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**Ref 2021/0015**

Applicant: The Department for Education

Description: Erection of Temporary Secondary School and associated works including access road, parking and external play areas

Site Address: Land off Keresforth Close, Barnsley

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12.No Objections have been received. One objector has requested to speak at PRB against the application.

### **Site Description**

The application relates to part (0.9Ha) of an open field which is bound by Keresforth Close to the North, Broadway to the West (A6133), allotments and residential development to the South and the Keresforth Centre (vacant NHS buildings) to the East. The site is mainly laid to grass and has previously been used as a playing field.

Beyond Keresforth Close to the North, adjacent to the junction with Broadway, is Keresforth Court, an existing residential apartment development. Immediately adjacent to the recent residential conversion of existing NHS buildings which form 13no. dwellings.

The site is allocated for new housing development and green space in the Local Plan under policy MU4, with an indicative number of dwellings of 150 to be delivered.

### **Background**

In December 2018 a Secondary School Place Planning Cabinet Report (Cab.12.12.18/6) identified that there was demand for at least 744 additional secondary school places (87 in September 2020 plus 657 additional places between 2020-27). The following recommendations were therefore approved:

- That the Council continues to engage with, and support, Multi Academy Trusts that express an interest in opening a Free School within Barnsley.
- That the Council as a nominated eligible local authority applies to receive the new Presumption Free School Grant.
- That the Council supports the provision of temporary accommodation for the academic year commencing September 2020, which may be run by a Free School in the event of a Multi Academy Trust application being successful as a new Free School would not be built by this date.
- That in the event of a Free School application being unsuccessful, that the Council accommodate the demand for pupils in 2020 within its existing estate.

**On the 18<sup>th</sup> March 2020, Cabinet approved a report (Cab.18.3.20/18) recommending the a free school as the preferred use for the Keresforth Close site (which was allocated as a mixed use site in the Local plan) and that the site be transferred to the Secretary of State for Housing, Communities and Local Government (DHCLG), subject to the necessary planning consents being achieved. This was accompanied by the following recommendations:**

- The Corporate Asset Manager works with the DfE and Trinity MAT to agree Heads of Terms for a transfer of the land and the delivery of a free school on the site.
- The Executive Director Core Services be authorised to complete the above transaction with legal completion being subject to gaining the necessary planning consents, noting the assurance of the minister through his agents that the planning proposal will include the provision of a publicly accessible area of open space as an integral part of the development of the site.
- Cabinet approves the principles set out in this report and supports the continued collaborative working with public sector partners under the One Public Estate Programme.
- The Council will continue to work with the other parties who have expressed interest in this site to accommodate them elsewhere on council owned assets
- The objections to the Local Government Act Notice be noted and considered by Cabinet.

**The approval of this recommendation** was based on a requirement for a new secondary school in the central Barnsley area from September 2021 and in recognition of Trinity being identified by the DfE as the successful multi academy trust to provide a new secondary free school within the central school place planning area. Prior to Cabinet approving the recommendation, Trinity MAT and LocatED, in consultation with Council officers, concluded a comprehensive site search and identified this Keresforth Close site as the only site in the central planning area that meets with the requirements for a new secondary school. This was in part because it is in the freehold ownerships of the public sector and can be delivered relatively quickly.

Given the lead in times, including the need to obtain planning permission, it had already been recognised that a permanent school would not be available for use by September 2021 and so the DfE began working up a planning application for the proposal described below.

### **Proposed Development**

Due to an increasing demand for student places there is a local requirement to provide suitable teaching and learning accommodation for 360 students over the next 2 years starting from September 2021. The current proposal seeks to provide this accommodation in a temporary school on the site identified by Cabinet as the location of a permanent secondary school until such time as the permanent school is provided (anticipated September 2023 opening, subject to planning permission being forthcoming).

The proposed development comprises the erection of a temporary school building and associated hard-surfaced play and sports facilities, access and parking.

The building would be located to the North East of the existing playing field and would be central between two hard-surfaced play areas to the North and South. The building would be constructed from modular units stacked 2 storeys high and have a gross internal area of 1,942sqm.

The building will be faced in painted steel in dark and light grey and have a simple, repeating elevational pattern/fenestration.

The site will be secured with 2.4m high boundary fencing.

