential properties.
In the interests of the amenities of existing and future residents.
- 32 The residential development shall be carried out in accord with recommendations set out in the 'Guide to Noise and Vibration Control on Construction and Open Sites' BS 5228: Parts I

and II 1997.

In the interest of the amenities of existing and future residents.

- 33 Prior to the commencement of industrial building operations, an Industrial Development Noise Action Plan shall have been submitted to and approved in writing by the Local Planning Authority detailing the measures to control noise emanating from the industrial building operations on the site. Taking into account guidance in the 'Guide to Noise and Vibration Control on Construction and Open Sites' BS 5228: Parts I and II 1997. Such measures may include noise reduction measures to individual items of plant and machinery, the use of acoustic barriers, detail the normal hours of such operations including impact piling and vehicular access routes. The industrial building operations shall be carried out in accordance with the approved Industrial Development Noise Action Plan.

In the interest of the amenities of existing and future residents.

- 34 Prior to the commencement of residential building operations, a Residential Development Dust Action Plan shall have been submitted to and approved in writing by the Local Planning Authority detailing the methodology to be employed to suppress dust arising from such building operations. Such measures may include, where necessary, the use of water bowsers, sprayers (mobile and fixed), hosepipes or similar equipment, regulating the speed of vehicles on site and the sheeting of loaded wagons. The residential building operations shall be carried out in accordance with the approved Residential Development Dust Action Plan.

In the interests of the amenities of existing and future residents.

- 35 Prior to the commencement of industrial building operations, an Industrial Development Dust Action Plan shall have been submitted to and approved in writing by the Local Planning Authority detailing the methodology to be employed to suppress dust arising from such building operations. Such measures may include, where necessary, the use of water bowsers, sprayers (mobile and fixed), hosepipes or similar equipment, regulating the speed of vehicles on site and the sheeting of loaded wagons. The industrial building operations shall be carried out in accordance with the approved Industrial Development Dust Action Plan

In the interests of the amenities of existing and future residents

- 36 All windows to habitable room windows (i.e. living room, bedroom, kitchen, dining room, study, bathroom) in the new dwellings facing the main access road shall be installed with glazing capable of a minimum of 34 dB attenuation and acoustic trickle vents

In the interests of the amenities of future residents

- 37 Any impact piling shall be carried out only between the hours of 09:00 to 17:00 Monday to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Bank Holidays.

In the interests of the amenities of existing and future residents.

Informatives

The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into

any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6648 or at www.coal.gov.uk.

Under the terms of the Water Resources Act 1981, the prior agreement of the Environment Agency is required for discharging dewatering water from any excavation or development to a surface watercourse.

Prior to the commencement of any development, details of the storage of any substance which is toxic to the water environment or is persistent should be approved by the Local Planning Authority.



BARNSLEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. B/03/1025/DE

To A. Ogden & Sons Ltd.,
c/o RPS
34 Lisbon Street
Leeds
LS1 4LX

Proposal Restoration of site.
Site of former Goldthorpe Colliery and land off Doncaster Road, Goldthorpe.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 24 June 2003 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 1 year from the date of this permission.
In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
2. The approval hereby granted shall be for a limited period of 3 years only from the date of this permission by which date all operations shall have ceased and all land shall have been restored in accordance with the general provisions of Drawing No GOLD/GP/001 except as required by conditions attached hereunder (which shall in all cases take precedence) or as may be otherwise approved in writing by the Local Planning Authority.
To restrict the period of operations in the interests of amenity
3. The development shall be carried out in accordance with the submitted drawings Nos. GOLD/GP/001, GOLD/GP/002, GOLD/GP/003 and Written Statement dated 18 June 2003 except where stated otherwise in conditions attached below which shall in all cases take precedence
For the avoidance of doubt.
4. Prior to the importation of any material, a detailed chemical analysis of the material to be bought onto site and any impact on groundwater and necessary amelioration measures shall have been submitted for the prior written approval of the Local Planning Authority. The scheme shall also include application rates, overall quantity, location, details of spoil amelioration and preparation detail for planting. Necessary amelioration measures shall

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

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Dated 26 September 2003

Planning and Transportation Service
Central Offices, Kendray Street, Barnsley. S70 2TN

Telephone: 01226 - 772600
Fax: 01226 - 772599

thereafter be carried out in accordance with the requirements of the approved scheme.
To ensure the protection of groundwater.

