



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0706

To Edward Architectural Services Ltd
Prospect House
32 Sovereign Street
Leeds
West Yorkshire
LS1 4BJ

DESCRIPTION Erection of extension to existing lead factory with associated ancillary welfare facilities and offices.

LOCATION Pogmoor Works, Stock's Lane, Barnsley, S75 2DS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 08 July 2010 and described above.

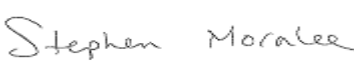
The approval is subject on compliance with the following conditions:

- 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 plans and specifications as approved unless prior written consent has been given by the Local Planning Authority to any variation. The approved plans are as follows:

0227-PL05
0227-PL06
0227-PL07
0227-PL08
0227-PL09
0227-PL10

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

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 Transportation

Dated 23 December 2010

- 3 No development or other operations shall take place until the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) have been submitted to and approved in writing by the Local Planning Authority:

Tree Protection Plan (TPP)
Tree Protective Fencing specification
Arboricultural Method Statement (AMS)
Tree Planting Scheme

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

- 4 No development shall take place until the erection of fencing for the protection of any retained tree has been undertaken in accordance with the approved plans and particulars required by condition 3 prior to any equipment, machinery or materials being brought on to the site for the purposes of the development. The fence shall be maintained until all equipment, machinery and surplus materials have been removed from the site upon completion of the development. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity.

- 5 No development shall take place unless and until full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the proper drainage of the area.

- 6 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be brought into use prior to the completions of the approved foul drainage works.

Reason: In the interests of satisfactory and sustainable drainage.

- 7 Surface water from parking and vehicular areas shall be passed through an interceptor of adequate capacity prior to discharge to the public sewer. Roof drainage shall not be passed through an interceptor.

Reason: In the interests of satisfactory and sustainable drainage.

- 8 No development shall take place, 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
- Wheel washing facilities
- Measures to control noise levels during construction

Reason: In the interests of highway safety, residential amenity and visual amenity.

- 9 Prior to commencement of development, a methodology for ensuring that the building is constructed to provide sound insulation against internally generated noise of not less than 33 db(A) shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved details and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of residential amenity.
- 10 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 UDP Policy ES1, Pollution.
- 11 Unless otherwise agreed in writing by the Local Planning Authority the use hereby permitted shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday, 08.00 to 1300 hours on Saturdays with no use on Sundays and Bank holidays
Reason: To protect the amenities of nearby residential properties.
- 12 All on-site vehicular areas shall be hard surfaced and in drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris being deposited on the public highway, to the detriment of road safety.
- 13 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety.
- 14 The parking/manoeuvring facilities, indicated on the submitted 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 interest of road safety.
- 15 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to be discharged onto the public highway.
Reason: In the interest of road safety.
- 16 Development shall not commence until details of measures to prevent mud/debris being deposited on the public highway to the detriment of road safety, have been submitted to and approved, in writing, by the Local Planning Authority, and such measures shall be retained for the entire construction period.
Reason: In the interest of road safety.
- 17 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved, in writing, by the Local Planning Authority, and such areas shall be retained for the entire construction period.
Reason: In the interest of road safety.

- 18 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 submitted for the written approval of the Local Planning Authority, which shall identify any 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.
Reason: In writing, by the Local Planning Authority.
- 19 Vehicular and pedestrian gradients within the site shall not exceed 1 in 12.
Reason: To ensure safe and adequate access.
- 20 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating improvements to the boundary treatment to the southern boundary including the fencing of the site. The approved boundary treatment shall be completed before the extension is brought into use. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the setting of the public footpath and in accordance with U.D.P. Policy BE6, Design Standards.
- 21 Unless otherwise agreed in writing with the Local Planning Authority, before the extension is brought into use a heavy goods vehicle traffic management plan to minimise traffic impact at school and peak times shall be submitted to and approved by the LPA. The approved plan shall thereafter be implemented and retained.
Reason: To avoid adding to traffic congestion already experienced in the area at peak times.

Reason(s) for Granting Permission

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| 1 Economic development and residential amenity - Policy ED4 | The proposal complies with policies ED4, ED10 & T2 in that it would enable the growth of an existing firm and not have a significantly detrimental impact (over and above the existing use) on residential amenity, visual amenity or highway safety. In addition, the proposal would minimise the impact on the group of mature trees in the south west corner of the site, in accordance with the requirements of UDP policy GS22. |
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Informative(s)

- 1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

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.