Vehicular access to the site would be taken from Keresforth Close. With the site there will be 4 visitor spaces and 2 accessible spaces to the West of the building. Staff Parking and pupil drop off/pick up will be provided to the East, making use of the existing parking areas (43 spaces) at the Keresforth Centre.

While the entire building would be constructed at once, a cohort of 180 pupils will enter the school in 2021, with the next 180 entering in 2022, resulting in a total of 360 pupils.

## **Policy Context**

The site has a mixed-use allocation (MU4) in the Local Plan and the following policies are relevant;

### Local Plan

Policy GD1 – General Development  
Policy GD2 – Temporary Buildings and uses  
Policy T3 – New Development and Sustainable Travel  
Policy T4 – New Development and Transport Safety  
Policy D1 – Design  
Policy GS1 – Green Space  
Policy GS2 – Green Ways and Public Rights of Way  
Policy CC1 – Climate Change  
Policy CC2 – Sustainable Design and Construction  
Policy BI01 – Biodiversity and Geodiversity  
Policy Poll1 – Pollution Control and Protection  
Policy RE1 – Low Carbon and Renewable Energy  
Policy MU4 Site specific policy

### SPD's

- Parking
- Residential Amenity and the Siting of new buildings
- Sustainable travel

### Other

Sport England provide statutory planning guidance on developments which may affect playing fields. The latest version of the guidance was published in March 2018.

The Playing Fields policy states:

*“Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:*

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field.

*Unless, in the judgement of Sport England, the development as a whole, meets with one or more of five specific exemptions.”*

Secondary School Place Planning Cabinet Report – 12th December 2018

A report was submitted to Cabinet for approval on 12th December 2018 which highlighted the rising demand for school places in the ‘central planning area’, which covers central Barnsley, within which the application site is located. It indicates that

*“from September 2020 to September 2027 the cumulative peak demand indicates a requirement for an additional 657 places. There is a demand for an additional 87 places in September 2020”.*

Keresforth Close Barnsley – Free School Proposal Cabinet Report – 18th March 2020

Further to the above, a report was submitted to Cabinet on the 18th March 2020 for approval to ‘designate’ the Keresforth Close site as a site for the Free School and to work with the DfE and Trinity MAT to deliver the site.

### NPPF

The NPPF sets out the Government’s planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 94 - notes that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- Work with schools’ promoters to identify and resolve key planning issues before applications are submitted.

Para 97 - considers that existing open space, sports and recreational buildings and land, including playing fields should not be built on, unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

- the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Para 109 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 111 - requires all developments that generate significant amounts of movement to be supported by a Transport Assessment.

Para 124 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

### Status of the Cabinet Decision

The approval of the recommendations to cabinet within report Cab.18.3.20/18 represent another material consideration to be weighed against the site-specific local plan policy (MU4).

### **Consultations**

Highways England – No comment.

SYAS – No comments.

Sport England – No objections subject to conditions.

Yorkshire Water – No objections.

Air Quality – No Objections.

Regulatory Services – No Objections subject to conditions.

Highways – Concerns over the lack of operational assessment.

Public Rights of Way – No objections.

Education – No objections.

SYMAS – No objections subject to conditions.

Coal Authority – request further information.

Contaminated land Officer – No objections subject to conditions.

Tree Officer – No objections subject to condition.

Drainage – No objections subject to condition.

Broadband – No objections subject to condition.

South Yorkshire Police ALO – No objections.

Ward Cllrs –Councillor Mitchell requested the application goes to PRB & a neighbouring Ward member for Dodworth Ward (Cllr Fielding) raised the following points-

- Concerned as to the reason for delaying PRB to the 23<sup>rd</sup> February.
- Dodworth Ward members were not consulted despite the application affecting residents in the adjacent Dodworth Ward.
- Findings of the site search have not been published
- No information submitted regarding the permanent school alongside the temporary school application
- Concerns raised regarding the number of parking spaces and number of car journeys expected. Need more information on active travel.
- Potential impact on the residents of Keresforth Close as a result of increased traffic

## **Representations**

The application was advertised by neighbour notification letters, site notice and Press Advert. 12 letters of objection were received. The main points of concern are:

