
Ref: 2023/0815

Applicant: Carnell Management Services

Proposal: Construction of 7no commercial industrial units in 6no. blocks (Use classes E(g)(ii), E(g)(iii), B2 and B8) and associated external works.

Site address: Land west of the Dearne Valley Parkway, and south of Kestrel Way, Birdwell, Barnsley

3 representations were received from local residents during the consultation period. The recommendation to grant planning permission is subject to the signing of a S106 Agreement to secure a financial contribution towards off-site bio-diversity net gain (BNG).

Site Location and Description

The application site comprises an allocated employment site in the adopted Local Plan (site ref ES14) in the Hoyland part of the Borough and lies within the Hoyland North masterplan area. It is located approximately 210m to the northeast of the Junction 36 of the M1 and sits adjacent to the A6195 Dearne Valley Parkway.

A new gyratory road system links together the A6195 Dearne Valley Parkway with M1 J36, the A61, and the A6135. A more recent addition to this road system is Olympus Way which has been constructed in association with the developments that have taken place on the Hoyland West Masterplan area to the south of the application site/A6195. The new road system serves the recently constructed employment unit buildings to the south of the A6195 that have been built since the adoption of the Local Plan including Evri and 2 other B use commercial units that have been constructed by Newlands Developments.

The immediate surroundings include a variety of development that has taken place within the last decade, and which is the process of taking shape following the planning permissions that have been granted both pre-dating and post-dating the local plan and following the adoption of the Hoyland North Masterplan which the site forms part of. The local area consists of various industrial/employment developments as well as ancillary retail and food outlets; petrol station; small supermarket and trade merchants.

The application site is roughly a triangle shape and has a total area of circa 1.9 ha. The site lies within a Coal Authority Referral area due to the presence of previous open-cast coal operations that occurred between the 1950s – 1970s. Since then, the site has been backfilled and now consists of informal scrubland which has been become partly vegetated.

Existing small scale industrial buildings/uses bound the site to the south and west whilst a Costa Coffee outlet is located immediately north of the site. The eastern boundary is defined by a timber post fence which is set back from the A6195.

There is an existing pylon positioned on the eastern boundary, with overhead cables running across the eastern corner of the site and across the Costa Coffee car park. The site benefits from an existing access point to the north via Kestrel Way which will be utilised to serve the proposed development. The site itself is fairly flat but prominently positioned immediately adjacent to the Birdwell Roundabout/Dearne Valley Parkway, as well as being within close proximity to Junction 36 of the M1 which is one of the gateways into the Borough. There are a number of large trees, of various species, along the western boundary between the application site and the adjacent maintenance compound, albeit none of these are protected

by a tree preservation order. The condition and category of the trees have been assessed with the findings included within the submitted arboricultural survey (Rev D).

There are no local, national, or international level statutory designations on the site but there are three non-statutory designations in the area: Shortwood and Hay Green Local Wildlife Site; Barrow Colliery Site Local Wildlife Site. The site also lies within the Dearne Valley Green Heart Nature Improvement Area. The footway along the eastern boundary of the site/A6195 is a designated Green Way known as 'TPT Timberland Trail Tankersley NE to the Dove Valley Trail south of Worsbrough'.

The Listed Tankersley Mine Rescue Station (Grade II, listing ref: 1376008) is located approximately 146m from the site boundary. However, its heritage significance will not be impacted by this proposal given the siting of existing development between the asset and the application site.

The public rights of way (PROW) consultee have confirmed that there are no registered PROW crossing the site. The site is in flood zone 1 thus at low risk of flooding.

The Hoyland West (employment and residential) Masterplan area is also located nearby to the south of M1 junction 36.

Planning History

2019/0449 - Outline application for employment led, mixed use development comprising of Employment units (B1c/B8), a Hotel (C1) and Food and Drink units (A3), with all matters reserved other than Access, REFUSE, 22/9/2020

2017/1094 – (*Reserved Matters*) Erection of petrol filling station, petrol filling station shop and drive through café - Reserved matters of outline planning permission 2014/1452 (access, appearance, landscaping, layout and scale) GRANTED, 9/2/2018

2014/1452 – (*Outline*) Erection of employment led mixed use scheme comprising office (B1), general industry (B2), warehouse/distribution (B8), food and drink (A3/A4/A5), hotel (C1) and petrol filling station/fast food restaurant (Sui Generis/A3) and associated infrastructure, GRANTED, 24/4/2015

B/03/0517/H- Mixed use development comprising B1, B2, B8 uses, restaurant, hotel, public house and car showrooms (Outline), WITHDRAWN

B/94/1136/WO - Construction of new highway (Dearne Towns Link Road - Stage 1), UNKNOWN DECISION

Proposed Development

Full planning permission is sought for the construction of 7no industrial/warehouse units consisting of 6 blocks for uses which fall within Use Classes E(g)(ii) – research/development of products or processes, E(g)(iii) – industrial processes, B2 – general industrial and B8 – storage/distribution. Associated works include the formation of roads, parking/loading areas and landscaping.

The application has been subject to pre-application discussions, as well as various amendments through the assessment. This includes additional highways/tracking information to address concerns raised by the Highways DC Officer and alterations to the appearance/elevations of proposed buildings. Updated tree surveys have also been submitted and additional information to address initially concerns from National Highways.

The proposal consists of 6 buildings arranged around a central spinal access off Kestrel Way. The buildings vary in size with Units 2 and 4 being the largest at 15,000sqft (1,393.5sqm) and 18,600sqft (1,728sqm) retrospectively, whilst units 6 and 7 are the smallest at 3,300sqft (306.5sqm) and 3,500sqft (325sqm) retrospectively. All of the buildings are standalone/detached units, apart unit 5 and 6 which are joined. Units 1-4 will have a low pitch gable roof, with unit 4 being the tallest, with a ridge height of 11.3m. Units 1-3 are slightly lower with a ridge height of circa 10.8m. In contrast, Units 5-7 (positioned in the north eastern corner) all have a sloping roof design. Unit 5 is the tallest, with the sloping roof extending to 9.7m at the highest point. To break up the massing, the roof height of the joined unit 5 and 6 building steps down, from 9.7m to 9.1m.

Units 1, 2, 3 and 4 each benefit from a secured loading area whereas units 5-7 will share a communal parking area. The scheme will provide small parcels of landscaping, including tree planting and grassed areas, between the loading/parking areas to break up the hard surfacing and soften the appearance of the site. A line of trees will also be planted along the eastern boundary to create a landscape buffer and improve the visual appearance of the site when viewed from A6195 and minimise any visual harm introduced by the position of the service yards.

