



APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2022/0916

To Peacock + Smith
Central House
47 St Pauls Street
Leeds
LS1 2TE

Proposal Development of 2no warehouses (floorspace of 9,755m² and 7,804m²) for general industrial and storage and distribution purposes (use classes B2 and B8) with provision of ancillary office accommodation (Reserved matters of the outline part of hybrid planning permission 2019/0286 seeking approval of external appearance, landscaping, layout and scale) (Amended Plans)

At Higham Lane, Dodworth, Barnsley, S75 3UB

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 12/09/2022 and described above, being matters reserved in the permission granted on 13/06/2023 under Application 2022/0916

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 thereby permitted shall be begun before the expiration of 2 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 plans and specifications as approved unless required by any other conditions in this permission.
- 11138-1(P)100 Location
 - 11138-1(P)101 Existing Site plan
 - 11138-1(P)103 Existing Sections
 - 11138-1(P)110 REV E Masterplan amended plan rec 22/05/23
 - 11138-1(P)111REV E Proposed Site plan amended plan rec 22/05/23
 - 11138-1(P)113 Proposed Sections
 - 11138-1(P)114 REV E Proposed Masterplan (showing future roundabout) amended plan rec 22/05/23
 - 11138-1(P)115 REV F Proposed Site plan (showing future roundabout) amended plan rec 22/05/23
 - 11138-1(P) 116 REV C Proposed Unit 1 Site plan
 - 11138-1(P)117 REV E Proposed Unit 2 Site plan amended plan rec 22/05/23
 - 11138-1(P)130-Unit 1 GA Plans
 - 11138-1(P)131-Unit 1 Office Plans
 - 11138-1(P)133-Unit 1 Roof Plan
 - 11138-1(P)135-Unit 2 GA Plans
 - 11138-1(P)136-Unit 2 Office Plans
 - 11138-1(P)138-Unit 2 Roof Plan
 - 11138-1(P)132 REV B-Unit 1 Elevations
 - 11138-1(P)137 REV B-Unit 2 Elevation
 - 11138-1-VL L02 REV D Landscape Plan - Layout 1 of 2 amended plan rec 190523
 - 11138-1-VL L03 REV D Landscape Plan - Layout 2 of 2 amended plan rec 190523
 - 3533-100-SK-1000 REV D swept path analysis and visibility rec 180523
 - 3533-100-SK-1001 REV D swept path analysis and visibility rec 180523
 - Arboricultural Method Statement by Tree21 ref 220825-1.0-CPB-AMS-T21
 - Planning Statement dated August 2022

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 On commencement of engineering/construction operations, details of any temporary lighting (if proposed to be used) shall be submitted to and approved by the Local Planning Authority. Details shall include the location, orientation, angle, and luminance of the lighting including lux levels plans and shall be designed to ensure light pollution does not affect residential amenity or harm wildlife. Thereafter the approved details shall be implemented in full.

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 Prior to the occupation of any building hereby approved, full details of permanent external lighting 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 including lux levels plans and shall be designed to ensure light pollution does not affect residential amenity or harm wildlife. The approved details shall be implemented on each plot prior to occupation of the building of the use and retained as such thereafter.

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 Vehicular and pedestrian gradients within the site shall not exceed 1:12
Reason: To ensure safe and adequate access in accordance with Local Plan Policy T4.
- 6 All in plot planting, seeding or turfing comprised shall be carried out on each plot no later than the first planting and seeding season following the occupation of the plot and any trees or plants which die within a period of 5 years from first being planted, 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 Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making
- 7 All out of plot planting, seeding or turfing shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar No development or other operations being undertaken on site shall take place until tree protection is erected on site in accordance with the Arboricultural Method Statement by method statements in the approved Arboricultural Impact Assessment Tree21 ref 220825-1.0-CPB-AMS-T21. Thereafter the development shall be implemented in accordance with the approved documents.
Reason: To ensure the continued wellbeing of the trees in the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making.
- 8 Upon completion of construction of the roundabout granted under 2020/0040, an amended landscape scheme shall be submitted to the Local Planning Authority for approval in writing. The scheme shall detail additional/replacement planting to ensure that the Unit 2 service yard is well screened by trees/shrubs when viewed from the adjacent public highway, and shall include full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include large growing native tree species. Thereafter the approved scheme shall be implemented in full during the first available planting season. Any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: To avoid losses in existing or proposed landscaping as a result of the construction of the roundabout and in the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity
- 9 The access road taken from Capitol Close (shown on plan 100-SK-1001 Rev D) shall be amended to provide access from the northern arm of the roundabout approved under 2020/0040 (shown on plan 100-SK-1000 Rev D) in accordance with detailed engineering, drainage, street lighting, constructional details and a programme of works to be submitted to and approved in writing by the LPA. The timing of these works shall be commensurate with the programme for the highway works secured under planning approval 2020/0040.
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety

- 10 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of:
- a) Measures for controlling parking on the access road within the development.
 - b) Any necessary amendments to signing/lining
- Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.**

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 This reserved matters application will also serve to discharge the following conditions for outline planning permission 2019/1573 in relation to the redline area shown on approved drawing number Location Plan ref. 12006-2 (P)100C
 1. condition 19 tree protection and arboricultural method statement
 2. condition 26 details of hard and soft landscaping works
 3. condition 35 details of external materials
 4. condition 38 parking of bicycles and motor vehicles
- 2 The development hereby approved may include the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.
- 3 Fees associated with the required condition survey together with any necessary remedial works and any relevant s278 agreement are to be borne by the developer. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk for further information prior to commencement.
- 4 Road Licences - You are advised that should the development hereby permitted require you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers), or to place any equipment, materials in , on, above or abutting a highway you will be required to have a licence. No such works shall be undertaken on the public highway without the requisite licences and permissions in place. Further details are available on the BMBC website at: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/> or by contacting Streetworks@barnsley.gov.uk
- 5 Any highways structures will require technical approval in accordance with the approval procedure based on DMRB CG300 - Technical Approval of Highways Structures. The developer will be responsible for preparing and submitting the AIP, with the technical approving body being the Highway Authority. The approval procedure is to be followed for the construction or alteration of any highway structure whether to be adopted or not.
- 6 The Yorkshire Common Permit Scheme applies to all streets in Barnsley and is designed to minimise any delay, disruption and inconvenience to road users caused by roadworks. Anyone carrying out works in a street must apply for a permit. Agreement under the Yorkshire Common Permit Scheme's provisions must be granted before any works can take place. There is a fee involved for the coordination, noticing and agreement of the works. Details relating to the scheme, fees and payment methods are available via www.barnsley.gov.uk/services/roads-travel-and-parking/roadworks-and-road-maintenance/yorkshire-common-permit-scheme/

- 7 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.
- 8 The adjacent residential dwellings at Land Side Farm and Higham Manor currently benefit from drainage outfall located on the application site. The applicant is encouraged to liaise with the occupants of these properties to devise an appropriate solution should there be a likelihood of their drainage being impacted negatively by the development.

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: 14 June 2023



Joe Jenkinson
Head of Planning, Policy 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 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.