



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/1256

To XPO Logistics
ASOS
Park Spring Road
Little Houghton
Barnsley
S72 7GX

DESCRIPTION Variation of condition 2 of application 2017/1390 (Formation of emergency access/exit to warehouse.) to allow re-positioning of access

LOCATION ASOS, Park Spring Road, Little Houghton, Barnsley, S72 7GX

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 02/12/2020 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 3rd December 2018 the date of the original 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 ASOS Barnsley Emergency Access Plan September 2018 and amended plans (Nos. NK018641-RPS-XX-DR-CR-SK001 Rev P02 (apart from the positioning of the bollards) and NK018641-RPS-XX-DR-CR-SK002 Rev P01) and specifications as approved unless required by any other conditions in this permission. Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3	<p>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:-</p> <p>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.</p> <p>Reason: In the interests of highway safety and to accord with Local Plan Policy T4.</p>
4	<p>Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works: Measures to secure the maintenance of the emergency access and associated visibility splays. The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of highway safety and the free flow of traffic in accordance with Local Plan Policy T4.</p>
5	<p>Any bollards shall be located within private land and not the adopted highway.</p> <p>Reason: In the interests of road safety and to accord with Local Plan Policy T4.</p>
6	<p>All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.</p> <p>Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.</p>

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.

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

- 2 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 3 The developer must contact Highways & Engineering tel 01226 773555 prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.

The bollards as shown on the approved plan must be located on ASOS land and not the adopted highway.

Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed

Dated 12/02/2021

A handwritten signature in black ink, appearing to read 'JM Jenkinson', written in a cursive style.

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.