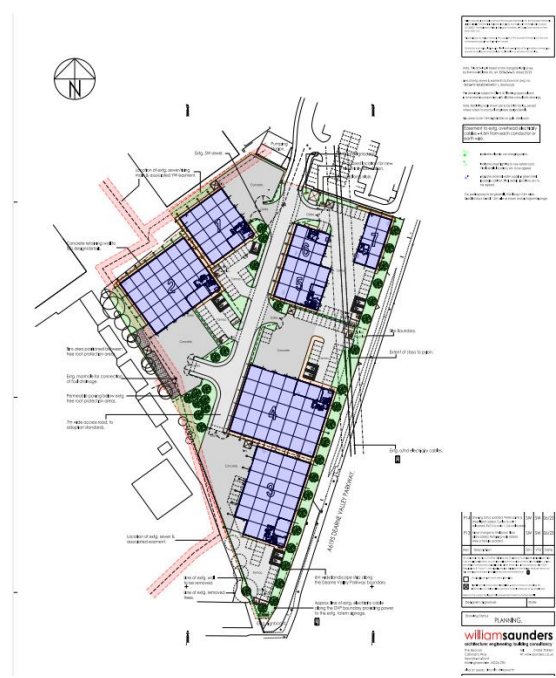
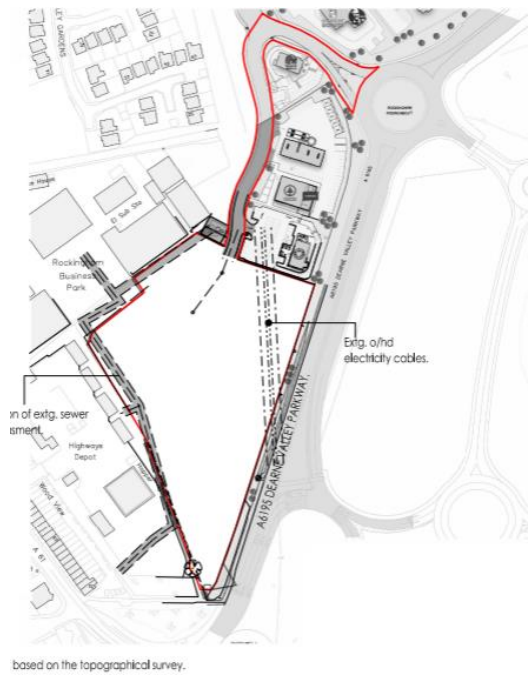
The size of the proposed units respond to a growing demand for smaller buildings, primarily aimed at start-up enterprises. Enterprising Barnsley are in support of the proposal and also acknowledge the lack of smaller units available within the borough.

The buildings have been arranged to avoid the existing over-head power line meaning it can remain in situ as existing. Additionally, the easement/stand-off distance required for the existing Yorkshire Water sewer has also been taken into consideration.

An arboricultural survey was submitted with the application and updated to confirm that tree T24 (as labelled on Arboricultural Impact Assessment Plan, Rev D) is to be retained in the short term. Although the tree is category U and therefore considered to be of low amenity value, the tree has potential to be used as a bat roost. The tree will be felled after the necessary bat surveys have been carried out.

All 7 units would comprise the same material palette/specification which consists of a sage green and light grey cladding with multi colour Trespa panelling; buff brickwork and aluminium fascias and flashings. Each unit will have a clear entrance point which faces the parking area, and includes a glass door with canopy detail.

In order to achieve required +10% Biodiversity Net Gain (as per the adopted Hoyland North Masterplan) a financial contribution equivalent to 21.43 habitat units is to be secured via a S106 Agreement. The total contribution value (based on £25,000 per habitat unit) is £535,750.



EXISTING



EXISTING



ON COMPLETION



ON COMPLETION



EXISTING



ON COMPLETION



Landscape Proposals

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site

allocations (housing, employment and mixed use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

The Local Plan

The application site falls within the Employment allocation: Site ES14 Rockingham 8.9 ha, which states:

The development will be subject to the production of a Masterplan Framework covering a number of sites including housing site references: HS64; HS66; HS56 and employment site references: ES14 and ES17.

The development will be expected to:

- *Provide appropriate access to employment site ES17 and housing site HS64.*
- *Consider the impact on residential amenity and include appropriate mitigation where necessary; and*
- *Consider the potential impact on the nearby Shortwood and Hay Green Local Wildlife Sites and include appropriate mitigation where necessary and;*
- *Retain the hedgerow along the north edge.*

Policy E1 Providing Strategic Employment Locations - 297 ha of land in sustainable locations is allocated to meet the development needs of existing and future industry and business up to 2033. This will provide a choice of sites in accessible locations to meet the needs of businesses and their workforce and provide local communities with access to job opportunities.

Policy E2 The Distribution of New Employment Sites

Policy E3 (Uses on Employment Land) on allocated employment sites the Council will allow the following uses: research and development (Eg(ii) and light industry (Eg(iii); general industry (B2); or storage or distribution (B8). The supporting text to the policy advises that the provision of well-located employment land is key to the Borough's future economic growth, and it is therefore essential that both new employment land and land currently in use or last used for employment purposes, is protected, and safeguarded from non-employment uses.

SD1 Presumption in favour of sustainable development – Planning applications that accord with other relevant policies will be approved without delay.

LG2 Location of Growth – Urban Barnsley and the Principal Towns including Hoyland are the highest priority locations for accommodating growth in accordance with the adopted settlement hierarchy.

GD1 General Development – Proposals for development shall be approved if there will be no adverse effect.

Other relevant policies include:-

- CC1 - Climate Change
- CC2 - Sustainable design and Construction
- CC3 - Flood Risk
- E1 - Providing Strategic Employment Locations
- E2 - The distribution of New Employment Sites
- T3 - New Development and Sustainable Travel
- T4 - New development and Transport Safety
- T5 - Reducing the Impact of Road Travel
- D1 - High Quality Design and Place Making
- CC1 - Climate change
- CC2 - Sustainable Design and Construction
- CC4 - SUDS
- GS1 - Green Infrastructure
- GS2 - Green ways and Public Rights of way
- BIO1 - Biodiversity and Geodiversity
- HE1 – The Historic Environment
- HE6 - Archaeology
- RE1 - Low Carbon and Renewable Energy
- CL1 - Contaminated and Unstable Land
- Poll1 - Pollution Control and Protection
- I1 - Infrastructure and Planning Obligations

Hoyland North Masterplan Framework

The Masterplan was adopted on 19 December 2019 and will create a mixed-use community comprising around 765 new homes and 37 hectares of employment land with associated infrastructure to the north of Hoyland's urban area set within a greenspace network that supports multi-functions and activities. A golden thread running through the Masterplan Framework process is health and well-being principles and sustainability initiatives with a green infrastructure state and sustainability initiatives. For the employment area ES14 it is expected that future plans include substantial landscape strips along internal highways, and green corridors.

