BARNSLEY
Metropolitan Borough Council

Place Directorate
Economic Regeneration
Planning and Building Control
Head of Service: Joe Jenkinson

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/1109

To Ms Miranda Steadman
Commercial Development Projects Ltd (CDP Ltd)
Marshall House
Huddersfield Road
Elland
HX5 9BW

Proposal Reserved Matters of 2016/0713 - Erection of general industrial (B2) use and storage and distribution (B8) use with ancillary office (B1) use.

At Units B and C, Land at Capitol Park, Capitol Close, Dodworth, Barnsley

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 04 September 2017 and described above, being matters reserved in the permission granted on under Application .

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

1 The development, hereby permitted, shall be begun before the expiration of two years from the date of this reserved matters approval.
Reason: In order to comply with the provision of Section 92 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:
M3035-00 Location Plan
M3035-01 Site Layout Plan - Units B and C
M3035-02 Unit B Floor Layout Plan
M3035-03 Unit B Proposed Elevations
M3035-04 Unit C Proposed Floor Plan
M3035-05 Unit C Proposed Elevations
M3035-06 Unit B Roof Plan
M3035-07 Unit C Roof Plan
2450-5-DSK1 Schematic Drainage Layout
SF2712 LL01 Landscape Proposals
Ecological Mitigation, Enhancement and Management Plan dated August 2017
Phase 2 Capitol Park Transport Statement by AECOM dated 7 August 2017

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 The approved Capitol Park - Phase 2 Transport Statement dated 7 August 2017 by Aecom shall be fully implemented for the duration of the development.
Reason: In the interests of sustainable travel and in accordance with CSP 25

4 The approved ecological mitigation and enhancement and management plan shall be fully implemented for the duration of the development.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

5 All planting, seeding or turfing comprised in the approved details of landscaping 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 other of similar size and species.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

6 Prior to occupation of the 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.

7 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: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

8 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the 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 Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

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.

Signed  Dated 25 October 2017
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:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.