BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0015

To Johnson Mowat Planning Ltd
Coronet House
Queen Street
Leeds
LS1 2TW

Proposal: Erection of 1no. building for industrial (class E(g)(iii)/B2) or storage and distribution (class B8) use with associated yard, parking and landscaping (Reserved matters of the outline part of hybrid planning permission 2019/1573 for Unit 4 (formerly plot 8) seeking approval of appearance, landscaping, layout and scale)

At: Unit 4 (formerly Plot 8), Gateway 36 Development Phase 2 Site, Land south of Dearne Valley Parkway, Hoyland, Barnsley

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 19/01/2023 and described above, being matters reserved in the permission granted on 17/12/2019 under Application 2019/1573.

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions: -

1 The development hereby permitted shall be begun before the expiration of 2 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 ref. 12006-4-(P)100 rev.E
Existing Site Plan ref. 12006-4-(P)101 rev.E
Existing Detailed Site Plan (sheet 1 of 2) ref. 12006-4-(P)102 rev.D
Existing Detailed Site Plan (sheet 1 of 2) ref.12006-4-(P)102 rev.D
Overall Site Plan (Ph2 site existing & proposed units) ref. 12006-4-(P)110 rev.E
Proposed Site Plan ref. 12006-4-(P)111 rev.D
Proposed Detailed Site Plan (sheet 1 of 2) ref.12006-4-(P)112 rev.D
Proposed Detailed Site Plan (sheet 2 of 2) ref.12006-4-(P)113 rev.D
Section 2 ref. 12006-4-(P)115 rev.A
Section 3 ref. 12006-4-(P)116 rev.A
Section 6 ref. 12006-4-(P)117 rev.A
Surface Finishes Site Plan ref. 12006-4-(P)118 rev.A
Elevations ref. 12006-4-(P)125 rev.B
Sedum Blanket System - Green Roof Specification(SkyGarden)
Colour change detail ref. 12006-4-(SK)102
Landscape Masterplan ref. 12006-4-VL_L01 rev.E
Detailed Landscape Plan [Sheet 1 of 2] ref. 12006-4-VL_L02 rev.D
Detailed Landscape Plan [Sheet 2 of 2] ref. 12006-4-VL_L03 rev.E
Landscape Masterplan ref. 334-UW-P-004 rev.I
Landscape Mitigation Plan ref. 334-UW-P-030 rev.D
Landscape Site Plan ref. 334-UW-P-031 rev.D
Planting Plan ref. 334-UW-P-032 rev.C
On-plot Landscape Maintenance and
Management Plan ref. 12006-4-VL- R01A
Habitat Creation, Biodiversity Mitigation &
Enhancement Scheme Unit 4 - rev.B
Biodiversity Impact Assessment G36 Unit 4 -rev.B
BIA Unit 4 Appx B - Biodiversity Metric 2.0 - Rev B
Biodiversity Offsetting Scheme G36 Unit 4 - rev.A
BOS Unit 4 Appx A- Biodiversity Metric 2.0 - Rev B
Offsite Habitat Creation & Management Plan G36 Unit 4 - rev.A
Ground Floor Plan ref. 12006-4-(P)120 rev.B
Upper Floor Plans ref. 12006-4-(P)121 rev.B
Roof Plan ref. 12006-4-(P)124 rev.A
Indicative Sections ref. 12006-4-(P)126 rev.A
Proposed Substation ref. 12006-4-(P)130 rev.A
Proposed Fencing Detail ref. 12006-4-(P)131 rev.A
Proposed Short Stay Cycle Shelter ref. 12006-4-(P)132 rev.A
Proposed Bin Store ref. 12006-4-(P)133 rev.A
Finished Levels Scheme Sheet 1 of 2 ref. Y22039-D101-REV1
Finished Levels Scheme Sheet 2 of 2 ref. Y22039-D101-REV1
Drainage Layout Plan sheet 1 of 2 ref. Y22039-D200-REV1
Drainage Layout Plan sheet 2 of 2 ref. Y22039-D201-REV1
LVIA Addendum Unit 4 (inc. photomontages) rev.B
Landscape and Ecological Management Plan ref. 334-UW-P-LEMP rev.A
Transport Statement ref. 21095/22086/MOS/TS
BREEAM Pre-Assessment Planning Tracker G36 Unit 4 Rev 01 (18/11/22)
Energy Strategy Report ref. 13213_P02

Drainage Strategy ref. Y22039.v1
Surface Water Drainage Calculations ref. Y22039-V01
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 Any gate to the site access road (excluding the yard access barrier/gates) shall be kept open at all times when the warehouse/yard is operational.
Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4 New Development and Transport Safety.

