



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/1016

To ELG Planning
Gateway House
55 Coniscliffe Road
Darlington
DL3 7EH

DESCRIPTION Erection of 2no. B2/B8 employment units (11,010 sq.m gross) with associated parking, service yard, pallet store, relocation of security hut, vehicle canopy, hard and soft landscaping and associate works

LOCATION Premdor, Birthwaite Business Park, Huddersfield Road, Darton, Barnsley, S75 5JS

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 27/11/2023 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

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 amended plans (Nos. Location Plan (23005-A-CJCT-ZZ-XX-PL-00-0001 Rev P01), Unit A Ground Floor Plan (23005-A-CJCT-01-00-PL-20-2100 Rev P02), Unit A First Floor Plan (23005-A-CJCT-01-01-PL-20-2101 Rev P02), Unit A Roof Plan (23005-A-CJCT-01-01-PL-20-2102 Rev P02), Unit A North & South Elevations (23005-A-CJCT-01-01-PL-20-2102 Rev P03), Unit A West & East Elevations (23005-A-CJCT-01-XX-EL-20-2002 Rev P02), Unit B Proposed Ground Floor Plan (23005-A-CJCT-02-00-PL-20-2110 Rev P02), Unit B First Floor Plan (23005-A-CJCT-02-01-PL-20-2111 Rev P02), Unit B Second Floor Plan (23005-A-CJCT-02-02-PL-20-2112 Rev P02), Unit B Roof Plan (23005-A-CJCT-02-03-PL-20-2113 Rev P03), Unit B North & South Elevations (23005-A-CJCT-02-XX-EL-20-2003 Rev P04), Unit B West & East Elevations (23005-A-CJCT-02-XX-EL-20-2004 Rev P03), Proposed Site Sections (23005-A-CJCT-XX-XX-SE-20-2210 Rev P03), Proposed Site Plan (23005 -A-CJCT-ZZ-XX-PL-00-0003 Rev P11), Bike Stores & Site Access Cabin (23005-A-CJCT-ZZ-ZZ-

DR-20-2140 Rev P01), Landscape Illustrative Masterplan (23005-ALA-00-XX-DR-L-0001 Rev P02), Landscape General Arrangement (23005-ALA-00-XX-DR-L-0002 Rev P02), Detailed Landscape General Arrangement 1 of 4 (23005-ALA-00-XX-DR-L-0003 Rev P02), Detailed Landscape General Arrangement 2 of 4 (23005-ALA-00-XX-DR-L-0004 Rev P02), Detailed Landscape General Arrangement 3 of 4 (23005-ALA-00-XX-DR-L-0005 Rev P02), Detailed Landscape General Arrangement 4 of 4 (23005-ALA-00-XX-DR-L-0006 Rev P02), Tree Retention & Removal Plan (23005-ALA-00-XX-DR-L-0007 Rev P02), Planting Strategy (23005-ALA-00-XX-DR-L-0008 Rev P02), Site Sections 1 of 2 (23005-ALA-00-XX-DR-L-0011 Rev P02), Site Sections 2 of 2 (23005-ALA-00-XX-DR-L-0012 Rev P02), Proposed Drainage Strategy Unit B Parking Area (BBP-AWP-XX-XX-DR-C-3002 Rev P2), Proposed Drainage Strategy Foul Water Unit A & Unit B (BBP-AWP-XX-XX-DR-C-3002 Rev P2), Proposed Drainage Strategy Unit A (BBP-AWP-XX-XX-DR-C-3000 Rev P5), Proposed Drainage Strategy Unit B (BBP-AWP-XX-XX-DR-C-3001 Rev P5), Proposed Finished Levels Unit A (BBP-AWP-XX-XX-DR-C-3500 Rev P4), Proposed Finished Levels Unit B (BBP-AWP-XX-XX-DR-C-3501 Rev P2) Planning Statement, Design and Access Statement, Arboricultural Report and Impact Assessment, Butterfly, Breeding Bird, BREEAM 2018 V.6 Pre-Assessment by FES Group indicating the scheme to meet 'very good' standard, Badger and Bat surveys/reports, BNG Metric and Assessment, Archaeological Desk Based Assessment, Preliminary Ecology Report, Coal Mining Risk Assessment Flood Risk Assessment and Drainage Assessment, Heritage Impact Assessment, Transport Assessment, Phase 1 Environmental Report, Travel Plan, Noise Impact Assessment, Air Quality Assessment) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 4 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 statement shall include but not be restricted to:
 - i. Site working hours and delivery hours which should avoid peak hours
 - ii. The parking of vehicles of site operatives and visitors
 - iii. Any temporary access to the site
 - iv. Loading and unloading of plant and materials
 - v. Storage of plant and materials used in constructing the development
 - vi. Arrangements to receive abnormal loads or unusually large vehicles
 - vii. Methods of communicating the Construction Management Plan to the workforce, visitors and neighbouring residents and businesses
 - viii. Measures to prevent mud/debris being deposited on the public highway.

The submitted and hereby approved Construction Traffic Management Plan (CTMP) shall be adhered to throughout the construction period.

Reason: In the interests of highway safety, in accordance with Local Plan Policy T4 New development and Transport Safety.

- 5 No development above ground development shall commence until;
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of Land stability NPPF sections 183 a,b,c. 184 and 174 e & f

- 6 Upon commencement of development details of the proposed external materials 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 the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 7 The rating level of the operational noise emitted from the development shall not exceed the night-time background sound level of 41dB LA90 (15mins) between 23:00 and 07:00 hours at the nearest noise sensitive receptor when assessed in accordance with BS4142:2014+A1(2019).