Other detailed requirements of the masterplan include 10% biodiversity net gain, colour palette, scale, and massing to minimise harm to wider landscape, location of service yards, consideration of green roofs, pedestrian and cycle routes enhanced and retained where possible, new woodland areas within high wall zones and high value wetland swamp grass land area to be retained, management and maintenance, governance, and stewardship of green infrastructure. The further requirements of the masterplan are addressed within the assessment section of the report.

The site lies within the Commercial Parkway West character area of the Masterplan which states "*a) Commercial Parkway West - This is an area defined at present by highway infrastructure. It is an area in need of development to soften the infrastructure character and to bring high-quality buildings and substantial landscape into play to establish a stronger sense of place. This area will be characterised by employment buildings and will be an important gateway into the Masterplan Framework area from junction 36 of the M1. It should deliver a high-quality environment that sets the design quality for the wider Masterplan Framework area*".

Supplementary Planning Documents

Parking

Residential amenity and the siting of buildings
Biodiversity and Geodiversity
Sustainable Travel
Trees and hedgerows
Planning Obligations
Sustainable Construction and Climate Change Adaption

National Planning Policy Framework December 2023

The National Planning Policy Framework 2023 sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Where proposals are in accordance with the development plan, permission should be granted without delay.

Other relevant paragraphs include:-

Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability. The paragraph also states that decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 185(b) states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Consultations

Air Quality – No response.

Biodiversity/Ecologist – Additional information was requested during the assessment of the application including further consideration of great crested newts (GCN) within the preliminary ecological appraisal; bat activity surveys; updated mitigation commitments; clarification regarding the retention of any habitats on site; updated botanical survey to robustly assess the open mosaic habitat (OMH); grassland condition to be updated to poor.

During the assessment of the application there has been discussions between the Ecologist and the Applicant's Ecologist regarding the quality of the OMH, however upon inspection the Ecologist is satisfied that this can be categorised as 'moderate'. Regarding the bat activity surveys, the optimum season to carry out these surveys is summer months. To ensure that the determination of this application is not delayed, it has been agreed that the tree which has the most potential to be a roost (tree T24) is to be retained to enable further surveys to be carried out during the appropriate season.

A revised version of the preliminary ecological appraisal has been submitted (Rev A dated December 2023) and an updated BNG assessment (Rev A December 2023) and metric to address/include the required information. These updated documents have been reviewed by the Ecologist. To achieve the +10% BNG as required by the masterplan framework, a

financial contribution equivalent to 21.43 habitat units (£535,750) is to be secured via a S106 Agreement unless an agreed off-site location can be secured. Subject to the S106 Agreement being signed and the proposed conditions being attached, there is no objection based on ecological impact.

Local Ward Cllrs – No response

Coal Authority – The site lies within High Risk Area and a preliminary risk assessment has been submitted and reviewed. The report concludes that there is sufficient rock cover above any worked coal seams present beneath the site to ensure that there is no risk to the proposed development. In order to inform the detailed building design further investigations are recommended. On this basis there is no objection subject to informatives being attached.

Contaminated Land – No response.

Dearne and Dove I.D.B. – No response

Enterprising Barnsley – In support of the application as it will create much needed industrial units to help attract future inward investors. There is currently limited availability of units at the proposed size.

Forestry/Tree Officer – No response. However, acceptable tree protection measures are included on the arboricultural impact assessment plan. A condition is attached to ensure that the appropriate protection is erected prior to any construction works.

Highway Drainage – No objection subject to conditions relating to the submission of full foul and surface water drainage details (pre-commencement) and submission of drainage calculations/permission from the private drain owner to prove the adequacy of the private drain connection (pre- commencement).

Highways DC – Initially requested clarification regarding the vehicle tracking; the B8 use parking standards; queue length data; revisit table 3 in the report and ensure its results are consistent with the modelling results.

An updated transport assessment has been submitted (ref: RHC-22-065-TA Revision B, Received: 23/1/2024) which addresses the points above. Discussions that took place surrounding the saturation flows used within the model and it was agreed that the values used to generate the model were in line with those previously accepted under the extant permission for the site and as such, due to the small difference in trip generation, it is acceptable for the values to remain the same.

Amended tracking for the site has been provided which shows sufficient space within the site for HGV's to manoeuvre satisfactorily. In summary, the Highways DC Officer has no objections to the development based on the revised report/information. Conditions are proposed relating to the submission of a construction method statement; condition survey of road to be used by construction traffic; surfacing of parking and implementation of travel plan.

National Highways – Initially objected to the development and requested further information regarding the causes of collisions within the locality; further details of the Travel Plan coordinator; further details of any firm financial funding; further assessment of the travel plan targets and forecasted person trip generation and their impact upon the operation of the strategic road network, as well as further phasing information.

An updated transport assessment has been submitted (Rev A October 2023) which has been reviewed by National Highways. In summary the objection is removed subject to a pre-

commencement condition relating to the submission of a construction traffic management plan which shall set out how traffic movements associated with the site will be managed to mitigate movements via the M1 during peak hours. This can be secured by a planning condition.

Natural England- No objection subject to conditions relating to water and air pollution mitigation measures to ensure that construction and/or operational activities do not release pollutants into the Dearne Valley Wetlands SSSI and the requirement for a CEMP to be submitted prior to commencement. This can be secured by a planning condition.

Pollution Control/ Environmental Health – No objections subject to conditions attached relating to the submission of a noise impact assessment (prior to occupation); controlled noise levels at particular time periods; and hours of operation/activities.

Public Rights of Way – No objection subject to informative being attached.

South Yorkshire Archaeology Service – No response.

South Yorkshire Mayoral Combined Authority – No objection, though a contribution towards a new bus shelter/stop adjacent to the site was requested. However, this was not considered to be necessary/required to make the development acceptable as the site is already well-connected in terms of public transport links.

South Yorkshire Mining Advisory Service – No objection subject to condition relating to the submission of intrusive site investigation reports. The condition wording has been amended to include an obvious trigger point.

South Yorkshire Police – No objection subject to informative relating to Approved Document Q of the Building Regulations (England).

Sustainability – No response.

