



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0300

**To** P+HS Architects  
84 Albion Street  
Leeds  
West Yorkshire  
LS1 6AG

**DESCRIPTION** Erection of two storey medical centre with integrated pharmacy and retail unit including associated parking and landscaping.

**LOCATION** Burleigh Street, Barnsley, South Yorkshire, S70 1XY

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 29 March 2016 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 amended plans and specifications as approved unless required by any other conditions in this permission:  
2562-D-20-001 REV E Elevations sheet 1 amended plan received 27 May 2016  
2562-D-20-002 REV E Elevations sheet 2 amended plan received 27 May 2016  
2562-D-20-003 Sectional Plans Showing Context  
2562-D-22-001 REV F Proposed Floor Plans amended plan received 20 May 16  
2562-D-90-002 REV B Proposed site layout and roof plan Amended plan received 20 May 16  
Planning Statement  
2562-D-90-001 OS Site Location Plan  
2562-D-90-003 Proposed Site Layout and Context  
12864-108 Topographical Survey  
12864-108 Utility Location Survey  
Y379/00/01 Drainage Layout (preliminary)  
Copy of Letter from Yorkshire Water dated 1st February 2016  
YK5053M-001 Site visibility  
YK5053M-002 Vehicle swept path analysis



Sustainability and Energy Statement by CJR Maintenance Solutions Ltd dated March 2016  
Ecological Appraisal by Ecus Environmental Consultants dated March 2016  
BS5837 Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated March 2016

L7570/1 Figure 2 Tree Survey and Tree Constraints Plan

L7570/02 Figure 3 Tree Protection Plan

L7570/03 Landscape Proposals and Planting Schedule

L7570/04 Outline specification and maintenance schedule

Transport Statement by Matrix Transport Planning dated March 2016

Phase I Desk Study 12864/5006 by Met Engineers dated December 2014

Phase II Desk Study 12864/5006 by Met Engineers dated July 2015

**Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.**

- 3 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

**Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**

- 4 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

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.

**Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.

**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**

- 6 Prior to occupation of the building, full details of lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to occupation of the building of the use and retained as such thereafter.  
**Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Core Strategy Policy CSP 40.**
- 7 Prior to occupation of the building, a waste management plan, detailing how waste generated by the development is dealt with, shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the approved waste management plan shall be fully implemented and complied with for the life of the development.  
**Reason: To ensure that all waste generated by the development is properly managed in accordance with policy WCS7 of the Barnsley, Doncaster and Rotherham Joint Waste Plan.**
- 8 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (ie not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: to ensure that satisfactory off street parking/manoeuvring are provided, in the interests of highway safety and the free and safe flow of traffic and in accordance with Core Strategy Policy CSP26, New Development and Highway Improvement.**
- 9 Sightlines, having the dimensions 2.4m x43m, shall be safeguarded at the entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.0m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 10 Visibility splays, having the dimensions 2.4m x 43mm, shall be safeguarded at the junction of Burleigh Street such that there is no obstruction to visibility and forming part of the adopted highway.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 11 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 Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 12 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:
- Measures to prevent parking on Burleigh Street.
- The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.  
**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**
- 13 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 in accordance with CSP26.**

- 14 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected to the car park. The boundary treatment shall be completed before the medical centre 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 in accordance with Core Strategy Policy CSP 29, Design.**

### 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 must contact Highways & Engineering tel 01226 773555 prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.
2	The developer is advised to consult the Police Secured by Design document entitle "Commercial Developments 2015" for the security standards required fo the physical security of the buildings and stores that have been proposed. <a href="http://www.securedbydesign.com/wp-content/uploads/2015/05/SBD_Commercial_2015_V2.pdf">http://www.securedbydesign.com/wp-content/uploads/2015/05/SBD_Commercial_2015_V2.pdf</a>
3	The development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval
4	You will require Building Control Regulations Approval in addition to Planning Permission. Please contact <a href="mailto:buildingcontrol@barnsley.gov.uk">buildingcontrol@barnsley.gov.uk</a>

Signed   
Joe Jenkinson

Dated 27 September 2016

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.