



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/1435

**To** Sean Elliot  
APL Architecture and Design  
Didsbury Business Centre  
137 Barlow Moor Road  
West Didsbury  
Manchester M20 2PW

**DESCRIPTION** Erection of a B1, B2, B8 warehouse with ancillary 2 storey office, service yard and car parking including new access/egress from Barkston Road.

**LOCATION** Plot 26 Unit 2, Barkston Road, Carlton, Barnsley, S71 3HU

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 07 December 2016 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun within 3 years from the date of this permission.  
**Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.**
- 2 The development hereby permitted shall only be carried out in accordance with the following documents unless amended by the conditions below which shall take precedence:
  - a) Drawing titled 'Location Plan', dated November 2016 showing the red line planning application boundary;
  - b) Drawing titled 'Proposed Site Plan', reference A1074, numbered 02 and dated November 2016;
  - c) Drawing titled 'Proposed Site Plan', reference A1074, numbered 02 revision A and dated November 2016; and
  - d) Drawing titled 'GA Elevations', reference A1074, numbered 04 revision A and dated November 2016.**Reason: For the avoidance of doubt and in the interests of good design consistent with CS policy CSP29, and the relevant planning policy statements in the NPPF.**
- 3 The development shall not be brought into use until the parking/manoeuvring facilities, shown on the approved plan, have been surfaced in a solid bound material (i.e. not loose chippings) and made available for the parking and manoeuvring of motor vehicles and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring are provided, in the interests of highway safety and the free and safe flow of traffic in accordance with CS policy CSP26, UDP policy ED10 and the SPD - Parking.**



- 4 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 rear-of-footway level of the adjacent highway.  
**Reason: In the interest of highway safety and to accord with CS policy CSP26.**
- 5 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.  
**Reason: In the interests of highway safety in accordance with CS policy CSP26.**
- 6 Any access gate, bollard, chain or other means of obstruction shall be hung to open inwards only, and shall be set back and maintain a minimum clear distance of 5 metres from the near channel edge of the adjacent carriageway to enable vehicles to draw off the highway before the gate or obstruction is opened.  
**Reason: In the interests of highway safety in accordance with CS policy CSP26.**
- 7 No development shall commence, 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:

  - a) The parking of vehicles of site operatives and visitors;
  - b) Means of access for construction traffic;
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development; and
  - e) Measures to prevent mud/debris being deposited on the public highway.

**Reason: In the interest of highway safety and to accord with CS policy CSP26.**
- 8 No development shall commence 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. Surface water shall not be discharged to the foul sewer network. 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.  
**Reason: To ensure the proper drainage of the area and to prevent overloading of the foul sewer network.**
- 9 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development thereafter 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 CS policy CSP29.**
- 10 Within 6 months of the date of this permission, a landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall provide details (plant species, size, planting distance, numbers and planting method) of tree and shrub planting to be carried out. All tree and shrub planting as approved in the scheme shall be carried out in the first planting season following the completion of the development. Any trees or shrubs planted as part of the scheme which are removed, or in the opinion of the Local Planning Authority become severely damaged or are found to be dying or seriously diseased within five years of planting shall be replaced within the next available planting season with trees or shrubs of a similar size and species to the satisfaction of the Local Planning Authority.  
**Reason: To ensure that a landscaping/planting scheme is submitted and implemented in the interests of visual amenity and to accord with CS policy CSP29 and the relevant planning policy statements in the NPPF.**

## 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 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.*

- 1 The development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.
- 2 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](http://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](http://www.groundstability.com)

- 3 The developer must contact Highways & Engineering (telephone 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.
- 4 Yorkshire Water Services Ltd advise that the local public foul water sewer does not have any capacity for surface water, and the Statutory Sewer Map indicates that there are no public surface water sewers within the vicinity of the site. The developer must therefore thoroughly investigate surface water disposal via infiltration or watercourse. It is understood that a watercourse is located immediately adjacent the site.  
Restrictions on surface water disposal may be imposed by other parties. You are strongly advised to seek advice/comments from the Environment Agency/Land Drainage Authority/Internal Drainage Board, with regard to surface water disposal from the site. Land and highway drainage have no right of connection to the public sewer network. Trade effluent may only be discharged to sewer with the prior consent of Yorkshire Water (telephone 0345 1242424).  
A water supply can be provided under the terms of the Water Industry Act, 1991.

Signed   
Joe Jenkinson  
Head of Planning and Building Control

Dated 13 February 2017

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.