Urban Design Officer – No objection based on the amended plans/elevations which have been submitted to address earlier concerns. The development is acceptable in terms of design subject to conditions relating to the specification of glass panels; specification of the proposed brickwork; landscaping maintenance and restricting the use of vinyls and signage (separate advertisement consent application would be required).

Yorkshire Water – No objection subject to condition relating to the accordance with the proposed drainage plan.

Representations

This application has been advertised in accordance with the Development Management Procedure Order 2015. 3 site notices were displayed adjacent to the application site and nearby neighbours were notified via a neighbour letter. The public consultation period expired on 23/10/2023.

3 representations were received from local residents in objection to the proposal raising the following concerns:

- No need/demand for additional industrial buildings;
- There are existing empty units within the area;
- Impact upon air quality;
- Issues with the submitted travel plan;
- Traffic survey should be provided;

- The existing roundabout/road network is difficult to navigate;
- Lack of housing to support the additional jobs created;
- Increased crime associated with the nearby industrial units;

The surrounding road infrastructure has been constructed to the applicable highway standards and concerns regarding the nearby roundabout being '*difficult to navigate*' is not a material planning consideration.

Issues relating to housing need is also not relevant to the determination of this application. As summarised above and analysed below, this site is allocated for employment uses as defined in the adopted Local Plan. The Hoyland North masterplan area includes suitable land allocated for housing for the purposes of supporting the jobs created. The other concerns raised are addressed within the assessment section below.

Cllr Chris Wray also responded to the application during the Member Consultation exercise and raised some queries regarding the assessment of the application against the Sustainable Construction and Climate Change Adaptation SPD which was adopted in July 2023. This is addressed below.

Assessment

The Principle of Development

The whole of the application site is allocated for new employment use development in the adopted Local Plan (site specific reference ES14). The entire allocation includes up to 8.9ha of employment land which is to be developed in accordance with the adopted masterplan framework.

The site is located in the Hoyland Principal Town area and as such the proposal also accords with policies Policy E1 Providing Strategic Employment Locations, Policy E2 The Distribution of New Employment Sites and LG2 The Location of Growth. Policy E2 makes particular reference to Hoyland stating that over the plan period approximately 110.9ha of employment land is to be developed.

In addition, the specified range of uses E(g)(ii) and (iii), B2 and B8 accords with Local Plan Policy E3: Uses on employment land. The policy also allows for ancillary uses where they are appropriate in scale.

As such the proposal is acceptable in principle, but consideration needs to be given to the aforementioned policy requirements and the other material planning considerations that are relevant to the assessment of the proposal. The Hoyland North Masterplan is another material consideration. The assessment of the application in relation to the other assessment considerations is discussed in more detail below.

Economic Benefits

The site is designated within the Local Plan as Employment use and is in a highly strategic location close to the motorway junction and key trunk roads. Whilst the site is considerably smaller than some of the nearby employment allocations, it is still a significant site in its own right and would provide much needed smaller units aimed at start-up businesses. The mixture of employment space within the allocation is important, and encourages a wider range of businesses to locate within the Hoyland area.

An objector raised concerns regarding the lack of demand for the proposed development and stated that there is availability/vacancy at existing units within the vicinity. However, Enterprising Barnsley have emphasised their support for the proposed development based on the fact that there is a shortage of suitable smaller premises within the borough. The objector did not provide any evidence of similar sized vacant units close to the site and therefore those comments have been afforded limited weight.

Overall the development would provide 7 new units which once built out, would lead to private sector investment being secured, providing premises for potential inward investors and expanding local companies and contributing to investment for Barnsley. The proposal will provide an additional choice of unit sizes to complement some of the larger units granted permission on the adjacent ES14 site as well as the Harworth site on ES15 and ES17 allocations within the Hoyland North Masterplan area.

The development will create jobs which in turn positively contributes to the economic activity within the borough and generates long-term economic benefits. In the short-term/during the construction phase of the development, the creation of additional construction jobs also adds to the benefits of the scheme, albeit this holds less weight.

Design and visual impact considerations (scale, massing, appearance, colours, landscaping)

The site itself lies in the Commercial Parkway West character area of the Hoyland North masterplan area which states *"This is an area defined at present by highway infrastructure. It is an area in need of development to soften the infrastructure character and to bring high-quality buildings and substantial landscape into play to establish a stronger sense of place"*.

During the assessment of the proposal, alterations have been made to improve the visual appearance of the development. Page 14 of the masterplan framework states *'It is crucial that the employment units are sympathetic to the surrounding natural landscape and complement the local area... Proposals should seek to enhance the distinctness of the area'*. The proposed colour palette and external materials now conform with those included at page 1 of the Masterplan, consisting of earthy green and light grey cladding with multi colour Trespa panelling; buff brickwork and aluminium fascias and flashings. The Urban Design Officer is accepting of the proposed design and the suggested materials/colours.

In terms of scale, the masterplan framework does not provide definitive heights and instead states that *'the design of the building should be appropriate for its end employment use and seek to minimise visual harm upon the wider landscape.'* To add interest, the roof height and design of the units vary. Units 1-4 are the larger buildings varying from 9,000sqft (836sqm) to 18,600sqft (1,728sqm) in size. All of these buildings have a low pitch gable roof, with unit 4 being the tallest, with a ridge height of 11.3m. Units 1-3 are slightly lower with a ridge height of circa 10.8m. In contrast, the smaller units, positioned in the north eastern corner all have a sloping roof design and vary between 3,300sqft (306.5sqm) – 6000sqft (557sqm) in floorspace size. Unit 5 is the tallest, with the sloping roof extending to 9.7m at the highest point. To break up the massing, the roof height of the joined unit 5 and 6 building steps down, from 9.7m to 9.1m.

All of the proposed buildings are considered to be acceptable in terms of design and scale, given the setting of the application site and their impact upon appearance of the area. The buildings are not overly tall and will not dominate the landscape, but will be suitably sized for the proposed end user.

The masterplan framework states *'Service yards should not be dominant features from the link road and Dearne Valley Parkway.'* The proposed layout does reflect this, with the service yards to be positioned adjacent to the central access road and away from the Dearne Valley

Parkway. However due to the triangular shape of the site and the various constraints (including the overhead pylons and Yorkshire Water sewer) as well as the smaller scale of the units, the parking areas associated with Units 3-7 are to be located along the eastern boundary adjacent to the Dearne Valley Parkway. To mitigate any harmful visual impact and ensure accordance with the masterplan framework aspirations, appropriate landscaping is proposed along the eastern boundary adjacent to the highway to screen the service yards.

