BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Property
Planning and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2018/0765

To Darnton EGS Ltd
The Coach House
Monk Fryston Hall
Monk Fryston
Leeds
LS25 5DU

DESCRIPTION Variation of condition 2 (approved plans) of planning permission 2016/1086 to enable addition of transport office in service yard - Demolition of existing sheds, erection of new bakery unit and extensions to existing bakery and warehouse and associated car parking and relocation of existing cafe/takeaway

LOCATION Plot 23, Unit 1, Carlton Industrial Estate, Shawfield Road, Carlton, Barnsley, S71 3HS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 20 June 2018 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun before 03 October 2019.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990 and condition 1 of application 2016/1086.

2 The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos.90-01-A, 91-02-B, 90-03-H, 90-04-A & 90-05-A) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

3 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 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 Core Strategy Policy CSP 29, Design.

4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

5 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

6 Any access gate, bollard, chain or other means of obstruction shall be hung to open inwards. The gates at the Northern most vehicular access point shall be set back and maintain a minimum clear distance of 19 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 interest of highway safety, in accordance with Core Strategy Policy CSP 26.

7 Within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented, in the interests of sustainable development.
Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.

8 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:
-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
-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction
Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

9 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.
Reason: In the interests of road safety in accordance with Core Strategy Policy CSP26 'New Development and Highway Improvement'.

10 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.
Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

11 Prior to commencement of development details of tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed before machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. 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

12 All planting, seeding or turfing comprised in the approved details of landscaping (shown in 'Arboricultural Implication Assessment & Soft Landscaping Scheme' Ref: SW/2016(AIA.PI) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, 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 Core Strategy Policy CSP 29.

13 The development shall be carried out in accordance with the submitted 'Drainage Strategy Report, prepared by HM Design', unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.

14 The development shall be carried out in accordance with the recommendations set out in the Noise Impact Assessment, carried out by Dynamic Response (Ref: DYN091216A/1) dated February 2017, and retained as such thereafter. In brief this shall include the following;
1) External walls up to 2.4M shall be constructed of; Outer leaf 100mm thick brickwork, 100mm air cavity fully filled with insulation (33kg/m3 density), inner leaf 100mm thick concrete block work (assumed 450Kg/m3 density).
2) External Walls Above 2.4m shall be constructed of; 250mm thick insulation (33kg/m3 density) with 0.7mm inner and outer steel liner sheet.
3) The roof shall be constructed of; 250mm thick insulation (33kg/m3 density) with 0.7mm inner and outer steel liner sheet.
4) The roof glazing/natural light ingress formed in the Phase 2 production area roof shall be constructed with 3mmPerspex outer layer, 250mm air cavity, and 3mm Perspex inner layer.
5) There shall be no holes or gaps in the building construction and all external doors shall remain closed.
6) All external access doors shall be of a solid core 43-45mm fire door, with roller shutter doors as seen in proposed drawing numbers W/2/3A, and W/2/5, dated July 2016.
7) All doors separating internal areas should have automatic door closers fitted to reduce noise transference into other areas potentially leading to noise break-out. All separating doors should also have the appropriate door seals fitted, and any seals should be in good working order/condition.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

15 The development shall be carried out in accordance with the recommendations set out in the Phase 1 Geotechnical and Geo-Environmental Site Investigation carried out by Eastwood & Partners Ref: 39293-001.
Reason: To ensure sound ground stability and in accordance with NPPF paragraphs 121 & 122.

16 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 Core Strategy Policy CSP 40, Pollution Control and Protection.

17 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures 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 and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

18 The proposed development shall achieve BREEAM standard of 'very good' or equivalent. Upon completion of the development, an energy performance certificate shall be provided to the Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy Policy CSP2.

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 proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

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

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on website at: www.gov.uk/government/organisations/the-coal-authority

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 granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

4 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.

5 If the developer is to make discharge flows to the existing watercourse he must gain the written agreement of the Land Drainage Authority to discharge flows at an agreed rate - Contact 01226 787654

6 If the developer is to carry out works within or in the proximity of any watercourse he must gain the relevant permissions from the Lead Local Flood Authority - Contact 01226 787654

Signed JM Jenkinson Dated 25 July 2018
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 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.