



**GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/1460

**To** Architectonic  
3A Bridgewater Street  
Liverpool  
L1 0AR

**DESCRIPTION** Variation of condition 2 of app 2014/0570 (Increase height of building by two floors and rearrange internal layout to provide 27 additional apartments and residents gym and associated external alterations) to allow removal of balconies from all apartments

**LOCATION** Land at Heelis Street, John Street, Burleigh Street, Barnsley, S70 1LW

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 17 December 2015 and described above.


The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved (outlined below) unless required by any other conditions in this permission.

14-021-01-E 'Lower Ground Floor Plan'  
14-021-02-B 'Upper Ground Floor Plan'  
14-021-03-D 'First Floor Plan'  
14-021-04-D 'Second Floor Plan'  
14-021-05-D 'Third Floor Plan'  
14-021-06-D 'Forth Floor Plan'  
14-021-07-D 'Fifth Floor Plan'  
14-021-08-D 'Sixth Floor Plan'  
14-021-09-D 'Seventh Floor Plan'  
14-021-10-E 'Eighth Floor Plan'  
14-021-11-E 'Ninth Floor Plan'  
14-021-12-A 'Tenth Floor Plan'  
14-021-17-E 'Elevations'

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

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

Signed   
Head of Planning and Building Control

Dated 22 February 2016

- 2 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. 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 areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 3 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 4 Prior to the occupation of the first apartment a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.  
**Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.**
- 5 Prior to the occupation of the first apartment details of all highway retaining structures, including specification and calculations, shall have been submitted to and approved in writing by the Local Planning Authority, and the development shall then be carried out in strict accordance with the approved details.  
**Reason: To ensure that the highway is appropriately retained in the interests of safety in accordance with Policy CSP26 New Development and Highway Improvement.**
- 6 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.**
- 7 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 interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 8 Within 3 months of the date of the decision, full details of an external lighting strategy for the building shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the specification, location, orientation, angle and luminance of the proposed lighting. The approved details shall be implemented prior to occupation of the building and retained as such thereafter.  
**Reason: To promote the appearance of the building in the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 9 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 and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 10 Prior to the occupation of the building full details of the maintenance schedule for all external areas and façades of the new building (for the next 10 years) shall be submitted to, and approved in writing by the Local Planning Authority.  
**Reason: To ensure the highest quality of development and to protect or improve the setting of the adjacent conservation area in accordance CSP 29 and CSP30 of the Barnsley Core Strategy.**

## **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 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.

- 2 Your attention is drawn to the fact that it will be necessary for you to contact Mr Gary Handley on 01226 772017 in respect of the vehicular footway crossing required.

## **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.