Figure 14 of the masterplan framework indicates that a green buffer is to be provided along the eastern boundary of the site. This feature has been replicated in the proposal, with a 6m wide landscape strip included to soften the appearance of the development and somewhat screen the hard landscaping. Due to the presence of the overhead pylon, the height of the landscaping adjacent to Unit 4 has been suitably considered, meaning the parking area for that unit will be slightly noticeable. However, the landscaping/planting together with the natural colour palette help to minimise any overall dominance or harm.

The masterplan states on page 14 that all employment units should have a '*human scale*' frontage to assist with legibility. All of the units include a welcoming entrance foyer with canopy and glazing to provide an obvious entrance point and an active frontage, which faces the associated parking area.

In summary the amended plans are considered to represent an acceptable form of design having regard the Hoyland North Masterplan and other more general design policies in the Local Plan including D1 and GD1.

Highway's considerations

The site benefits from an existing access to the north via Kestral Way off the Rockingham Roundabout. The adjacent Costa Coffee; Taco Bell and petrol station already utilise this road which currently ends at the northern site boundary. The site layout consists of a central spine road which will continue off the existing road to the north and be finished in tarmac and constructed to adoptable standards. A 2m wide footway will run along either side of the central spine road.

The parking layout also includes sufficient cycle parking for each unit, as well as appropriate bin storage to enable easy waste collection. Suitable footpaths are provided to enable pedestrian access between the car parking spaces and the unit entrance.

National Highways initially objected to the proposal during the first round of consultation, however following the submission of additional/updated data, the objection was removed. A condition has been attached relating to the submission of a construction traffic management plan (CTMP) which must set out how traffic movements associated with the site will be managed to mitigate movements via the M1 during peak hours, and this document is to be submitted prior to any development commencing.

The Highways DC Officer has reviewed the highways information and has no objection based on the updated supporting information. The development includes sufficient car parking for each unit and a suitable service/loading yard. The updated swept path analysis plans demonstrate that the proposed layout works in terms of vehicle manoeuvres and the updated transport assessment addresses all of the queries raised.

Neighbour objections were received raising concerns with the submitted travel plan and traffic surveys. During the assessment of the application revised versions of these documents have been received and reviewed by the specialist consultees. Overall, the consultees have no objection to the development based on the updated plans, and similarly, no new/additional neighbour concerns have been received following the submission of

revised documents. Those representations are therefore assumed to have been addressed by the latest information.

Overall, the Highways Officers have no objections subject to planning conditions and the proposal is in accordance with Local Plan policy T3 and T4 in this respect.

Sustainable Travel and Public Rights of Way

The Hoyland North Masterplan Framework recognises that a key aspect of achieving a well-connected development is the objective of promoting sustainable travel and reducing the need to travel by private vehicle including provision for public transport. The Hoyland North Masterplan emphasises on page 31 *“It is vital that the potential to walk or cycle to the development allocations is maximised. Accordingly, the development strategy for each allocation will include the provision of high-quality, safe and convenient walking and cycling routes to make sure that there is good connectivity through the Masterplan Framework area as well as connections to the existing infrastructure on the surrounding network”*

During the consultation for this application, the South Yorkshire Mayoral Combined Authority requested a financial contribution to fund a new bus stop to serve the proposed development. However, there are existing bus stops on Sheffield Road within easy walking distance from the application site and the request for an additional bus stop was not considered to be necessary to make the development acceptable.

As mentioned above, suitable bicycle parking facilities are included within the proposal as well as electric vehicle charging points in accordance with the adopted SPD and in line with Building Regulations.

Taking into account the proposals for sustainable travel, the application is considered to be in compliance with Local Plan Policy T3 New Development and Sustainable Travel.

Residential Amenity

Local Plan Policy POLL1 seeks to protect residents from the impact of new industrial and warehouse development. As such, the relationship between the proposed new development and any existing residential properties has been considered in detail. Guidance is found in the adopted SPD Residential Amenity and the Design of Buildings.

There are no residential properties within the immediate vicinity of the application site. The closest properties are on Sheffield Road but these do not immediately view or overlook the application site. Additionally, there are existing commercial/industrial uses between the proposed development and the nearest dwellinghouses.

The size and scale of the proposed industrial units would not introduce any form of overshadowing or dominance upon the nearest residential properties. There have also been no concerns raised regarding the impact upon residential amenity within the received representations. Service yards are similarly located far away from the residential properties to mitigate any disturbance.

To ensure that noise pollution will not be introduced by the proposed development, a condition requiring the submission of a noise impact assessment is to be attached. This must be submitted prior to the occupation of any unit. Additionally, conditions are attached relating to the hours of operation and noise levels. With respect to the potential for light pollution, a planning condition is proposed to ensure light pollution does not affect residential amenity or harm wildlife.

A neighbour objection was received raising concerns regarding increased crime as a result of the development. As summarised above, the application site is allocated for the proposed uses and is therefore acceptable in principle. Increased crime is not considered to be a direct impact of employment development. Nevertheless, the South Yorkshire Police Liaison Officer has been consulted on the application and provided comments. An informative is attached in relation to security.

Overall, and taken in context that this site is allocated as a strategic employment site, and with existing commercial premises nearby, the Pollution Control Officer is satisfied any impact upon residential amenity can be adequately controlled. The proposal is considered to accord with Local Plan Policy POLL 1. On balance, the above the proposal is considered to conform with the Residential Amenity and Siting of Buildings SPD and Local Plan Policies D1, GD1 and POLL1 on this point.

Impact on trees and landscaping

Page 51 of the Masterplan states that developers will need to justify any loss of green infrastructure, particularly important ecological areas, and set out a clear strategy for mitigation and/or compensation as part of future planning applications, where the loss of existing green infrastructure is unavoidable.

Whilst the majority of the site is clear of trees, there are existing trees and vegetation along the western and the south-eastern boundary. There are also smaller stands of low amenity vegetation and scrub across the site.

An acceptable tree survey along with an arboricultural impact assessment has been submitted to support the application. A total of 23 trees were assessed along with 4 hedges. In order to facilitate the proposed development, all 4 hedges are to be removed along with 10 trees, of which 3 are already dead.

Initially an 11th tree was to be removed (labelled at T24) which is also in a very poor condition/deceased. However, this tree could potentially be a bat roost and as such will be felled at a later date after acceptable assessments are carried out (addressed further below). All the retained trees will be protected by appropriate fencing as shown in the arboricultural impact assessment plan attached to the updated report.

Although the loss of the existing trees is unfortunate, the proposal includes satisfactory replacement planting within the various landscaped areas. All the new tree planting will be specifically selected and planted within sufficient space (both above and below ground) to ensure that the new trees access the appropriate levels of light and space to attain a full term healthy life.