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.
ix. A Construction Traffic Management Plan including details of volumes and types of construction traffic, identification of delivery routes, identification of agreed access point, contractors' method for controlling construction traffic and adherence to routes, construction period, and temporary signage.
The approved statement 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 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

6 Vehicular and pedestrian gradients within the site shall not exceed 1:12
Reason: To ensure safe and adequate access in accordance with Local Plan Policy T4.

7 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 1300 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.

8 Prior to the occupation of the building hereby approved full details of permanent external lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle, and luminance of the lighting including lux levels plans and shall be designed to ensure light pollution does not affect residential amenity or harm wildlife. The approved details shall be implemented on each plot prior to occupation of the building of the use and retained as such thereafter.
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.

9 Prior to the occupation of any building approved as part of this permission, full details of permanent security lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting and shall be designed to ensure light pollution does not affect residential amenity or harm wildlife. The approved details shall be implemented on each plot prior to occupation or use of the building and retained as such thereafter.
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.

10 All in plot planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the 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'.

11 All out of plot planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.
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'.

12 Within 3 months of the installation of on- site habitat features set out-in the approved Habitat Creation, Biodiversity Mitigation and Enhancement Scheme by FCPR, photographic evidence of their installation shall be submitted to the Local Planning Authority.
Reason: To provide evidence that the approved habitat features have been installed in the interests of biodiversity and habitats and in accordance with Local Plan Policy BIO1.

13 On the 1st November after commencement, and on 1st November on each of the monitoring years (years 1, 3, 5, 10, 15, 20 and 30) a report shall be submitted to the Local Planning Authority which details the following for all on-site habitats. The report shall include but not be limited to the following as set out in the approved document Landscape and Ecological Management Plan has been produced by Urban Wilderness:

I. An assessment of the condition of all habitats created and/or enhanced

II. Any necessary management or replacement/remediation measures required to deliver the Net Gain values set out for each habitat.

III. A timescale for undertaking the replacement remediation measures

Reason: In the interests of managing and maintaining habitats and in accordance with Local Plan Policy BIO1.

14 On the 1st November after commencement, and on 1st November on each of the monitoring years (years 1, 3, 5, 10, 15, 20 and 30)a report shall be submitted to the Local Planning Authority which details the following for all off-site habitats. The report shall include but not be limited to the following as set out in the approved document "Offsite Habitat Creation and Management Plan" produced by FPCR

I. An assessment of the condition of the enhanced habitat

II. Any necessary management or replacement/remediation measures required to deliver the Net Gain values set out for each habitat.

III. A timescale for undertaking the replacement remediation measures

Reason: In the interests of managing and maintaining habitats and 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 This reserved matters application will also serve to discharge the following conditions for outline planning permission 2019/1573 in relation to the redline area shown on approved drawing number Location Plan ref. 12006-2 (P)100C
i. 25 External facing materials for each plot within this application
ii. 26 Boundary treatments and fencing for each plot within the application
iii. 27 existing ground levels finished floor levels, road levels
iv. 28 Biodiversity mitigation and enhancement
v. 29 scheme of improvement/retention of existing or provision of footpaths/cycle ways
vi. 30 Drainage approval drainage details including timetable for implementation; management/maintenance plan and arrangements for adoption
vii. 31 Air Quality
viii. 32 BREEAM parts a-d complied with, Post Completion certificate to be submitted
ix 36 Landscape management and maintenance scheme
x. 52 Outside storage

2 The landowner should consult with Natural England via a S28E consent to permit the proposed offsite Mitigation and management works within the Dearne Valley Wetland SSSI (SSSI Barrow Hill Colliery.

3 Planning permission does not infer any other consent is given and it is the responsibility of the applicant to ensure that all other permissions are in place before development commences. The developer must contact Highways, Engineering & Transportation on 01226 773555 prior to any work commencing on site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.

4 Roads other than agreed shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980). Engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority before works commence on site. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk as soon as possible to arrange the setting up of the agreement.

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: 19 September 2023

Development Management
For and on behalf of Group Leaders,
Andrew Burton and Matthew Smith

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.