- Reduced highway safety
- Increased noise and disturbance
- Ecological/environmental impact to the wildlife
- Would set the principle for a larger permanent school
- Site unacceptable for a school
- Close to an existing secondary school
- Potential pupil rivalries with neighbouring schools
- Loss of Green Space

## **Assessment**

### Principle of Development

The site is allocated for mixed use in the Local Plan comprising of residential use and greenspace with an indicative residential yield of 150 units. If this site were to be used for other purposes then, in theory, these units would have to be provided elsewhere but it should be borne in mind that this proposal is temporary for 2 years in comparison to the Local Plan Period which runs to 2033 and so site allocation MU4 could still come forward as one of the future options for the site within the plan period. Also establishing the significance of this it is important to note that 150 units represents less than 0.7% of the 21,546 net additional homes anticipated during the period 2014 to 2033. In addition, when the Local Plan was being examined, the Council adopted a relatively cautious approach to our windfall allowance (i.e. the number of new homes anticipated to come forward on sites not allocated specifically for residential development). Such windfall development generally involves future brownfield development or conversion of buildings to residential use. The rationale for this conservative approach was in recognition of the fact that, inevitably, not all site allocations would come forward as per the indicative yields. Typically, this will be because landowners may change their minds and decide not to make their land available for residential use or because of constraints are subsequently identified that could not have been foreseen when the Local Plan was being examined. This conservative approach therefore means that, all things being equal, we should still be able to meet the anticipated new additional homes identified in the Local Plan even if sites such as MU4 do not provide the anticipated housing yield. Also a 2 year temporary permission delays rather than prevents site allocation MU4 coming forward at a later stage of the plan period as one of the future development options for the site.

Also since the Local Plan was adopted the Government has proposed changes to permitted development rights to include conversions from business uses to residential this could result in additional windfall development. Accordingly, only limited weight is attributed to the loss of housing capacity as a result of this alternative proposal not least as it is only temporary in nature pending a separate application for a permanent school.

Paragraph 94 of the NPPF notes that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting the requirement of there being a sufficient choice of school places available. Further to this, paragraph 94 also states Local Authorities should “*give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications*”.

Local Plan Policy I2 ‘Educational and Community Facilities’ states ‘we will support the provision of schools, educational facilities and other community facilities. New Schools...should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport.

The supporting text to policy I2 sets out that one of the borough’s ambitions is to invest in education and skills to support the development of the economy and increase educational attainment. It is important that everyone has access to a good education.

Policy GD2 provides specific support for temporary buildings especially where it can be demonstrated that urgent accommodation is needed pending the completion of a permanent building. In this case, the proposed development of a temporary school is essential in order to provide school places to children from September 2021 onwards, in advance of the completion of a permanent school.

The Secondary School Place Planning Cabinet Report published in December 2018 makes clear that there is a demand for at least 744 additional secondary school places (87 in September 2020 plus 657 places between 2020-27), although noting that with the number of dwellings proposed in the draft Local Plan at the time that this demand could increase to 1,360 secondary places.

Further, the Keresforth Close Barnsley – Free School Proposal Cabinet Report (March 2020) makes clear that the LPA approved the designation of the Keresforth Close site as suitable for a Free School and that the LPA would work with the DfE and Trinity Multi-Academy Trust to deliver the site, subject to planning permission.

Given the comments above, the principle of development of a temporary school is acceptable, given the urgent need for additional school places within the Borough and the national aim of delivering additional school places as identified in the NPPF.

All new buildings must ensure that overall standards of residential amenity are provided or maintained to an acceptable level for existing and future neighbouring residents and land users. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

### Design

The proposed building would be located centrally within the site and be constructed of modular units, stacked 2 storeys high, and positioned in a repeat pattern. The units would be painted in light and dark greys.

Given the site is within the North Eastern corner of the existing playing fields, the building would be set back from Broadway and also set in from Keresforth Close. As such, given the modest height of the building and its incorporation of a flat roof, it would not be a prominent feature within the streetscene, in accordance with Local Plan Policy D1. Views of the site are further restricted by the row of trees along the South Eastern and South Western boundaries of the wider site, as well as the level drop from Broadway to the Eastern boundary.