Ecology and Loss of Habitat

The Hoyland Masterplan Framework states that at least 10% biodiversity net gain is required, and also that new woodland areas within high wall zones and high value wetland swamp grass land area to be retained. Management and maintenance, governance and stewardship of green infrastructure are also covered.

The requirement for 10% biodiversity net gain cannot be achieved on site and still achieve a viable layout for employment uses, and the Planning Ecologists have agreed that it would be appropriate in this case, for offsite mitigation to take place together with long term management, secured by a S106 agreement. When assessed against the baseline habitat units, the +10% BNG requires a financial contribution equivalent to 21.43 habitat units is to

be secured via a S106 Agreement. The total contribution value (based on £25,000 per habitat unit) is £535,750. This financial contribution is to be secured via a S106 Agreement.

As mentioned above, tree T24 is to be retained in the short term to enable further bat activity surveys to be carried out in during the optimum season (summer months). Subject to the outcome of those surveys, this tree may be felled at a suitable date.

Planning conditions are proposed in relation lighting details and Construction Environmental Management Plan - Biodiversity (CEMP-B). Subject to the signing of the S106 Agreement for the submission of a Habitat Management and Monitoring Plan (HMMP) for offsite biodiversity mitigation/compensation; and the conditions attached, the proposal is therefore in accordance with Local Plan Policy BIO1 and the Hoyland North Masterplan on this point.

Air Quality

The application submission included an air quality assessment (AQA). The site is not located in an air quality management area and there have been no objections raised by Officers in Air Quality and/or Pollution in regard to any potential impactful harm. It is noted that an objector raised concerns regarding air quality and a potential harm introduced by the development. The submitted AQA concludes a negligible/not significant impact upon air quality and there is no objection received from specialist consultees in regard to this matter. Therefore, the concerns raised by an objector have been afforded limited weight.

The application is therefore considered to be consistent with the aims of Local Plan Policy AQ1.

Drainage and Flood Risk

The Hoyland North Masterplan expects the employment uses to deliver appropriate SUDs provision as well as substantial landscaping and open space.

No objections have been received from the drainage engineer subject to the imposition of conditions requiring the subsequent agreement of formal details for foul and surface water drainage prior to commencement of development. This includes calculations to prove the adequacy of the existing drain connection.

All previous queries from Yorkshire Water have been dealt with during the course of the application, and there is no objection in this regard subject to the conditions proposed. As such the application is in compliance with Local Plan Policy CC1.

Sustainability

The Sustainable Construction and Climate Change Adaptation SPD was adopted in July 2023 and builds upon the objectives set out in the NPPF and Section 19: Climate Change of the Local Plan. The SPD encourages the use of sustainable materials and modern methods of construction to reduce energy consumption.

The proposed development includes various sustainable features to improve the efficiency of the buildings and contribute towards the Council's carbon emission targets, as described in the submitted Energy Statement. Within this document it confirms that the requirements of Part L1A Building Regulations will be exceeded regarding the building fabric; use of electric vehicle charging points and the installation of efficient water saving sanitaryware. In addition to this, solar PV panels will be installed on the roof of the all the units totalling a kilowatt-peak equivalent (kWp) of 329.8.

Although living walls/green roofs are specifically encouraged within the SPD, in this instance these features were not considered to be necessary to make the development acceptable. The SPD states that *'if there is conflict between the provision of photovoltaics and living roofs, we will prioritise photovoltaics'*. On this basis, the installation of PV panels was considered to be more beneficial in terms of energy consumption in comparison to a living roof/wall.

The application is also supported by a BREEAM assessment which concludes that the building will achieve a 'Very Good' BREEAM rating in accordance with Local Plan policy CC2 and section 5 of the SPD.

Overall, the development is in accordance with the Local Plan policies CC1 and CC2 and the requirements of the adopted SPD.

Summary and conclusion

The site is allocated for new employment use development in the Local Plan (site specific reference ES14) making the proposal acceptable in principle. In addition, the site is located in the Hoyland Principal Town area and as such the proposal also accords with policies E1 Providing Strategic Employment Locations, Policy E2 The Distribution of New Employment Sites and LG2 The Location of Growth.

The development would lead to investment and new employment opportunities at both the construction and operational stage. Enterprising Barnsley fully support the application and development of speculative units that are needed to generate economic growth in the borough, with there being a particular emphasis on the requirement for smaller units.

In addition, the specified range of uses B2, B8 and E(g) (ii) and (iii) accords with Local Plan policy E3 Uses on employment land.

There are no outstanding objections from internal or external consultees and all the relevant planning policy requirements have been accorded with.

The National Planning Policy Framework is another important material consideration related to this case, in particular paragraph 81 which states that *'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'*. This point attracts significant weight as a further material consideration.

In addition to the above an assessment has been carried out of the proposed plans in relation to the detailed design requirements set out within the Hoyland North Masterplan, other local plan policies, SPD's and against other material planning considerations.

The proposed plans have been amended during the course of the application to update the design of the external elevations. The amended materials include natural colours, such as greens, greys and light tones, which will blend with the surrounding landscape. This means that the development complies with the requirements of the Hoyland North Masterplan and policies D1 which requires High quality design and Place Making in design and appearance terms. Nevertheless, it should be acknowledged that the buildings would still lead to moderate adverse landscape and visual impacts when the development is first undertaken given the nature of the development and taking into account that the site is in an open and undeveloped form at the present time.

In relation to biodiversity a combination of on site mitigation and off site compensation would need to be secured by S106 Agreement to achieve sufficient credits so that a 10% biodiversity net gain is achieved as per the requirements of the masterplan.

In residential amenity terms the proposed buildings and service yards are located a sufficient distance away from existing dwellings to comply with the SPD. The plans are judged acceptable in residential amenity terms therefore subject to the conditions requested by Pollution Control in relation to hours of operations and the submission of noise impact assessments.

In Highways terms the application has been accompanied by a Transport Assessment which has been reviewed by the Council's Highways service and National Highways. Both have raised no objections in network capacity terms. Furthermore, Highways have assessed the internal layout and determined that the design of the internal roads, car parks and service yards meet the required standards. The proposal is therefore in accordance with local plan policies T3 and T4, subject to conditions.

In addition to the above the proposal has been assessed in relation to other material considerations including drainage and coal mining risk and is considered acceptable in relation to each of these areas with consultees offering no objection subject to the imposition of suitably worded conditions and informative notes.

