



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0577

To Mark Johnson
Johnson Mowat
Coronet House
Queen Street
Leeds
West Yorkshire
LS1 2TW

DESCRIPTION Demolition of vacant former hospital buildings and residential development of 70 no dwellings and associated works (Amended Plans)

LOCATION Former Mount Vernon Hospital, Mount Vernon Road, Worsbrough, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 21/05/2019 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT 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:

SK001 REV S Site Layout Plan
01-2017-220 The Exeter
01-2017-252 The Falmouth
01-2017-254 and 255 The Patterdale
01-2017-258 and 259 The Preston
01-2017-268 and 269 The Chichester
01-2017-270 and 271 The Salisbury
01-2017-272 and 273 The Coniston
SLIG.01 Split level
SLIG.01 Split level
2019-100 Location Plan
2019.115 Drainage Connection
H2 181003.1C Landscape Proposals
2019.05 12 and 13 The Arlington
11-2019-03 and 04The Bamburgh
11-2019-01 and 02 The Edinburgh
2019 0111 Materials Layout Plan
2019.115 REV A site sections 4
2019.112 REV D Site sections 1
2019.113 REV C site sections 2
2019.114 REV C site sections 3
Arboricultural Impact Assessment AR-3716-01.03 by Brooks Ecological amended February 2020
Window Sections 2019.116
SLIG.01 and SLIG.02 split level with integral garage
preliminary Ecological Appraisal by Brooks Ecological

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 Upon commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished 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 Local Plan Policy D, High Quality Design and Place Making.

- 4 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment of each dwelling shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.

5 Prior to any construction being undertaken the applicant shall submit to the LPA, for approval in writing, a noise management plan which details how noise will be controlled during the construction stage of the site. The noise management plan shall be based on the provisions provided in BS 5228-1 2009. Once approved the development shall proceed in accordance with the approved plan.

Reason: For the protection of the residential amenity of existing residents in accordance with Local Plan Policy Poll 1.

6 Prior to any construction being undertaken the applicant shall submit to the LPA, for approval, a dust management plan which details how dust will be controlled during the construction stage of the site. Once approved the applicant shall strictly adhere to the dust management plan. Prior to work commencing the applicant shall ensure that there is an adequate supply of water at the site and shall provide the LPA of details of this.

Reason: For the protection of the residential amenity of existing residents in accordance with Local Plan Policy Poll 1.

7 Remediation, Construction and deliveries shall only take place between Monday to Friday 0800-1800 and Saturday 0900-1300. There shall be no work or deliveries on Sundays or Bank Holidays.

Reason: For the protection of the residential amenity of existing residents in accordance with Local Plan Policy Poll 1.

8 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details
Tree protection plan
Arboricultural method statement

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

9 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.

10 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

11 All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs) shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

12 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

13 Prior to the commencement of any development works, a remediation scheme, endorsed by a competent engineer experienced in ground contamination, shall be submitted to the local Planning Authority for approval. This report shall, amongst other matters, include the following:-

1. Methodology to identify and remove any contaminated material.
2. Measures to test and evaluate any imported soils onto the site to ensure they are suitable for the intended use.
3. Chemical testing suite, frequencies and threshold levels.
4. Procedures to confirm capping levels have been achieved on plots.
5. The subsequent validation that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied.

The development shall thereafter be undertaken in full accordance with the submitted reports.

Reason - to protect the environment and ensure the site is suitable for the proposed end use and in accordance with Local Plan Policy CL1.

14 No development shall be commenced until full engineering, drainage and street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing with the LPA.

Reason: In interests of highway safety in accordance with Local Plan Policy T4 New development and Transport Safety.

15 Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at Mount Vernon Road in accordance with details of a completion plan to be submitted and approved in writing by the LPA in consultation with the LHA.

Reason: To ensure satisfactory development of the site in accordance with Local Plan Policy T4 New development and Transport Safety.

16 Prior to the first occupation of the development the proposed driveway and associated crossings, car and cycle parking, servicing, turning and electric vehicle charging points shall be laid out, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
Reason: To ensure the permanent availability of areas for accessing the dwelling units, parking and manoeuvring areas, in the interest of highway safety in accordance with Local Plan Policy T4.

17 Prior to first occupation of the development hereby permitted, details for the provision of electric vehicle charging points (EVPC's) shall be submitted to and approved in writing by the Local Planning Authority. These EVCP's shall be installed in accordance with the approved details prior to first occupation of the development and retained thereafter available for that specific use.
Reason: In interests of promoting sustainable travel opportunities in accordance with Policy I1 of the Local Plan. and in accordance with Local Plan Policy T3 New Development and Sustainable Travel.

18 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 Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- o The parking of vehicles of site operatives and visitors.
- o Means of access for construction traffic.
- o Loading and unloading of plant and materials.
- o Storage of plant and materials used in constructing the development.
- o Measures to prevent mud/debris from being deposited on the public highway.

Reason: In the interests of retaining highway efficiency and safety in accordance with Local Plan Policy T4.

