BARNSLEY
Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0304

To JVH Town Planning Consultants
Houndhill Courtyard
Houndhill
Marchington
Staffordshire
ST14 8LN

Proposal: Erection of hotel/bar/restaurant and two roadside restaurants (Reserved matters of 2010/0107)

At: Land off Barnsley Road, Goldthorpe, Rotherham, S63 9LB

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 05 April 2012 and described above, being matters reserved in the permission granted on 08 February 2010 under Application 2010/0107.

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

1 The development hereby approved shall be carried out strictly in accordance with the following plans and specifications as approved unless required by any other conditions in this permission:-
-BDG drawing no 2545/01 'Location Plan'
-BDG drawing no 2545/03 Rev A 'Proposed Site Plan'
-BDG drawing no 2545/04 'Proposed Hotel Floor Plans'
-BDG drawing no 2545/05 'Proposed Hotel Elevations'
-BDG drawing no 2545/06 'Proposed Public House/Restaurant Floor Plans'
-BDG drawing no 2545/07 'Proposed Public House/Restaurant Elevations'
-BDG drawing no 2545/08 'Proposed Restaurant A Plans and Elevations'
-BDB drawing no 2545/09 'Proposed Restaurant B Plans and Elevations'
-Martin F. Holland drawing no 1A 'Landscaping Proposals (apart from the area around restaurant B which has now been superseded in part and now forms condition 17 of this consent)
Martin F Holland 'Specification for Soft Landscaping Works'.

Reason: In the interests of the visual amenities of the locality and in accordance with LDF 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 04 July 2012

Planning and Regulatory Services
PO Box 604, Barnsley, S70 9FE
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2 No development shall take place until full details of the proposed external materials have been 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 LDF Core Strategy Policy CSP 29, Design.

3 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.

Reason: To prevent mud/debris from being deposited on the public highway in the interests of highway safety in accordance with Core Strategy policy CSP 26.

4 The parking/manoeuvring facilities indicated on the approved plan shall be 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.

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 in accordance with Core Strategy policy CSP 26.

6 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.

Reason: In the interests of highway safety in accordance with Core Strategy policy CSP 26.

7 Development shall not commence until details of all highway retaining structures, including specification and calculations, 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: In the interests of highway safety in accordance with Core Strategy policy CSP 26.

8 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;
-Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.

9 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 others of similar size and species.

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

10 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.

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

11 Prior to occupation of the building/commencement of the use, full details of lighting for the car parks and any external security lighting to be fitted to the buildings shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to occupation of the building/commencement of the use and retained as such thereafter.

Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Core Strategy Policy CSP 40.

12 Prior to occupation of the buildings, full details of any externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: In the interest of visual and residential amenity in accordance with Core Strategy Policy CSP 40.

13 Prior to occupation of the roadside restaurants, a scheme describing the methodology to be employed to control litter and minimise waste from being deposited in the street shall have been submitted to and approved in writing by the Local Planning Authority. Such scheme shall, amongst other matters, provide details of the packaging to be used, any litter bins to be provided and any signage to be displayed on the premises advising customer of the need to dispose of litter in appropriate litter bins or other facilities. Any litter bins or other facilities provided pursuant to the requirements of this condition shall be provided prior to the roadside restaurants being brought into use and shall retained and maintained for the duration of the development and operate in complete accordance with the approved scheme.

Reason: In the interests of the visual amenity of the locality in accordance with Core Strategy Policy CSP 40.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no new fences, gates or walls shall be erected within the site, which would otherwise be permitted by Part 2, Class A of Schedule 2.

Reason: To enable the effects of any proposed development on residential and visual amenity to be considered.

15 Restaurant B shall not be occupied until a soft landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in substantial in accordance with the specifications on Martin F. Holland drawing no 1A 'Landscaping Proposals'. The planting shall thereafter be carried be implemented in accordance with the approved details and the requirements of conditions 9 and 10 of this consent.

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

Reason(s) for Granting Permission

1 Unique In the opinion of the Local Planning Authority, the application for the approval of reserved matters of outline planning permission reference 2010/0107 is acceptable in that:-

The layout, scale, means of access and landscaping proposals are in accordance with the principles approved as part of outline planning permission reference 2010/0107, as set out in the conditions (in particular numbers 1, 2, 5, 8, 12 and 13).

The proposals have been assessed to be acceptable in design and external appearance terms in that the plans are considered to meet a satisfactory standard of design in relation to CSP Policy CSP29 'Design' and Paragraph 60 of the NPPF. The plans are also considered suitable for this form of development.

The site would also be landscaped to a high standard which would have the effect of integrating the site in with its green surroundings and soften and screen the appearance of the development.

The proposals are also considered reasonable in a residential amenity context, subject to the provision of conditions requiring the prior approval of externally mounted plant, lighting for the car parks and buildings, any speaker systems for the roadside restaurant drivethroughs, a litter management plan and a construction management plan.

The proposed means of access into the development has been assessed to be acceptable in Highway Safety terms, subject to arrangements being entered into to ensure the delivery of the works shown on the plan. This makes the proposal in accordance with the plan approved at the outline stage and condition 12 of the permission. In addition it accords with UDP site allocation policy UDP Policy DE6 'Hotel/Motel Development'. In addition the layout and circulation areas have been assessed by highways to be acceptable taking into account all considerations including service deliveries, waste collection and parking provision.

2 Unique The assessment has also considered other material considerations raised including surface water run off and coal mining risk. However, no issues have been raised that are not already referred to by conditions/informatives on the outline planning permission.

In the opinion of the Local Planning Authority, there are no other material considerations that indicate a decision should be taken at variance to the above planning policies and guidance.

Informative(s)

1 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.
2 The proposed development lies within a coal mining area which may contain mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.