Although set away from the residential development to the South of the site, it would be viewed in the context of the buildings along Keresforth Close, including the 3-storey block on the corner of Broadway and Keresforth Close. As such, the building would not appear isolated. It should also be noted that this building is only temporary for a period of 2 years, the building can simply be removed, and the ground restored after the required period. Any future permanent buildings on or around this site will be assessed on their own merits through future planning applications.

### Residential Amenity

The residential properties to the South of the site would be separated from it by the remaining playing fields/green space. There are 13 dwellings off Keresforth Close which have recently been converted from NHS buildings and there is also an apartment block, Keresforth Court, on the corner of Broadway and Keresforth Close. However, again, there is a significant separation distance between the proposed building and the residential properties, in accordance with SPD 'Residential Amenity and the Siting of new Buildings'.

Furthermore, the proposed building is only 2 storeys high with a flat roof, as such, it would be a relatively modest addition. Therefore, it would not significantly increase overshadowing or be an overbearing feature, in accordance with Local Plan policy GD1.

A school would inevitably result in some noise and disturbance, especially during pick up/drop off times as well as break times. However, this site has been earmarked for development in the local plan and is surrounded by relatively dense development. Furthermore, it is immediately adjacent to the Keresforth Centre, a noise generating use, which is significantly larger than the proposed temporary school and would have ceased operations by the time the school opens.

The school is also only proposed for a temporary period of 2 academic years and the first year the school would be at half capacity. In anycase, the school would only be operating during sociable hours during weekdays, as such, any noise and disturbance generated would not be to an unreasonable degree and would maintain residential amenity, in accordance with Local Plan policy GD1.

### Highways

As outlined above, vehicular access to the site would be taken from Keresforth Close. It is noted that Keresforth Close is not an adopted highway, however, it is a long-established access to the Keresforth Centre, which is now largely vacant, and also serves Keresforth Court and the 13 residential dwellings which were recently converted from NHS buildings. Future permanent developments on and around the site would likely require the road being brought up to adoptable standards, however, given its current and previous use it is acceptable as it stands to serve the temporary permission, especially as the Keresforth Centre is due to fully close prior to the school opening.

Within the site itself there would be 4 visitor spaces and 2 accessible spaces provided to the West of the building, alongside a turning area. The staff parking and pupil drop-off/pick-up would be provided to the East, making use of the existing, vacant parking areas at the Keresforth Centre which equates to a further 43 spaces, 49 spaces in total across the 2 sites. The existing one-way system in operation at the site will be retained.

SPD 'Parking' requires 2 spaces per staff member and 1 space for every 15 students, in this case that equates to a requirement of 45 spaces, as outlined above 49 are proposed.

The pick-up and drop-off bay will be 2.5m wide allowing for cars to park parallel to the road and then drop students onto the new footpath to the west of the car park. This footpath then connects into the existing footpath along Keresforth Close and then to the school.

NPPF Paragraph 109 states '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'. To help understand whether this is the case, a Transport Statement has been submitted alongside the application. The statement assesses the current proposal against the Keresforth Centre, which utilises the same access. The Keresforth Centre is due to fully close in April 2021, prior to the opening of the temporary school in September 2021. The Keresforth Centre provides 6,200sq.m of clinic, care and therapy facilities split across 8 buildings. The proposed school is for 1942sq.m of floor space within a single building.

The Transport Statement concludes that the temporary school, when fully occupied, would result in a positive (reduction) of trips across the PM peak and typical school PM peak periods, as well as throughout the day. There is a net increase predicted during the AM peak hour period, in comparison to the Keresforth Centre, but the expected level can be accommodated on the local highway network without detriment to the operation of the network or highway safety.

The Councils Highways team have stated their preference for a detailed Transport Assessment rather than a Transport Statement as this would have included an operational assessment to fully understand the existing and future operation of the transport network. However, it should be noted that the school plans a phased intake of pupils with only 180 pupils due in September 2021. The site would not be fully operational or fully occupied until September 2022 and that would only be for 1 academic year until a permanent solution is agreed.

By the time the school is fully occupied transport improvements would have taken place within the area, namely the gyratory at Penny Pie Park to the North West of the site which links junction 37 of the M1 with one of the principal routes into Barnsley town centre on Dodworth Road and also links to the hospital via Pogmoor Road, as well as the application site via Broadway.

