



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/0708

To Peter Thompson
Architectural Design Consultant
Linwood
Barnsley Road
Dodworth
Barnsley
S75 3JR

DESCRIPTION Erection of haulage transport depot including 2no buildings, yard, storage of skips and trailers and maintenance of vehicles (Resubmission of 2020/0289)

LOCATION Albion Road Works, Hunningley Lane, Stairfoot, Barnsley, S70 3DS

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 21/05/2021 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 required by any other conditions in this permission:
- Location Plan
 - Site Plan REV J
 - Site Plan with Levels
 - Plans and Elevations 2
 - Garage Plans and Elevations
 - Cross Sections and Elevations REV A
 - Swept Path Analysis
 - Noise Impact Assessment by ENS dated 18th March 2020
 - Phase 1 Preliminary Geo-Environmental Risk Assessment by Silkstone Environmental Ltd. Planning Statement by Rollinson Planning Consultancy CSO/01/20/BAR dated August 2020
 - Ecological report by Whitcher Wildlife Ltd dated 5th December 2019
 - Phase 2 pre-development Arboricultural report by Wharncliffe Trees and Woodland Consultancy dated 5 May 2020

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 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The roof of the largest building shall be of a neutral colour. 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 Local Plan Policy D1 High Quality Design and Place Making.

- 4 No development shall take place unless and until

(a) full foul and surface water drainage details 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.

(b) porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways
and

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways.
Shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in full.

Reason: To ensure the proper drainage of the area.

Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment in accordance with Local Plan Policy POLL1.

- 5 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.
- 6 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor. Roof water shall not pass through the interceptor.
Reason: To prevent pollution of the water environment in accordance with Local Plan Policy POLL1.
- 7 The southern boundary shall be provided with a minimum 2 metre high timber fence or masonry wall to screen nearby receptors in the location shown on Site Plan REV J. The barrier shall have no gaps or holes (cover strips should also be used to prevent gaps forming over time) and shall be fully sealed at the ground (i.e. include a gravel board). A masonry wall of any construction is appropriate. Acoustic fencing shall be of double-thickness solid timber construction. The boundary fence or wall shall be constructed prior to the development being brought into use and shall be retained in good condition 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 Local Planning Policy POLL1.
- 8 The rating level (LA_{rTr}) of the noise emitted from the proposed development shall not exceed the existing background noise level (LA_{90T}) by 3dBA. The rating level shall be determined by measurement or calculation at the boundary of the nearest noise sensitive premises or at another location that is agreed with the Local Planning Authority. Measurements shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound. Where the background noise level shall be expressed as an LA₉₀ 1 hour and the ambient noise levels shall be expressed as an LA_{eq} 1 hour during the daytime [07:00-23:00] and shall be expressed as an LA₉₀ and LA_{eq} 5 minutes during the night [23:00-07:00]. The applicant shall employ the services of a competent acoustic consultant or equivalent, to carry out this assessment at the request of the local planning authority.
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.
- 9 Except in case of emergency, operations shall not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There shall be no working on Sundays or Public Holidays. At times when operations are not permitted, work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.
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.

- 10 Heavy goods vehicles shall only enter or leave the site between the hours of 05:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

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.

- 11 No building (or use) hereby permitted shall be occupied or (use commenced) until the internal levels shall be altered to ensure access can be achieved by an articulated vehicle, as shown on the approved plans.

Reason - In the interests of road safety and to ensure no backing up on traffic on the highway network.

- 12 No building (or use) hereby permitted shall be occupied or (use commenced) until a delivery and servicing plan has been prepared, submitted to and approved in writing by the LPA. The measures shall thereafter be implemented in accordance with the approved delivery and serving plan for the lifetime of the development. The delivery and servicing plan shall include:

- i. The contact details of a suitably qualified co-ordinator
- ii. Details of vehicle arrivals, departures, parking, stopping and waiting (layover) controls
- iii. Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems.

Reason: In interests of highway safety and to minimise congestion.

- 13 Upon commencement of development details of measures to facilitate the provision of gigabit capable 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.

- 14 No building (or use) hereby permitted shall be occupied or (use commenced) until one integrated batbrick and two bird boxes shall be installed in accordance with recommendations set out in para 5.5 of the Ecological report.

Reasons: In the interests of biodiversity in accordance with Local Plan Policy BIO1.

- 15 No building (or use) hereby permitted shall be occupied or (use commenced) until, Electric vehicle chargepoints have been installed for 10% of car parking spaces. The minimum specification shall be mode 3 minimum 7kW (32AMP). Thereafter the EV charge points shall be retained for the duration of development.

Reason: To contribute toward the reduction in air pollution and in accordance with Local Plan Policy POLL1 and adopted SPD Parking.

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

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 05/11/2021



Joe Jenkinson
Head of Planning 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 given 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.