5. Prior to commencement of development a scheme shall be submitted to and received the written approval of the Local Planning Authority which shall specify the provisions to be made for the control of noise emanating from the site, and the development shall be carried out in strict accordance with the approved scheme.
To restrict noise emission from the site, to safeguard the amenities of local residents.

6. Prior to the commencement of the development a scheme shall be submitted to , and received the written approval of the Local Planning Authority identifying measures to be taken to ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit slurry, mud or other material from the site onto the highway. The development shall thereafter be undertaken in accordance with requirements of the approved scheme. The access/site haul roads shall be maintained in a clean condition for the duration of the development. Notwithstanding such arrangements, should any material nevertheless be accidentally deposited on the public highway, such material shall be immediately removed by the operator.
In the interests of road safety.

7. Prior to the commencement of the development a scheme shall be submitted to, and approved in writing by, the Local Planning Authority describing the methodology to be employed to suppress dust arising from the operations in the form of a Dust Action Plan. Such measures may include water bowsers; sprayers mobile and fixed; or similar equipment; regulating the speed of vehicles on the site; and such other steps as are appropriate. The operations shall thereafter be undertaken in complete accordance with the approved scheme. At such times, when due to site conditions the prevention of dust is not possible all site works contributing to the dust problem should cease until such time as conditions improve to allow a resumption of works.
In the interests of local amenity and to protect the environment.

8. An aftercare scheme, requiring such steps as may be deemed necessary to bring the land to the required standard for the use for forestry and recreation, shall be submitted for the written approval of the Local Planning Authority not later than six months from the date of this planning permission and include the methodology to carry out a five year assessment of the aftercare. The aftercare scheme shall be for a period of 10 years following cessation of development. However, should the five year assesemnt indicate that 90% of tree planting had been successful for 1 year or more a further five years aftercare would not be necessary.
In the interests of the proper restoration of the site.

9. Within six months of the date of this notice a detailed restoration scheme shall be submitted to, and approved in writing by, the Local Planning Authority. Such a scheme shall include boundary treatment details and the landscaping details of the area designated as 'Potential Future Development Area' on Drawing No GOLLD/GP/001. Restoration shall thereafter be undertaken in complete accordance with the approved scheme.

In the interests of the proper restoration of the site.

- 10 Except with the prior written approval of the Local Planning Authority, working operations upon the site shall be limited to the hours between 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1600 hours on Saturdays, and not at all on Sundays and Bank Holidays. This condition shall apply except in cases of emergency and no plant or vehicle engines shall be started and no operations shall take place, including haulage vehicle movements, at any time outside of these hours. Essential maintenance involving engine starting and running shall occur wherever possible in accordance with the above hours but such maintenance shall not occur between the hours of 21 00 hours and 0700 hours on Mondays to Saturdays and not at all on Sundays and Bank Holidays.

In the interests of local amenity.

- 11 Except with the prior written approval of the Local Planning Authority, not more than 10 vehicle loads of material may be delivered to the site each day.

In the interests of local amenity.

- 12 The applicant shall erect in a position adjacent to the site entrance, and maintain in good condition, a notice board showing the name, address and telephone number of an official who will be available and authorised to deal with any complaints regarding the conduct of the site operations immediately such complaints are notified to him. The design and location of the notice board shall have received the written approval of the Local Planning Authority prior to its erection.

To ensure the proper working of the site.

- 13 Before the 30th September each year of the aftercare period, a report shall be submitted by the developer to the Local Planning Authority recording the operations carried out on the land since completion of restoration, setting out the intended operations for the next twelve months.

Before the 30th November of each year of the aftercare period the developer shall attend a site meeting with representatives of the Local Planning Authority and the Department for Environment Food and Rural Affairs to discuss the report.

During the aftercare period the soil shall be tested and fertiliser and lime shall be applied in accordance with good agricultural practice and at a rate targeted to achieve the following nutrient levels under the Index System described in Ministry of Agriculture, Fisheries and food Reference Book 209 'Fertiliser Recommendations'

Potash - Index 2,

Phosphate - Index 2, pH - 6.0.

Soil testing and applications of lime and fertiliser shall be made at the time of sowing and subsequently at intervals not exceeding twelve months thereafter.

In the interests of proper restoration of the site.