



GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2018/0864

To Spawforths
Junction 41 Business Court
East Ardsley
Leeds
WF3 2AB

DESCRIPTION Development of the site for employment uses within use classes B1 (B) Research and Development, B1(C) Light Industrial, B2 General Industrial and B8 Storage and Distribution with ancillary offices 9,180m² GEA and associated access, parking and circulation areas, infrastructure and landscaping (Outline with all matters reserved)

LOCATION Ashroyd Business Park, Ashroyds Way, Platts Common, Barnsley, S74 9SB

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 11 July 2018 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
 - (a) the layout of the proposed development.
 - (b) scale of building(s)
 - (c) the design and external appearance of the proposed development.
 - (d) means of access
 - (e) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

- 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:

14698A-100 REV A Location Plan - Plot 3
14698A-101 Existing Site Plan
14698A-102 Existing Site Sections
14698A-103 REV B Parameters Plan
14698A-104 Existing Site Sections
14698A-105 REV B Proposed Site Plan - Option A
14698A-106 REV A Proposed Site Plan REV B

14698A-108 REV A Proposed Typical Sections - Option A
14698A-109 Proposed Typical Sections - Option B
Noise Report by White Young Green dated June 2018
Ecological Assessment by Smeeden Foreman dated November 2017
Air Quality Assessment by White Young Green dated 2018
Interim Travel Plan by White Young Green dated 7 June 2018
Drainage Strategy by William Saunders dated May 2018
Transport Assessment by White Young Green dated 7 June 2018

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

- 3 The proposed layout of the site at reserved matters stage shall be in general accordance with the following documents:
Parameters Plan 14698A-103 REV B; AND
Proposed Site Plan Option A (14698A-105 REV B); OR
Proposed Site Plan Option B(14698A-106 REV A)
Reason: To ensure development is of appropriate scale and general design in accordance with CSP 29.
- 4 Application for approval of the matters reserved in Condition No. 1 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.
- 5 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of buildings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Core Strategy Policy CSP 29, Design.
- 6 All buildings within 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.
- 7 A detailed scheme of ecological mitigation and enhancement and maintenance shall be submitted with the reserved matters application. The scheme shall broadly follow the measures set out in Section 5.5 of the Smeeden Foreman Ecological Assessment and shall additionally identify a location and details for an amphibian pond and wildlife grassland. The scheme shall identify a timetable for implementation and maintenance for 5 years. The scheme shall be accompanied by a plan which clearly identifies what ecological features are proposed to be retained, mitigated and enhanced. Thereafter the development shall be carried out in accordance with the approved measures.
Reason: In the interests of biodiversity and in accordance with CSP 36.
- 8 A noise impact assessment shall accompany the reserved matters submission indicating existing background noise levels, expected noise emissions from proposed development and proposed mitigation measures. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Core Strategy Policy CSP 40 Pollution Control and Protection.

- 9 The hours of construction and deliveries shall only take place between Mon-Fri 0800-1800 and Sat 0800-1300. No working 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.
- 10 Prior to any work commencing, the applicant shall submit to the Local Planning Authority for their approval a noise and dust management plan detailing how they will control noise and dust during construction. Once approved the applicant shall adhere to the noise and dust management plan at all times.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 11 Within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.
Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.
- 12 Prior to the occupation of each unit, details of appropriate air quality mitigation controls shall be agreed in writing with the Local Planning Authority which shall include inter alia, at least 2 EV charging points. The mitigation controls shall be in accordance with the requirements of the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance, and shall be also incorporated into any Travel Plan where appropriate for the proposed development. Thereafter the controls shall be implemented in full for the duration of the development.
Reason: In the accordance adopted Core Strategy Policies CSP 40 (Pollution Control and Protection) and CSP 41 (Development in Air Quality Management Areas).
- 13 No development or other operations being undertaken on site shall take place until the following documents in accordance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
- Tree survey
 - Arboricultural impact assessment
 - Tree protective barrier details
 - Tree protection plan
 - Arboricultural method statement
- Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality.**
- 14 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, 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.

- 15 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interests of Highway safety and in accordance with Core Strategy policy CSP.
- 16 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
 - Measures to prevent mud/debris being deposited on the public highway
- 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.**
- 17 Upon 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 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.
- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 20 Detailed plans shall accompany the reserved matters application which shall provide full details of security lighting to be submitted to and approved in writing by the Local Planning Authority. The details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to occupation of the building/commencement of the use and retained as such thereafter.
- Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Core Strategy Policy CSP 40.**

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.

It is recommended that fleets providing deliveries to the proposed development consider joining the ECO Stars fleet recognition scheme (<https://www.ecostars-uk.com/>).

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

Signed

Joe Jenkinson



Dated 03 October 2018

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.