



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/0835

To AT Architects
Kingsley House
63 Holly Walk
Leamington Spa
CV32 4JG

DESCRIPTION Removal of condition 8 (Noise Limit) of 2017/1679 - Demolition of existing buildings and erection of new workshop/storage building

LOCATION Phoenix Works, Saville Lane, Thurlstone, Sheffield, S36 9QU

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 07/07/2021 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 23rd May 2018.
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 (2017/JD/3C and 2017/JD/4 and Planning Noise Assessment report dated 26th May 2021) as approved unless required by any other conditions in this permission.
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 The development shall proceed in accordance with the approved details relating to levels as shown on plans 1538-0501-01 and 1538-0502-01.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 4 The development shall be carried out in accordance with the approved details relating to materials as shown on plans 1538-0502-01 and 1538-0500-01.
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.

- 5 The boundary treatments on approved plans 1538-0502-01 and 1538-0500-01 shall be completed before the warehouse is occupied and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 6 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 Local Plan Policy Poll1 Pollution Control and Protection.
- 7 No part of the development shall be occupied or brought into use until the approved drainage scheme as shown on plan SL05821.500 with a maximum discharge of 4.3 (four point three) litres per second up to a 1:100 year rainfall event, to the public combined sewer, 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.
Reason: To ensure the proper drainage of the area in accordance with Local Plan Policies CC3 Flood Risk and CC4 Sustainable Drainage Systems.
- 8 Prior to occupation photographic evidence of the bat boxes and their location on the new building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and photographic evidence provided.
Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.
- 9 The tree planting shown on the Planting Scheme Plan (ref: 14090b/ChC) and the Tree Planting Scheme (ref:14090b/ChC) shall be implemented in the first planting season post occupation. 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: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.

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.

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

Standing Advice valid from 1st January 2021 until 31st December 2022

- 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

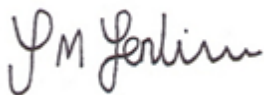
Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- 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 09/08/2021



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 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.