



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/1264

To JBA Consulting
Salts Mill
ShIPLEY
BD18 3LF

DESCRIPTION Planning application for wetland and habitat creation schemes comprising of works to two sites as follows:-

Site A Land parallel to Ings Lane and south of Bulling Dyke - creation of new wetland area and associated feature including control structures, bund and diversion of part of Bulling Dyke.

Site B Land south of Aspen Grove, Fern Close, Celandine Grove, Maytree Close, Mulberry Close and Honeysuckle Close - Creation of new wetland and wet meadow areas and associated features including construction of bunds and drains.

LOCATION 2 Sites:, Land South of Doveside Drive, Wombwell, Barnsley, Land North of Everill Gate Lane, Wombwell, Barnsley ,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 31 October 2017 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 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:

Doveside Access Plan (July 2018)
Preliminary Ecological Assessment Survey (July 2018)
WATI Location Plan 2016s3858-WT01
Archaeological Evaluation Reprt no.3136 (June 2018)
Doveside Flood Risk Assessment (Final Report August 2017)
Doveside: Geo-Environmental Appraisal January 2017
Doveside Wetland Design (September 2017)
Doveside Boundary Plan DS02
2016s3858-WT03-2-Outline G.A (rev 2)
2016s3858-WT04-2-Inset Plan 1 (rev 2)
2016s3858-WT05-2-Inset Plan 2 (rev 2)
2016s3858-WT06-1-Sections 01 (rev 1)
2016s3858-WT07-2-Sections 02 (rev 2)
2016s3858-WT08-1-culverts Under (rev 1)
2016s3858-WT09-Eel Ladder
2016s3858-WT10-1-culvert head walls
2016s3858-WT11-culverts head walls -2
2016s3858-WT12-1-Earth Works Zones
2016s3858-WT16-Stoplog Structure
2016s3858-WT09-Footpath Diversion Plan (Rev V1.0)
Bat Activity Survey Report (Doveside)
Great Crested Newt Survey Report (Doveside June 2017)
Wombwell Wetlands and Doveside Water Vole Surveys (September 2017)
Wati Access Plan (Jult 2018(1))
Wati Boundary Plan (July 2018)
Wombwell Wetlands Ground Investigation (Novermber 2016)
Wings Across the Ings Archaeology and Heritage Statement A1010 (July 2018)
Wombwell Wetlands and Doveside Tree Report (December 2017)

unless required by any other conditions in this permission.

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

- 3 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in wiritng by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.

- 4 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 1300 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.

- 5 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

The programme and method of site investigation and recording.

The requirement to seek preservation in situ of identified features of importance.

The programme for post-investigation assessment.

The provision to be made for analysis and reporting.

The provision to be made for publication and dissemination of the results.

The provision to be made for deposition of the archive created.

Nomination of a competent person/persons or organisation to undertake the works.

The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

- 6 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey:

The Construction Method Statement before any works commence;

The pre-construction badger survey;

The invasive plants summer survey prior to construction commencing;

Including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

- 7 Prior to any work commencing, the applicant shall submit to BMBC for their approval a noise and dust management plan detailing how they will control noise and dust during construction. Once approved the applicant shall adhere to the noise and dust management plan at all times.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 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 in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity

9 The erection of barriers and any other measures specified 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.

10 Prior to any work commencing the applicant shall submit a construction method statement detailing the routes to be taken, and types of vehicles to be used, during the construction period. The approved statement shall then be adhered to throughout the construction period

Reason: In the interests of highway safety in accordance with CSP26

11 Upon commencement of works on the Doveside Scheme a Management Plan detailing the ongoing management of the Doveside wetland habitat shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of how water levels on the site will be monitored and managed in consultation with local residents and the Management Plan shall be implemented in accordance with the approved details for the lifetime of the development.

Reason: In accordance with Core Strategy Policies CSP 36, CSP 29 and CSP 3.


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.

Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 25 October 2018

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.