BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2008/0210

To Wm Saunders Partnership LLP
Sheppard Lockton House
Cafferata Way
Newark
Nottinghamshire
NG24 2TN

DESCRIPTION Erection of two factory/office units (Class B1, B2 and B8)
LOCATION Shortwood Business Park, Shortwood Court, Hoyland, Barnsley, S74 9LH

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 27 February 2008 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

3 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the locality.

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

Signed
Assistant Director, Planning and Transportation

Dated 21 May 2008

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4 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with UDP Policy BE6, Design Standards.

5 Before the development is brought into use that part of the site to be used by vehicles shall be laid out in accordance with the approved plan and hard surfaced, sealed and drained (and marked out), and shall thereafter be permanently retained for vehicle use.

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with UDP Policy T2A.

6 Notwithstanding the submitted details this permission shall only include B1 Business and B8 Warehouse and Distribution uses. B2 General Industrial uses are not hereby permitted.

Reason: In the interests of the residential amenities of the occupiers of dwellings on Shortwood Villas.

7 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no storage of goods outside any of the buildings.

Reason: In the interests of residential and visual amenity.

8 Any floodlighting or security lighting shall be so arranged as not to shine directly towards any dwellings.

Reason: In the interests of the residential amenities of the occupiers of nearby dwellings on Shortwood Villas.

9 The buildings shall be constructed so as to provide sound insulation against internally generated noise of not less than 35 dB(A).

Reason: In the interests of residential amenity.

10 Prior to the commencement of the development a scheme shall be submitted to, and received the written approval of the Local Planning Authority, identifying measures to be taken to ensure that all vehicles leaving the site are in such condition as not to leave dust, slurry or mud on the highway. The development shall thereafter be undertaken in accordance with the details of the approved scheme. Notwithstanding such arrangements, should any material nevertheless be accidentally deposited on the public highway, the operator shall immediately remove such material.

Reason: In the interests of highway safety.

11 Except with the prior written approval of the Local Planning Authority, all site construction works, including deliveries, shall be limited to the hours between 08.00 hours and 21.00 hours on Monday to Friday, 09.00 hours and 14.00 hours on Saturdays, and not at all on Sundays and Bank Holidays.

Reason: In the interests of local amenity and in accordance with UDP Policy M9, Environment.

12 No development shall take place until a report, which provides details of gas protection measures required on the site, has been submitted and agreed with the Local Planning Authority. The report shall be prepared by a competent consultant experienced and specialised in the assessment and evaluation of landfill gas migration. Any scheme shall clearly demonstrate, by scaled technical drawings, the foundation design and provision of a measure to ensure that the development is not affected by the ingress of gas and that it can be safety occupied after construction. The development shall thereafter be undertaken in complete accordance with the approved details.

Reason: To ensure that the development can be safely constructed and occupied.

13 The site shall be developed with separate systems of drainage for foul and surface water.

Reason: In the interests of satisfactory drainage.

14 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment and in accordance with UDP Policy ES3, Water Pollution.

15 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system, which will prevent overloading.

Reason(s) for Granting Permission

1	Existing employment policy areas - Policy ED7	The principle of developing the site for employment purposes has been established by the previous extant permission (B/01/1101/HN). The proposal complies with policy ED7 in that the type of employment use proposed is compatible with adjoining uses and there is no significant impact on residential/visual amenity/highway safety.

Informative(s)

1 The applicants attention is drawn to the detailed comments of YWA.
2 Prior to work starting on site I would advise that you contact the Transportation Department to agree the means of preventing mud and other debris being deposited on the highway.
3 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
4 Condition 11 shall apply except in cases of emergency. Essential maintenance involving engine starting and running shall occur wherever possible in accordance with the above hours but such maintenance shall not occur between the hours of 21.00 hours and 07.00 hours on Mondays to Saturdays and not at all on Sundays and Bank Holidays.

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.

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