It is acknowledged that there could still be pressure on other junctions within the surrounding area. However, given the urgent need to provide accommodation, that the proposal is temporary and that it has a phased opening, it is accepted that a detailed Transportation Assessment could not have been undertaken within the available timescale. In any case, even if the was available time, accurate surveying would have been difficult given reduced traffic levels on the network due to the impact of the pandemic. Importantly, the opening of the second phase in September 2022 would

coincide with the completion of the nearby Dodworth Road/Broadway gyratory. The absence of a transport assessment nonetheless inevitably create an element of uncertainty but, based on the above, the impact on the highway network would be not considered unacceptable or severe.

It should also be noted that this site was allocated for a mixed-use development (MU4), including up to 150 dwellings during the local plan process, as such, it has been identified that development in and around this site, including traffic generating schemes, is acceptable in principle.

Granted if an application for a permanent development on the site comes forward, this would be subject to a full Transport Assessment and any necessary improvement works and mitigation measures would be identified and considered under that application. This temporary application would not set a precedent as each application has to be assessed on their own individual merits.

Highways identified some areas in the application where further clarity was required, they agreed that these details could be dealt with via condition and have recommended suitably worded conditions to attach to the permission.

### Other Matters

#### **Loss of Playing pitches/Greenspace**

The proposed development would result in a temporary loss of 0.9ha of playing pitches as well as part of an area identified as greenspace. Sport England's Playing Field Policy makes clear that any loss of playing field land which does not meet one of their exceptions is considered to be unacceptable and would result in an objection from Sport England to a planning application.

Although the proposal is not included in the exceptions, it should be noted that the Playing Field Policy is intended to address developments which would result in a permanent loss of playing field land, and not necessarily temporary loss which would be outweighed by the future reinstatement of those playing fields.

Sport England have been heavily involved during pre-application discussions where they raised no objections in principle with the temporary loss of part of the playing field. This has further been confirmed through their consultation on the planning application where again no objections were raised, subject to suitably worded conditions.

The proposal will result in the temporary loss of land identified as playing fields and greenspace but on the basis that an extensive area of land will still be available for community use, and the fact that the scheme will bring with it clear benefits in terms of meeting the need for school places, it is considered that the proposal does not conflict with Policy GS1 and is acceptable under the terms of Policy GD2.

Furthermore, Sport England gathered the views of a number of National Governing Bodies for sport including the Football Foundation (FF), the Rugby Football Union (RFU) and England Cricket Board (ECB). All of the bodies confirmed that they were not currently using the playing field and raised no objections to the temporary loss.

#### **Ecology**

The applicant has submitted an Ecological Impact Assessment alongside the application. The report concludes that the proposed temporary development would

not significantly affect ecology. The report does outline a number of mitigation measures which will be conditioned.

### **Trees**

The proposal only requires the removal of a small area of trees which encroach into the site. The nature of this group means that the removals will only have a very limited impact on the amenity of the group due to the relatively small size of the specimens to remove and the retention of those trees behind them.

The trees will require protection during the works. A full arboricultural method statement is not required in this instance as the works within the rooting areas will only be re-surfacing existing hard standing areas and as such the barrier details and a tree protection plan will suffice in this instance. Suitably worded conditions will be recommended for the required information to be submitted and approved.

### **Public Right of Way**

There is a recorded public footpath running at the bottom of the banking between the temporary school building and parking area, however, this is not directly affected by the proposals.

The footpath is identified as heavily overgrown and not having been used for several years. Regardless of this, it is still a recognised public right of way as such an informative will be added to alert the developer that no new obstructions should be introduced, nor any works done that would prevent safe access onto the footpath at any time.

A long-term plan for the footpath will be required as part of any permanent development proposals at the site – either to improve the footpath in its current location or else formally divert it onto a new alignment.

### **Mining**

The applicant has provided a coal mining risk assessment. The report indicates the potential for mining legacy risks such as ground instability and potential fugitive gas migration due the presence of shallow coal mine workings and a mine entry.

The report recommended intrusive ground investigations and gas monitoring to confirm the ground conditions so that a remediation strategy can be formulated. Such a ground investigation has recently been undertaken and this has identified a requirement to cap mine entries and consolidation of mine workings by grouting through suitable foundation design.