In summary the proposal is considered to be in accordance with the main development plan policies that are relevant to the proposal (most notably Local Plan policies E1, E2, E3, D1) and the Hoyland North Masterplan in that it would lead to the provision of 7 new industrial/warehouse unit buildings on a site that is allocated for those purposes in the Local Plan (site ref ES14). The development would result in substantial economic investment and potential employment opportunities and would deliver the other benefits mentioned above.

The proposal therefore complies with the development plan as whole, and the advice set out in the NPPF. As such the application is considered to accord with policies and guidelines and is recommended for approval accordingly.

Recommendation

Grant planning permission subject to conditions and a S106 Agreement to address off site ecology mitigation and biodiversity offsetting improvements to deliver 10% net gain.

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 required by any other conditions in this.
Permission:
Location Plan, Project Ref: 12215, Drawing Ref: WMS - XX - XX - DR - A - 10004 - S8 - P3
Proposed Site Plan, Project Ref: 12215, Drawing Ref: WMS - XX - XX - DR - A - 10003 - S8 - P16

Site Plan – Fencing, Project Ref: 12215, Drawing Ref: WMS - XX - XX - DR - A - 10007 - S8 - P4
 Site Plan – Surfacing, Project Ref: 12215, Drawing Ref: WMS - XX - XX - DR - A - 10006 - S8 - P5
 Unit 1 - Proposed Elevations, Project Ref: 12215, Drawing Ref: WMS - 01 - ZZ - D - A - 10601 -S8 - P6, Received: 20/12/2023
 Unit 1 - Proposed Floor Plans & GA Section, Project Ref: 12215, Drawing Ref: WMS - 01 - ZZ - D - A - 10401 -S8 - P6
 Unit 1 – Proposed Roof Plan, Project Ref: 12215, Drawing Ref: WMS - 01 - ZZ - D - A - 10451 -S8 - P2
 Unit 2 - Proposed Elevations & GA Section, Project Ref: 12215, Drawing Ref: WMS - 02 - ZZ - D - A - 10602 -S8 - P6, Received: 20/12/2023
 Unit 2- Proposed Floor Plans, Project Ref: 12215, Drawing Ref: WMS - 02 - ZZ - D - A - 10402 -S8 - P6
 Unit 2- Proposed Roof Plan, Project Ref: 12215, Drawing Ref: WMS - 02 - ZZ - D - A - 10452 -S8 - P2
 Unit 3 – Proposed Elevations, Project Ref: 12215, Drawing Ref: WMS - 03 - ZZ - D - A - 10603 -S8 - P6, Received: 20/12/2023
 Unit 3 – Proposed Floor Plans, Project Ref: 12215, Drawing Ref: WMS - 03 - ZZ - D - A - 10403 -S8 - P6
 Unit 3- Proposed Roof Plan, Project Ref: 12215, Drawing Ref: WMS - 03 - ZZ - D - A - 10453 -S8 - X P2
 Unit 4- Proposed Elevations & GA Section, Project Ref: 12215, Drawing Ref: WMS - 04 - ZZ - D - A - 10604 -S8 - P6, Received: 20/12/2023
 Unit 4 – Proposed Plans, Project Ref: 12215, Drawing Ref: WMS - 04 - ZZ - D - A - 10404 -S8 - P6
 Unit 4 – Proposed Roof Plan, Project Ref: 12215, Drawing Ref: WMS - 04 - ZZ - D - A - 10454 -S8 - P2
 Unit 5/6 – Proposed Elevations, Project Ref: 12215, Drawing Ref: WMS - 05 - ZZ - D - A - 10605 -S8 - P6, Received: 20/12/2023
 Unit 5/6 – Proposed Floor Plan, Project Ref: 12215, Drawing Ref: WMS - 05 - ZZ - D - A - 10405 -S8 - P6
 Unit 5/6 – Proposed Roof Plan, Project Ref: 12215, Drawing Ref: WMS - 05 - ZZ - D - A - 10455 -S8 - P2
 Unit 7 – Proposed Elevations, Project Ref: 12215, Drawing Ref: WMS - 07 - ZZ - D - A - 10607 -S8 - P6, Received: 20/12/2023
 Unit 7- Proposed Floor Plan, Roof Plan & GA Section, Project Ref: 12215, Drawing Ref: WMS - 07 - ZZ - D - A - 10407 -S8 - P6
 Landscape Proposals – Sheet 1 of 2, Drawing No: LL02, Rev: D, Received: 18/12/2023
 Landscape Proposals – Sheet 2 of 2, Drawing No: LL03, Rev: D, Received: 18/12/2023
 Preliminary Ecological Appraisal, Ref: SF 3387, Rev: A, Received: 18/12/2023
 Biodiversity Net Gain Assessment, Ref: SF3387, Rev: A, Received: 18/12/2023
 Arboricultural Survey Report, Ref: SF3387, Rev: D, Received: 18/12/2023
 Arboricultural Impact Assessment Plan, Drawing No: A1A01, Rev: D, Received: 18/12/2023
 Travel Plan, Ref: RHC-22-065-TP, Rev: A, Received: 6/11/2023
 Gatic Channel Details, Dwg No: D701, Rev: 2
 Drainage Construction Details, Dwg No: D700, Rev: 1
 Proposed Manhole Schedules, Dwg No: D201, Rev: 3

Proposed Drainage Plan, Dwg No: D200, Rev: 3
Engineering Schematic Plan, Dwg No: D100, Rev: 6
Flood Risk Assessment, Ref: RWO/FRA/Y22018, Version: 1
Landscape and Ecology Management Plan, Ref: SF3387
Preliminary Risk Assessment and Coal Mining Assessment, Ref: 350525-R01 (00)
Air Quality Assessment – Redmore Environmental, Ref: 5887r2
Noise Impact Assessment – Nova Acoustics, Ref: NP-009288
Topographical Survey, Drawing No: 3508-02-b, Issue: B, Received: 22/11/2023
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. No construction works shall take place and no construction equipment/plant shall be brought onto site until the tree protection measures are erected in accordance with Arboricultural Impact Assessment Plan, Rev: D, Drawing No: AIA01 (received 18/12/2023). Thereafter the tree protection measures shall remain in place until the completion of construction.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

4. Notwithstanding the submitted details, prior to the commencement of works, details of external/internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details/report shall be reviewed and produced by a suitably qualified ecologist and clearly demonstrate that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:
 - Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;
 - A drawing showing dark corridors and buffer areas;
 - A report and drawings showing how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent species using their territory or having access to breeding sites/resting places, this should include;
 - Technical descriptions, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
 - A description of the luminosity of lights and their light colour;
 - A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
 - Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
 - Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

Thereafter all external/internal lighting shall be installed in accordance with the specifications and locations set out in the approved details. They shall be maintained thereafter in accordance with these details.