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

- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the units; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

- 9 The development shall be completed in line with the recommendations within the Preliminary Ecological Appraisal (November 2024), the BNG report, the Defra Metric 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 Biodiversity in accordance with Local Plan Policy BIO1.

- 10 Prior to the first occupation of the site, details of external and internal lighting (where applicable), shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be reviewed a suitably qualified ecologist to 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 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 lighting to be installed including shields, cowls or blinds where appropriate;
 - A description of the luminosity of lights and their light colour;
 - A plan 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.

All 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 Biodiversity in accordance with Local Plan Policy BIO1.

- 11 No development shall take place (including demolition, ground works and vegetation clearance) until a Biodiversity Mitigation Scheme (BMS) has been submitted to and approved in writing by the Local Planning Authority. The BMS will set out any precautionary measures to be adopted on site during construction, such as protection of retained features and reasonable avoidance measures for protected and priority species. Incorporation of features such as bat and bird boxes, herptile and invertebrate features and hedgehog refuge habitat, etc. in line with the Biodiversity and Geodiversity Supplementary Planning Document, should also be detailed.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

- 12 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;
- 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 Biodiversity in accordance with Local Plan Policy BIO1.

- 13 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) has been submitted to an approved by the Local Planning Authority. The HMMP shall include:
- a non-technical summary;
 - the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
 - the planned habitat creation and enhancement works to create or improve habitat to achieve no net loss;
 - the management measures to maintain habitat for a period of 30 years from the completion of development;
 - the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, and approved in writing by, the local planning authority.
 - A timetable for implementation and completion of creation and enhancement works.
 - Notice in writing shall be given to the Council within 10 working days of the implementation of the HMMP
 - Notice in writing shall be given within 10 working days of the completion of the habitat creation and enhancement works as set out in the HMMP and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
 - Thereafter the created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP] for a period of 30 years following the completion of the development.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

- 14 Prior to commencement of the development, an appropriately experienced and qualified Ecological Clerk of Works (ECoW) shall be appointed by the applicant and/or developer. The ECoW shall be in post during appropriate stages of the development, as agreed in writing with the Local Planning Authority. The ECoW's scope of work shall include monitoring compliance with the mitigation measures as detailed within the PEA Report and the submission of monitoring reports to the Local Planning Authority.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

- 15 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
- The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.
 - The programme for post-investigation assessment.
 - The provision to be made for analysis and reporting.
 - The provision to be made for publication and dissemination of the results.
 - The provision to be made for deposition of the archive created.
 - Nomination of a competent person/persons or organisation to undertake the works.
 - The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Local Plan Policy HE1.

- 16 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details within the Arboricultural Impact Assessment and Arboricultural Method Statement 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 in accordance with Local Plan Policy BIO1.**

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 1 The development hereby approved includes the creation of/carrying out of alterations to vehicular access(es). You are advised that before undertaking work on the adopted highway you will require a Section 184 licence from the Highway Authority. The works shall be to the specification and constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the BMBC website at <https://www.barnsley.gov.uk/services/roads-travel-and-parking/parking/dropped-kerbs/> or please contact at email Streetworks@barnsley.gov.uk or call to 01226 773555.
- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6848, or if a hazard is encountered on site call the emergency line on 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: www.gov.uk/government/organisations/mining-remediation-authority

- 3 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 4 The granting of planning permission does not affect the status of species such as owls and bats, which have protection under other legislation. These may be present and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained directly from www.naturalengland.org.uk

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

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 22 October 2025

A handwritten signature in black ink, consisting of a stylized 'G' and 'H' followed by a horizontal line.

Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

STATUTORY BIODIVERSITY NET GAIN CONDITION

DEEMED CONDITION

(As required Schedule 7a of the Town and Country Planning Act 1990 (as amended) and inserted by the Environment Act 2021)

Development may not be begun unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority; and
2. The Local Planning Authority has approved the plan.

The Biodiversity Gain Plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development; and
- f) any such other matters as the Secretary of State may by regulations specify.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- g) name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- h) a description of the development and planning permission reference number (to which the plan relates);
- i) the [relevant date](#), for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- j) [the completed biodiversity metric calculation tool\(s\)](#), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the [relevant date](#), and post-development biodiversity value;
- k) a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- l) (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- m) pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the [relevant date](#), and drawn to an identified scale and showing the direction of North;
- n) a description of any [irreplaceable habitat](#) on the land to which the plan relates which exist on the [relevant date](#), and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and
- o) if [habitat degradation](#) has taken place:
 - i. a statement to this effect,
 - ii. the date immediately before the degradation activity,
 - iii. the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
 - iv. any available supporting evidence for the value.

INFORMATIVE 1

When calculating the post-development biodiversity value of a habitat, the Local Planning Authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation, or conservation covenant

INFORMATIVE 2

The General Biodiversity Gain Condition has a separate legal basis in contrast to other planning conditions and will apply to all planning permissions, unless exempt. The General Biodiversity Gain Condition will therefore not appear on the decision notice along with the list of planning conditions imposed on the application, rather it will be referenced separately.

The General Biodiversity Gain Condition cannot be varied or removed by an application under section 73 of the Town and Country Planning Act. It also cannot be discharged as part of the grant of planning permission.

INFORMATIVE 3

A Biodiversity Net Gain Template can be found here:

<https://www.gov.uk/government/publications/biodiversity-gain-plan>

INFORMATIVE 4

The statutory deemed condition above is relevant to all major applications submitted since 12th February 2024 and to all non-major applications submitted after 2nd April 2024, unless exempt.

The onus is on the applicant/agent to notify the Local Planning Authority at developmentmanagement@barnsley.gov.uk if the application was exempt and provide the reasons for the exemption. Exemptions can be found at this link <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>