BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0029

To Freeman Design and Surveying Consultancy Ltd
3 Meadow Croft
Swinton
Mexborough
S64 8EL

DESCRIPTION Conversion of existing offices on first, second and third floors into 14no self contained residential flats

LOCATION Arcadia House, 72 Market Street, Barnsley, S70 1SN

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 28/02/2023 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT 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 (Nos.FC/2020,90-01-Rev C & FC/2020-02-Rev C) and specifications as approved 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 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, 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 order to ensure compliance with Local Plan Policy I1.

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 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 Local Plan Policies GD1 General Development Policy and POLL1 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.
-Identification of a person / persons to be on site and present during the soft strip preparatory demolition works who will undertake a watching brief
-In relation to the watching brief, if any historic fabric of interest is identified during the soft strip exercise the LPA Conservation Officer should be contacted to allow a further assessment of the impact of the works (before works continue).
-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 first occupation of the development hereby permitted, the scheme for the parking of bicycles as shown on drawing FC/2020.90 01 Rev. C shall be fully implemented and thereafter retained for this purpose.
Reason: In the interests of encouraging the use of sustainable modes of transport.

7 Prior to the occupation of any of the approved residential units, the noise mitigation measures described in report 'Noise Impact Assessment' produced by Environmental Noise Solutions dated 12 October 2022, ref: NIA-10519-22-10693-V0.1, shall be implemented in full:-

-All bedrooms provided with glazing with a noise rating of at least 33dB Rw+Ct
-Through frame trickle ventilation shall not be installed in any room
-Acoustic over-frame trickle vents rated at least 42 dB Dn,e,w per 8000 mm2 EA (vent open)
-Acoustic wall vents rated at least 42 dB Dn,e,w per 8000 mm2 EA (vent open),
-Living/dining rooms should be provided with enhanced glazing rated at least 29 dB Rw+Ctr (such as 8 mm float glass / 6-20 mm cavity / 4 mm glass) in conjunction with acoustic trickle vents rated at least 39 dB Dn,e,w per 5000 mm2 EA (vent open)
-The inner face of any lightweight external walls or ceilings should be upgraded with 1 x 12.5 mm layer of dense plasterboard

Once the acoustic product is selected, a qualified and competent acoustic consultant shall confirm the product meets the requirements specified above and confirmation shall be sent to the Local Planning Authority. The required installations shall be maintained for the lifetime of the development thereafter.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

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 The granting of planning permission does not affect the status of species such as owls and bats, which have protection under other legislation. These may be present and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

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: 13 December 2023



Garry Hildersley
Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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 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.