



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2007/0815

To M A Clynch
14 Huddersfield Road
Ingbirchworth
Sheffield
S36 7GF

DESCRIPTION Erection of new offices and workshop for manufacture of concrete products.
LOCATION Land at Whaley Road, Barugh Green, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 15 May 2007 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 the date of this permission.
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 as approved unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.
- 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 UDP Policy BE6, Design Standards.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed 
Assistant Director, Planning and Transportation

Dated 14 August 2007

4. No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a plan indicating the positions, design, materials, and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied or in accordance with a timetable agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and amenities of occupiers of adjoining properties.
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained.
Reason: In the interests of the visual amenities of the locality.
6. 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, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.
7. No development shall take place until full highway engineering construction details have been submitted to and approved in writing by the Local Planning Authority. These details shall include construction specifications; long sections; cross sections; highway drainage details and existing proposed levels. Thereafter the development shall be completed in accordance with the approved details.
Reason: In the interests of highway safety.
8. No development shall take place until the proposed spine road shown on the approved plan has been constructed to at least basecourse and provided with an operations system of surface water drainage.
Reason: In the interests of highway safety.
9. All areas to be used by vehicles shall be surfaced in a hard impermeable material and provided with a positive system of drainage.
Reason: In order to prevent surface water run-off from site onto the spine road.
10. The car parking area shown on the approved plan shall be permanently marked out prior to the building being brought into use and shall thereafter be retained for that purpose.
Reason: To ensure adequate car parking is provide in the interests of highway safety.
11. Before development commences details of the measures to prevent mud/debris from being deposited onto the public highway shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall be retained thereafter for the entire construction period.
Reason: In the interests of highway safety.

- 12 During the period of construction sufficient space shall be set aside within the confines of the site for the parking of all vehicles associated with the development and for storage of all plant and materials and shall be used at all times for such purposes.
Reason: To ensure satisfactory parking is available in the interests of highway safety and the free flow of traffic.
- 13 No development shall commence until a dust management scheme has been submitted to and approved, in writing, by the Local Planning Authority. Such a scheme may include, but is not limited to, water bowsers, cleaning schedules, suspension of site works, vehicle speed limitations. The development shall be carried out in accordance with the approved scheme and shall be retained for the entire construction period.
Reason: To protect the amenity of occupiers of neighbouring land from excessive dust.
- 14 Any floodlighting or security lighting shall be arranged and positioned as not to shine directly towards adjacent property.
Reason: In order to protect the amenity of adjacent occupiers.
- 15 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the sewer, which crosses the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times.
- 16 No piped discharge of surface water from the site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to 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 retained thereafter.
Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system
- 17 No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works, 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: To ensure that the site is properly drained
- 18 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no piped water discharge of surface water from the development prior to the completion of the approved surface water drainage works.
Reason: To ensure that no surface water discharges take place until proper provision has been agreed to disposal.
- 19 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.
Reason: In the interest of satisfactory drainage.
- 20 Any liquid storage tanks should be located within a bund with a capacity of not less than 110% of the largest tank or largest combined volume of connected tanks.
Reason: To ensure that there are no discharges to the public sewerage systems.

- 21 No development works shall commence until a report, endorsed by a competent engineer experienced in ground contamination and remediation matters, has been submitted to and approved in writing by the Local Planning Authority. The report shall, amongst other matters, include the following:
- 1) An assessment as to the degree to which the site may be affected by any contamination, including borehole and trial pit results
 - 2) Measures to test and evaluate the site for the purposes of identifying contamination throughout the duration of the development.
 - 3) Measures to treat or remove any contaminated materials encountered and the methodology to be employed. These procedures should be summarised in a remediation statement.
 - 4) Steps to be taken to prevent any environmental pollution by any such contaminated material encountered.
 - 5) Measures to prevent risks to health and safety of the general public and any persons working on the site.
 - 6) Consideration of any Waste Management issues of any remediation measures.
 - 7) The subsequent certification/validation reports are submitted, showing that the site has been satisfactorily remediated and that the development of the site can be safely occupied.

The development shall thereafter be undertaken in full accordance with the submitted report.

Reason: To protect the environment and ensure the site is suitable for the proposed use.

- 22 There shall be no noise from the development site, including deliveries to and and despatches from the site, audible at the site boundary between the hours of 6pm and 8am every day; and additionally between the hours of 1pm and 6pm on Saturdays and at any time on Sundays, Bank Holidays and Public Holidays.
Reason: To protect the amenity of the occupiers/workers of neighbouring land and local residents.
- 23 Prior to the commencement of development, a scheme which identifies and addresses the risk of pollution and risk to controlled waters, including a desk study, conceptual model and assessment of risk is 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 reduce risk to controlled waters.
- 24 Any amplified music/sound shall not be audible outside the boundary of the site.
Reason: To protect the amenity of the occupiers/workers of neighbouring land.
- 25 There shall be no burning of waste on site during the construction phase of the development.
Reason: To protect the amenity of the area with regard to dust.

26 Prior to the commencement of development, a noise impact study shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but are not limited to:

- Noise details (dB(A)) of any mobile plant and the mixer plant, crane and any external yard operations on the site.
- Details of noise mitigation measures to be employed on site.

The details shall require the written approval of the Local Planning Authority and be retained thereafter.

Reason: To ensure noise from the development can meet current standards.

27 The site shall be developed with separate systems of drainage for foul and surface water on and off the site.

Reason: In the interest of satisfactory and sustainable drainage.

Reason(s) for Granting Permission

1 Existing employment
policy areas - Policy ED7

The proposal complies with Policy ED7 in that

the type of employment use proposed is compatible with adjoining uses.

there is no significant impact on residential/visual amenity/highway safety.

the proposed alternative development on this employment site meets the criteria in SPG 24 on retention of jobs in the Borough.

has an acceptable relationship with surrounding land uses.

Informative(s)

- 1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
- 2 There are six landfill sites within 250m of the site. The site is located on the Amalgamated Construction Compound Site Reference 81. The following is information on those sites:

Amalgamated Construction Compound Ref 81 - This landfill license was cancelled in 1992. The site accepted construction and demolition waste. There is no evidence that the site would give rise to landfill gas in substantial quantities and the risk of gas generation and migration is considered low.

Whaley Road (Amco Industries) Ref 84 - This landfill license was cancelled in 1984. It accepted construction and demolition waste. There is no evidence that the site would give rise to landfill gas in substantial quantities and the risk of gas generation and migration is considered low.

Land to East of Whaley Road Ref 160 - Our records show that this license was withdrawn prior to waste being deposited on site.

South Yorkshire Industrial Estate Ref 87 - This license was cancelled in 1990. There is no evidence that the site would give rise to landfill gas in substantial quantities and the risk of gas generation and migration is considered low.

Wilthorpe Road Ref 86 - This landfill license was cancelled in 198. There is no evidence that the site would give rise to landfill gas in substantial quantities and the risk of gas generation and migration is considered low.

Dayhoues Lane Ref 136 - This site is closed. It accepted excavation waste. The landfill is known to have accepted biodegradable waste and has the potential to produce landfill gas and therefore the risk of migration should be considered. There are no records to suggest that landfill gas is migrating from the site or is affecting or likely to affect the proposed development.

Your Local Planning Authority may hold environmental monitoring information for closed sites. If any part of the development is actually on any of the landfill sites then you should be aware of the presence on the site.

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.