BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0514

To Dalkin Scotton Partnership
Unit 216
Fort Dunlop
Fort Parkway
Birmingham
West Midlands
B24 9FD

DESCRIPTION Variation to conditions 6 and 8, drainage on previously approved application 2012/1046.

LOCATION Land adjacent to Goldthorpe Industrial Estate, Commercial Road, Goldthorpe, Rotherham.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 May 2013 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby approved shall be carried out strictly in accordance with the plans and specifications approved unless prior written consent has been given by the Local Planning Authority to any variation. The following drawing numbers are approved Y11A25-01-P001 Rev A, Y11A25-P004 Rev B, Y11A25-01-P005 Rev A, Y11A25-01-P006 Rev A, Y11A25-01-P220 Rev A, Y11A25-01-P300 Rev C, Y11A25-01-P301, Y11A25-01-P400 Rev B, Y11A25-01-P500 Rev A, Y11A25-01-W092 Rev C.
Reason: For the avoidance of doubt as changes have been made during the processing of the application.

2 Prior to the commencement of works to construct the building the structural planting shown in Dalkin Scotton Partnership Proposed Landscaping Plan drawing Y11A25-01-P006 shall be fully implemented to the satisfaction of the Local Planning Authority. Planting and maintenance shall be in accordance with Dalkin Scotton Partnership Planting Schedule and specification principles August 2012. Any trees or plants which, within a period of 10 years from the completion of development die, are removed or became damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: To ensure the landscaping is established at an early stage and to help soften the buildings impact in accordance with Core Strategy Policy CSP29.

Stephen Moralee

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

Signed
Head of Planning, Building Control and Sustainability

Dated 06/08/2013

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3 All other non structural landscaping as shown in the Dalkin Scotton Partnership drawings shall be fully implemented in the first planting season following completion of development. Any trees or plants which within a period of 10 years die, are removed or become damaged shall be replaced in the next planting season with others of similar size and species.
Reason: To help soften the buildings impact in accordance with Core Strategy policy CSP29.

4 No building or other obstruction shall be located within 6 meters either side of the centre line of the sewer which crosses the site.
Reason: To allow sufficient access for maintenance purposes in accordance with Core Strategy Policy CSP4.

5 External lighting of the complex shall be fully in accordance with the philosophy standards and mitigation measures contained within the Lighting Assessment undertaken by Ove Arup and Partners Ltd.
Reason: To minimise the risk of light pollution in accordance with Core Strategy Policy CSP40

6 The surface run-off limitation in line with the figures specified in 3.5 of the Flood Risk Assessment and in accordance with Craddy Pitchers Davidsons Storm Warer Drainage Strategy document 9206-01 Rev B . The scheme shall be implemented in accordance with the approved programmes and details.
Reason: To reduce the risk of flooding in accordance with Core Strategy Policy CSP4

7 The colours of the cladding shall be in accordance with those shown in drawing numbers Y11A25-01-P300 Rev C and Y11A25-01-P301.
Reason: For the avoidance of doubt and to minimise the buildings impact within the landscape in accordance with Core Strategy Policy CSP29.

8 Foul and surface water drainage shall be installed in accordance with Craddy Pitchers Davidsons Storm Water Drainage Strategy document 9206-01 Rev B and Proposed Drainage Layout drawing No9206-1200 Rev G. 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 unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure the proper drainage of the area in accordance with Core Strategy Policy CSP4.

9 Prior to the completion of the building the surface of the proposed multi-user path around the site (the diverted footpath) shall be provided with a bound gravel surface.
Reason: To ensure the path is suitable for its intended multi-user purpose in accordance with Core Strategy Policy CSP33.

10 All site works including deliveries shall be limited to the hours between 07.00 and 18.00 hours Monday to Saturday and at no time on Sundays or Bank Holidays.
Reason: To safeguard the amenities of local residents in accordance with Core Strategy Policy CSP40.

11 All areas to be used by vehicles shall be hard surfaced and drained to a standard capable of sustaining intense HGV traffic.
Reason: In the interest of the users of the highway in accordance with Core Strategy Policy CSP26

12 Fencing shall be in accordance with details as shown on drawing No Y11A25-01-W092
Reason: To safeguard the appearance of the development in accordance with Core Strategy Policy CSP29.

13 Prior to the commencement of works to construct the building the applicant shall undertake an acoustic assessment including as to how noise from the development will be mitigated to an acceptable level. The report shall provide an assessment of the noise with regard to the principles and methodology set out in British Standard 4142:1997, [Method for rating industrial noise affecting mixed residential and industrial areas] and include details of the following:
1] An assessment of day and night time predicted noise levels (L Aeq,T) from the distribution centre and associated operations, detailing any acoustic features of the noise which may increase the likelihood of complaint [eg impact noise, noise which is irregular, noise which contains a distinguishable note or tonal characteristic including noise from fixed plant such as air handling, breakout of noise from inside the building, vehicle and trailer based refrigeration plant, HGVs and fork lift trucks including reversing alarms, loading and unloading , vehicle washing facilities and refuse handling.
2] The report shall detail how noise from these sources will be mitigated to acceptable levels and for this purpose detail mitigation measures such as noise bunds / barriers, restrictions on vehicle numbers and their movements, restrictions on the hours of operation of particular activities, use of white noise (directional) reversing alarms, the acoustic attenuation of the building envelope and any other operational noise management procedures.
To demonstrate that the resultant noise climate can be mitigated to acceptable levels the report shall quantify, where possible, predicted noise levels at main habitable rooms (bedrooms, living rooms) and gardens at the nearest residential premises (Carr Field lane and Billingley View). Mitigation measures should be designed to demonstrate that the following can be achieved:
35dB LAeq (1hr) or less and 45dB LAmax within bedrooms between 23:00 hours and 07:00 hours, with windows closed;
40db LAEQ (1hr) or less within living rooms between 23:00 hours and 07:00 hours with windows closed; and
55db LAeq (16hr) or less in gardens between 07:00 and 23:00 hours;
and thereafter the development shall be completed in accordance with the approved details.
Reason: To ensure the amenities of local residents are not compromised by noise arising from the development in accordance with Core Strategy Policy CSP40.

14 All surface water from parking areas and areas used for the delivery of fuel and vehicle washing shall pass through and oil/petrol/grit interceptor/separator of adequate design before discharge to the public foul or combined sewer network.
Reason: To reduce the risk of pollution in accordance with Core Strategy policy CSP40.

15 The development shall be carried out in accordance with the approved flood risk assessment by Ove Arup and Partners dated August 2007 and shall incorporate all the proposed mitigation measures detailed.
Reason: To reduce the risk of flooding due to surface water run off in accordance with Core Strategy Policy CSP4
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16 A programme of archaeological work in accordance with the written scheme of investigation shall be implemented within a timescale to be agreed in writing by the LPA before works start on the erection of the building.
Reason: To ensure any archaeological interest is properly recorded or mitigated and in accordance with the NPPF.:

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

1 The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.decc.gov.uk

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.gov.uk

2 In addition to the relevant conditions, the developer should also be aware of the need to comply with the consents agreed with the Danum Drainage Commissioners relating to drainage and access to the site.

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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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