19 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety and in accordance with Local Plan Policy T4.

- 20 No development shall take place unless and until full surface water drainage details, including Yorkshire Water Permission to discharge, 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 proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.
- 21 On commencement of the development, a detailed scheme of ecological mitigation, enhancement and maintenance shall be submitted for approval in writing. The scheme shall broadly follow the measures set out in the Preliminary Ecological Appraisal on pages 18 and 19 by Brooks Ecological. The scheme shall identify a timetable for implementation and maintenance for 5 years. The scheme shall be accompanied by a plan which clearly identifies what ecological features are proposed to be retained, mitigated and enhanced. Thereafter the development shall be carried out in accordance with the approved measures.
Reason: In the interests of biodiversity and in accordance with Local Plan Policy POLL1.
- 22 On commencement of the development, a Construction Environment Management Plan (CEMP Biodiversity) prepared in accordance with BS:42020 shall broadly follow the measures set out in the Preliminary Ecological Appraisal on pages 18 and 19 by Brooks Ecological. Thereafter the development shall be carried out in accordance with the approved measures.
Reason: In the interests of biodiversity and in accordance with Local Plan Policy POLL1 and BIO1.
- 23 Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre broadband for the dwellings/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 thereafter be carried out in accordance with the approved details.
Reason: In order to ensure compliance with Local Plan Policy I1 and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.
- 24 The existing wall on the eastern boundary of the site fronting Mt Vernon Road and on northern boundary of the site along Coach House Lane, shall be retained at all times.
Reason: In the interests of good design and to preserve the setting of the nearby Listed Building, in accordance with Local Plan Policy D1 and HE1.

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.

1 EV Charging points -

Further information on this requirement can be found within appendix 4 of the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance

(<https://www.barnsley.gov.uk/media/14078/pdc-2020-mar-bmbc-ae-technical-planning-guidance-v12.pdf>)

2 The Applicant / Developer is advised to contact Highways & Engineering on 01226 773555 prior to any work commencing on site to gain all necessary technical and legal approvals for all street road details from the LHA prior to submission of such approved details to the LPA to discharge condition x of this consent.

3 Construction phase security advisory note:

Unfortunately there are many crimes which occur during the construction phase of a development; the most significant include theft of plant equipment, materials, tools and diesel fuel.

Secured by Design recommend that security should be in place prior and during the construction phase. This should include robust perimeter fencing of the site and a monitored alarm system (by a company who can provide a response) for site cabins and those structures facilitating the storage of materials and fuel.

The developer is advised that the name of the contractor and signage with an emergency contact telephone number. Should be displayed prominently at several places on the perimeter fencing. This would allow the public to report suspicious circumstances.

Mobile or part time CCTV systems can be used as an effective aid to the security of a site and can act as a deterrent to criminal activity.

Further advice can be obtained from the Police DOCO (Below) and/or from the BSIA Construction Site Security Guide Document at: www.bsia.co.uk

The developer should consult the Police DOCO regarding the impact than any perimeter fencing or hording may have on public safety. Particular attention should be paid to the nature and surveillance of adjoining footpaths and/or roads bordering the site.

For a complete explanation of certified products please refer to the Secured by Design guidance documents which can be found on the website www.securedbydesign.com

It is recommended that a Secured by Design application be submitted prior to the commencement of the development.

4 Definition:

What is full-fibre? Full-fibre networks use fibre optic cables to connect the exchange directly to each premises. Full-fibre connections are capable of delivering speeds greater than 1 gigabit per second (Gbps; 1 Gbps is equal to 1000 Mbps). Full-fibre networks are more reliable than copper-based networks and cheaper to maintain and operate. Full-fibre networks are also important for supporting high capacity mobile broadband networks, particularly future 5G networks. Full-fibre networks, also referred to as fibre-to-the-premises (FTTP) or fibre-to-the-home (FTTH), consist of fibre optic cables running from the local exchange directly to each premises. Fibre optic cables transmit data using light and can carry more data with faster speeds and significantly less signal loss with distance compared to copper cables

- 5 Street lighting design and installation is generally undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with the authorities Street Lighting Team, Tel 01226 770770. Email. Streetlighting@barnsley.gov.uk as soon as possible
- 6 Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 13. They should be constructed to withstand a minimum carrying capacity of 26 Tonnes without deflection
- 7 Fees associated with the required condition survey together with any necessary remedial works and any relevant s278 agreement are to be borne by the developer. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk for further information prior to commencement.
- 8 It should be noted that any highways structures will require technical approval in accordance with the approval procedure based on DMRB BD2. The developer will be responsible for preparing and submitting the AIP, with the technical approving body being the Highway Authority. The approval procedure is to be followed for the construction or alteration of any highway structure whether to be adopted or not.

9 The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water.

Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Please be aware that the Council monitors construction sites and open land within the vicinity of 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 any development is disposed of via approved methods and that documents are retained to prove this.

Signed

Dated 08/04/2021



Joe Jenkinson
Head of Planning and Building Control

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.