



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/1417

To Bond Bryan Architects
400 The Church Studio
Springvale Road
Sheffield
S10 1LP

DESCRIPTION Erection of 9 detached pods and creation of associated landscape featured and paths

LOCATION Burntwood Sports and Leisure Centre, Common Road, Brierley, Barnsley, S72 9ET

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 16/02/2021 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:

- Location Plan BNWD-BBA-00-ZZ-DR-A-1000 P03
- GA Plan - Type C - P03 BNWD-BBA-02-FF-DR-A-2206
- GA Elevations - Type C - P03 BNWD-BBA-02-XX-DR-A-3303
- GA Sections - Type C - P03 BNWD-BBA-02-XX-DR-A-4503
- GA Plan - Type A - P01 BNWD-BBA-00-GF-DR-A-2201
- GA Plan - Type A - P01 BNWD-BBA-00-RF-DR-A-2202
- GA Elevations - Type A - P01 BNWD-BBA-00-XX-DR-A-3301
- GA Plan - Type B- P01 BNWD-BBA-01-RF-DR-A-2204
- GA Plan - Type B - P01 BNWD-BBA-01-GF-DR-A-2203
- GA Elevations - Type B - P01 BNWD-BBA-01-XX-DR-A-3302
- Landscaping Planting Strategy BNWD-BBA-ZZ-XX-DR-A-1010
- Planting Schedule P03 (BNWD-BBA-ZZ-ZZ-SH-L-002)
- Landscape Maintenance and Management Plan (to 30 years) BNWD-BBA-00-XX-RP-L-1003-P02

unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3 Notwithstanding the approved plans, on commencement of development, a revised version of the Landscape Management and Maintenance Plan, cross referencing its habitat management with the Biodiversity Net Gain Condition Assessment for Grassland in the Defra Metric 2.0 Technical Supplement shall be submitted to and approved in writing by the Local Planning Authority. The development and long-term management (to 30 years) shall be carried out in accordance with the approved details.

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.

4 Upon Commencement of development an ecologically sensitive lighting plan for the proposed development including the following details: lighting types, strengths, positioning and a lighting plan showing luminance and light spill, shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To minimise light pollution in accordance with Local Plan Policy BIO1, Biodiversity.

5 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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.

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 will require the realignment of one or more public rights of way. Any changes to public rights of way are subject to a separate legal process and public consultations, which must be confirmed before any works take place. Planning permission does not grant permission to build over public rights of way unless this legal process has been satisfied. The Council's Public Rights of Way Department should be contacted to discuss the proposals and an application should be submitted as early as possible to minimise the risk of delays to development. For more information contact publicrightsofway@barnsley.gov.uk
- 2 A public right of way runs alongside the proposed development site. Safe public access on the right of way should remain available whenever possible, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time then a temporary closure should be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact publicrightsofway@barnsley.gov
- 3 The contractor shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the public highway is an offence under provisions of the Highways Act 1980.
- 4 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.

- 5 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.

Further information is also available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2021 until 31st December 2022

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 20/08/2021

A handwritten signature in black ink, appearing to read 'JM Jenkinson', written in a cursive style.

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.