A suitably worded condition is therefore recommended to ensure such works are undertaken prior to the temporary units being brought onto the site.

### **Conclusion**

The need to provide additional secondary school places across the central planning area attracts great weight, particularly in the context of a lack of alternative sites being available. The DfE has committed to meeting need initially by allowing the Multi Academy Trust to establish a temporary school on the application site. In contrast, the site-specific local plan policy, which identifies the site as a mixed-use allocation, and the concerns expressed by Highways regarding the absence of a Transport

Assessment only attract modest weight, especially taking into account that it is only temporary in nature pending a separate application for a permanent school which would need to address fully the issues associated with the loss of the allocation site for 150 dwellings and 3.25ha of playing pitches from the Local Plan. In light of this and taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of a temporary planning permission for the scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

## **Recommendation**

Grant temporary planning permission subject to conditions

1. The temporary school hereby permitted shall be discontinued, the buildings removed and the land restored to its pre-development state prior to the 2023/2024 academic year.  
**Reason: In the interests of the visual amenities of the locality, residential amenity and highway safety, in accordance with Local Plan Policies D1, GD1 and T4.**
2. The development hereby approved shall be carried out strictly in accordance with the plans (Nos L200357-102-B, L200357-301-A, L200357-701-A, WBA-NB-00-DR-A-PL-101-P1, WBA-NB-00-DR-A-PL-102-P1 & WBA-NB-00-DR-A-PL-103-WIP) and specifications as approved unless required by any other conditions in this permission.  
**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.**
3. 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.**
4. 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 Local Plan Policy T4 New Development and Transport Safety.**
5. No development shall take place on the proposed building unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The

scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

**Reason: To ensure the proper drainage of the area**

6. The site is located within a Coal Authority coal mining referral area due to the probable presence of shallow coal mine workings and a mine entry. As detailed in the Waterman coal mining risk assessment ref WIE17125-100-TN-001, dated Dec2020, the land could therefore be at risk from mining legacy risks such as ground instability and fugitive gas migration.

Prior to the commencement of development, and as advised by a suitably qualified engineer, intrusive site investigations must therefore be undertaken to evaluate ground conditions. The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned Mine Workings Manual" where applicable.

A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner"

**Reason- In accordance with Land stability NPPF sections 178 a,b,c. 179 and 170 e & f**

7. No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
3. An appraisal of remedial options, and proposal of the preferred option(s).
4. A remediation statement summarising the works to be undertaken (if required).

A Validation Report to confirm remediation works have been undertaken (if required) must be submitted prior to occupation.

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Local plan Policy CL1 'Contaminated and Unstable Land'.**

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

**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality, in accordance with Local Plan Policy D1 and SPD 'Trees and Hedgerows'.**

9. The development shall be carried out in accordance with the mitigation measures set out in section 5 of the Ecological Impact Assessment (Ref: WIE17125-105-R-1-1-3-EcIA). The measures shall be complete prior to the occupation of the building and retained as such for the life of the development.

**Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.**

10. 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:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.

**Reason: In the interests of highway safety and in accordance with Local Plan Policy T4.**

11. No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey. On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety, and in accordance with Local Plan Policy T4.**

12. The Development hereby permitted shall not be occupied until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

**Reason: In interests of encouraging use of sustainable modes of transport.**

13. Prior to first occupation of the development hereby permitted, details for the provision of electric vehicle charging points shall be submitted to and approved in writing by the LPA. These EVCP's shall be installed in accordance with the approved details prior to first occupation of the development and retained thereafter available for that specific use.

**Reason: In interests of promoting sustainable travel opportunities and in accordance with SPD 'Sustainable Travel'**

14. Within six weeks of first occupation, a detailed school travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of measures / initiatives to be introduced to encourage sustainable travel to and allow for regular monitoring and reporting to be undertaken. The plan shall be fully implemented in accordance with the approved details thereafter.

**Reason: To support sustainable transport objectives in accordance with Local Plan Policy T3 - New Development and sustainable Travel.**

15. Within 26 months of the date of this permission, the following documents shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England:

A) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the reinstated playing field as shown on plan titled 'Site Location Plan', revision P1, dated 10/12/2020, which identifies constraints which could affect playing field quality; and

B) Based on the results of the assessment to be carried out pursuant to A above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a timetable/programme of implementation, including details of the maintenance and management.