Reason: In the interests of long term biodiversity, in accordance with Local Plan Policy BIO1.

5. Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:
- Risk assessment of potentially damaging construction activities;
 - Identification of 'biodiversity protection zones';
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
 - The times during construction when specialists ecologists need to be present on site to oversee works;
 - Responsible persons and lines of communication;
 - The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);

Reason: In the interests of long term biodiversity, in accordance with Local Plan Policy BIO1

6. No development shall take place unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.

Reason: To ensure the proper drainage of the area.

7. No development shall commence until full details of permission of the private drain owner and calculations to prove the adequacy of the existing private drain connection have been submitted to and approved in writing by the Local planning Authority.

Reason: To ensure the proper drainage of the area.

8. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority and agreed in writing by Natural England. The development shall then be carried out in accordance with that document in addition to the submitted preliminary ecological appraisal.

Reason: In the interests are protecting the ecological value at nearby SSSIs.

9. 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 (in consultation with the Highway Authority for the M1 motorway). In addition to minimising local impacts, the plan should seek to minimise

construction movements via the M1 during peak hours and shall include the following as a minimum:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.
- vi. construction vehicle movements,
- vii. a routing and signing strategy for construction vehicles to and from site, expected number of construction vehicles per day during the period of construction.

Thereafter the approved statement shall be adhered to throughout the construction period.

Reason: In interests of highway safety and equalities in accordance with Local Plan Policy T4.

10. No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety as per Local Plan Policy T4.

11. During construction the following shall be adhered to:

(i) Except in case of emergency, operations should not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

(ii) Heavy goods vehicles shall only enter or leave the site between the hours of 08:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements

shall take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

(iii) Best practicable means shall be employed to minimise dust. Such measures may include water bowzers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

(iv) Effective steps shall be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

12. Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre 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 thereafter be carried out in accordance with the approved details.

Reason: In order to ensure compliance with Local Plan Policy I1 and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

13. Prior to the first occupation of the development hereby permitted, the proposed on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Areas to be used by vehicles must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard in accordance with Local Plan Policy T3.

14. A landscape management plan, including long term design objectives, timescale for implementation, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. Thereafter the approved landscape 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 Local Plan Policy BIO1 Biodiversity.

15. Before use of any Unit within the proposed development commences, a Noise Impact Assessment shall be undertaken to determine the noise impact from that Unit.

The assessment will seek to demonstrate that, at the nearest noise sensitive receptor, the noise levels arising from operational activities will not exceed the background sound levels set out in the 'Noise Impact Assessment; Site Address: Proposed Development, Birdwell, Barnsley, S70 5SZ' produced by Nova Acoustics dated 9th May 2023, ref: NP-009288. If the assessment indicates a potential exceedance of these background levels, mitigation measures shall be identified to reduce the impact.

The assessment must be carried out by a suitably qualified acoustic consultant/engineer and follow the principles contained in BS 4142:2014 Methods for rating and assessing industrial and commercial sound.

The results of this assessment shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the Unit is first occupied or the use commences and shall be thereafter maintained.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

16. Between the hours of 07:00 and 23:00 the sound levels from the development site, measured at the boundary of the nearest noise sensitive receptor, shall not exceed 52dB LAeq, 15min.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

17. Between the hours of 23:00 and 07:00 the sound levels from the development site, measured at the boundary of the nearest noise sensitive receptor, shall not exceed 39dB LAeq, 15min.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

18. The site has been identified to be at risk from potential coal mining legacy. Intrusive site investigations must therefore be undertaken as advised for in the RSK Environment Ltd Preliminary Risk Assessment and Coal Mining Risk Assessment report ref: 350525-R01 dated August 2022. The site investigations and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned mine workings manual" where applicable. A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority prior to commencement on site. The development thereafter shall be carried out in accordance with the approved details. In the case of further

stabilisation works being required, then the condition will not be discharged until details of such works have also been submitted. Responsibility for securing a safe development rests with the developer and/or landowner.

Reason: To ensure that the development is in accordance with National Planning Policy Framework paragraphs 189, 190 and 180 (e & f).

19. The mitigation measures included in the preliminary ecological appraisal (Job Number: 3387, Rev A, December 2023) in regard to water quality shall be strictly implemented in accordance with that document. The mitigation included in Air Quality Assessment (Document Ref: 5887r2, dated: 4/7/2023) shall be implemented in accordance with that document. Should any measures be amended then Natural England shall be informed.

Reason: In the interests are protecting the ecological value at nearby SSSIs.

20. The development shall be completed in line with the recommendations in the Preliminary Ecological Appraisal December 2023, Biodiversity Net Gain Assessment December 2023 and the Defra Metric December 2023 and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: In the interests of long term biodiversity, in accordance with Local Plan Policy BIO1.

21. Any Ancillary Trade Counter use (sui generis) shall extend to no more than 10% of the floor plan area of each building hereby permitted and shall at all times remain ancillary to E(g)(ii), E(g)(iii), B2 and B8 uses.

Reason: To ensure that the primary operations carried out at the hereby approved units remain within the uses supported at employment allocations and that any ancillary uses do not dilute employment operations.

22. Notwithstanding the provisions of the Town and Country Planning (use Classes)(Amendment)(England) Regulations 2020, (or any Order revoking or re-enacting that Order with or without modification, other than ancillary office use, Class E uses which would otherwise be permitted by that Order shall be limited to Class E(g)ii and E(g)iii.

Reason: To ensure the majority of the site remains in employment use as set out in in accordance with the Hoyland North Masterplan and Local Plan Policy ES14.

23. The design details and specification of the proposed glass panels shall be submitted to the local planning authority and agreed in writing prior to its installation. If required a physical sample must be provided.

Reason: To ensure that the appearance of the building accords with the requirements of policy D1.

24. The design details and specification of the proposed brickwork shall be submitted to the local planning authority and agreed in writing prior to its installation. If required a physical sample must be provided.

Reason: To ensure that the appearance of the building accords with the requirements of policy D1.

25. No advertisement vinyl and/or other signage shall be installed on the external appearance on any building, apart from within the specified 'signage zones' as shown on the approved elevations. All signage will be subject to advertisement consent.

Reason: To ensure that the appearance of the building accords with the requirements of policy D1.

26. The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of occupation of each unit, evidence of the implementation of measures set out in the Travel Plan shall be prepared, submitted to and agreed in writing with the LPA unless alternative timescales are agreed in writing.

Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T3 and T4.