BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0971

To LNT Construction
Helios 47
Isabella Road
Leeds
LS25 2DY

DESCRIPTION Removal of condition 6 of app 2011/1284 - Erection of a care home - relating to highway works.
LOCATION Former Ward Green Primary School High Ridge Worsbrough Barnsley S70 5HL

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 September 2012 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun before the 30th March 2015.
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 in strict accordance with the amended plans and specifications received on 15th March 2012 (Drawing No. S70 5HL-A-03B Site Layout S70 5HL-A-10 Elevations) and details contained within the following reports:

Transport Statement and Travel Plan dated Oct 2011
Planning Statement dated Oct 2011
Flood Risk Assessment dated Oct 211
Desk Study Report ref 552008DS dated Sept 2011
Arboricultural Report Prepared by JCA re 10351/AB
Foul & Surface Water drainage detailed on drawing S70 5HL-B-05
Construction Method Statement S70 5HL-A-12A
Boundary Treatment & Hard Landscaping Plan S70 5HL-D-01.1
Tree Protection / Fencing Plan S70 5HL-D-01.1 & S70 5HL-D-01.2
Energy Statement dated June 2012

Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with Core Strategy Policy CSP 29, Design.

Stephen Moralee

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

Signed
Assistant Director, Planning and Regulatory Services

Dated 13 December 2012

Planning and Regulatory Services **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

3 The development shall be carried out in accordance with the materials approved under correspondence issued to the developer (LNT Construction) on the 28th August 2012.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

4 No building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the sewer which crosses the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times.

5 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

6 The parking/manoeuvring facilities indicated on the approved plan shall be hard surfaced in a solid bound material and provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interests of road safety.

7 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents

8 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, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

9 No part of the development shall be occupied or brought into use until the approved drainage scheme (S70 5HL-B-05) has been fully implemented. The scheme shall be retained throughout the life of the development.

Reason: In the interest of reducing flood risk in accordance with Core Strategy policy CSP 4.

10 The approved Construction Method Statement (S70 5HL-A-12Ashall be adhered to throughout the construction period.

Reason: In the interest of highway safety and visual & residential amenity, in accordance with Core Strategy policies CSP 26 and CSP 40.

11 The approved hard landscaping details and boundary treatments shown on the Boundary Treatement & hard landscaping Plan (S70 5HL-D-01.1) shall be implemented prior to the occupation of the building.

Reason: In the interest of visual amenity, in accordance with Core Strategy policy CSP 29.

12 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the

site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.

13 No hedges or trees on the site (either to be retained or proposed as part of an approved landscaping scheme) or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

Reason(s) for Granting Permission

1	Unique	The deletion of the condition would not have an adverse impact upon highway safety and as such is not considered to run contrary to the advice of policy CSP26. It is not considered relevant or necessary to the planning permission.

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	The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included: - Collapse of shallow coal mine workings; - Collapse of, or risk of entry into, mine entries (shafts and adits); - Gas emissions from coal mines including methane and carbon dioxide; - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide; - Transmission of gases into adjacent properties from underground sources through ground fractures; - Coal mining subsidence - Water emissions from coal mine workings. Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated. The above advice applies to the site of your proposal and the surrounding vacinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com
2	The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

	If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.
3	The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Core Strategy and saved policies of the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance: Core Strategy CSP26 'New Development and Highway Improvement' SPDs/SPGs SPD Parking Circular 11/95 Use of Conditions in Planning Permission NPPF Paragraph 32 This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

NOTES:-

Appeals to the Secretary of State

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

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

Purchase Notices

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

Compensation

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

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PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772599**