The approved scheme shall be carried out in full in accordance with the approved details and approved timetable/programme of implementation. The playing field shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the approved details.

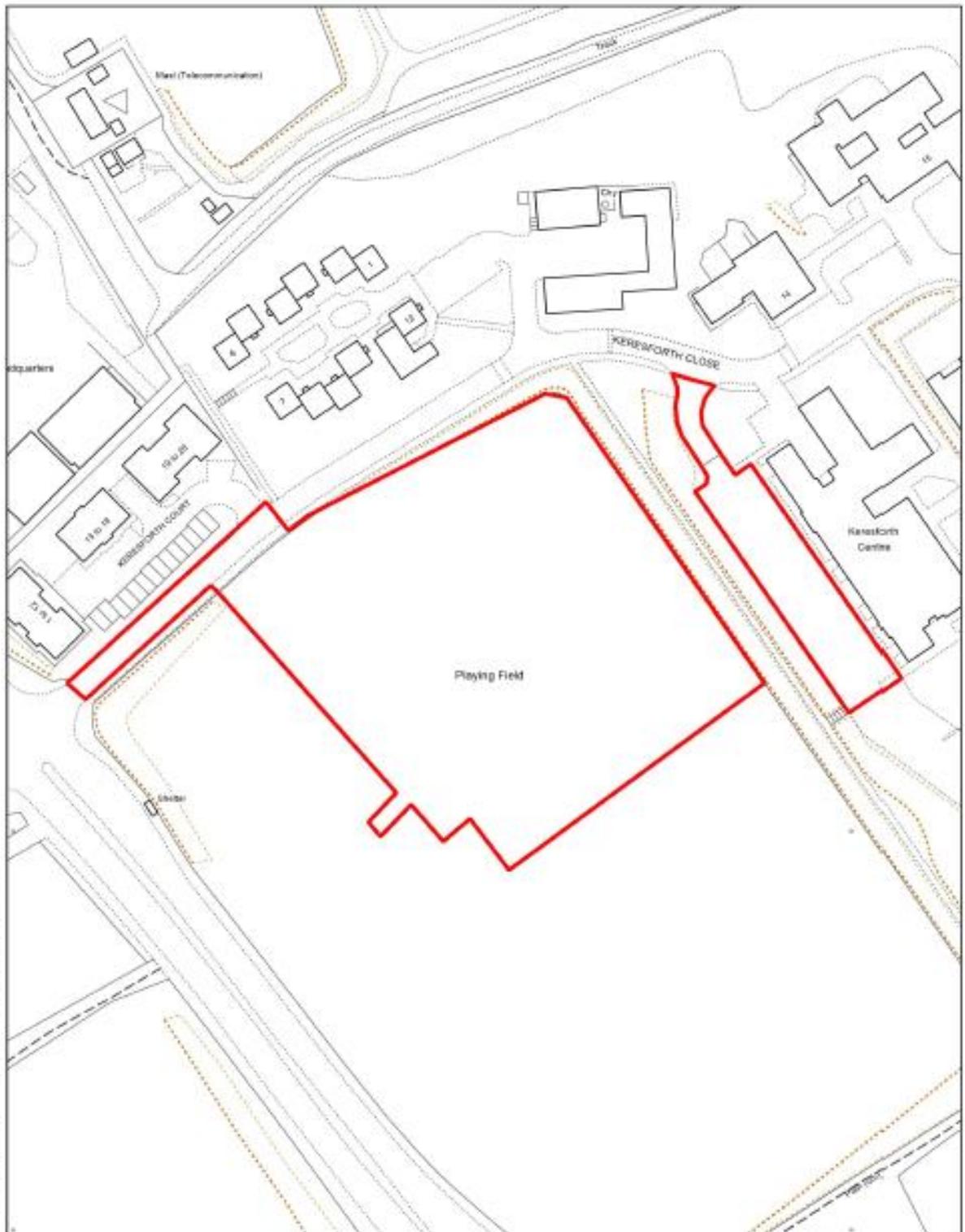
**Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy GS1.**

16. Within 26 months of the date of this permission, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

**Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy GS1.**

PA Reference:-

2021/0015



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Scale: 1:1250