



APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1007

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

Proposal Erection of 3no. buildings for industrial (class E(g)(iii)/B2) or storage and distribution (class B8) use with associated spur road, yards, parking, landscaping and drainage infrastructure (Reserved matters of outline planning permission 2019/1573 for Phase 2A.1 seeking approval of appearance, landscaping, layout and scale)

At Land to the north and 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 30/07/2021 and described above, being matters reserved in the permission granted on 10/08/2020 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:

Plans:

- Location Plan ref. 12006-2 (P)100C
- Block Plan ref. 12006-2 (P)101C
- Masterplan ref. 12006-2 (P)110J
- Proposed site plan ref. 12006-2 (P)111J
- Detailed site plan-Plot 1 ref. 12006-2 (P)112G
- Detailed site plan-Plot 2 ref. 12006-2 (P)113F
- Detailed site plan-Plot 3 ref. 12006-2 (P)114G
- Section 1 ref. 12006-2 (P)115B
- Section 2 ref. 12006-2 (P)116C
- Section 3 ref. 12006-2 (P)117C
- Section 5 ref. 12006-2 (P)118D
- Unit 1 Floor Plans ref. 12006-2 (P)120B
- Unit 1 Elevations ref. 12006-2 (P)121J
- Unit 1 Roof Plan ref. 12006-2 (P)122D
- Unit 1 3D ref. 12006-2 (P)123B
- Unit 2 Floor Plans ref. 12006-2 (P)125D
- Unit 2 Elevations ref. 12006-2 (P)126G
- Unit 2 Roof Plan ref. 12006-2 (P)127C
- Unit 2 3D ref. 12006-2 (P)128A
- Unit 2 Design Section ref. 12006-2 (P)129A
- Unit 3 Floor Plans ref. 12006-2 (P)130C
- Unit 3 Elevations ref. 12006-2 (P)131H
- Unit 3 Roof Plan ref. 12006-2 (P)132C
- Unit 3 3D ref. 12006-2 (P)133C
- Unit 3 Design Section ref. 12006-2 (P)134B
- Typical Bin Store Detail ref. 12006-2 (P)135
- Typical Cycle Shelter Detail ref. 12006-2 (P)136A
- Typical Fencing Detail ref. 12006-2 (P)138A
- Typical Sub Station ref. 12006-2 (P)139
- Typical Gas Kiosk ref. 12006-2 (P)140
- Landscape Plan [Plots 1-3] ref. 12006-2-VL_L01E
- Landscape Plan [Plots 1] ref. 12006-2-VL_L02E
- Landscape Plan [Plots 2] ref. 12006-2-VL_L03E
- Landscape Plan [Plots 3] ref. 12006-2-VL_L04E
- Landscape Typology Sections ref. 334-UW-P-003 Rev.B
- Landscape Masterplan ref. 334-UW-P-004 Rev.D
- Site Wide Planting Plan ref. 334-UW-P-007 Rev.E
- Landscape Features Plan ref. 334-UW-P-008 Rev.F
- Reinforced Soil Bank ref. 334-UW-P-006 Rev.A
- Timber Foot Bridge ref. 334-UW-P-009
- Soil Depths ref. 334-UW-P-010 Rev.A
- Self-binding Aggregate Surfaces ref. 334-UW-P-011
- Typical Tree Pit Detail ref. 334-UW-P-012

- Typical Whip Planting Detail ref. 334-UW-P-013
- Rabbit Proof Fencing Detail ref. 334-UW-P-014
- Bench Detail ref. 334-UW-P-015
- Picnic Bench Detail ref. 334-UW-P-016 Rev.A
- Footpath Signage Details ref. 334-UW-P-017 Rev.B
- Planting Plan Sheet 1 ref. 334-UW-P-018 Rev.C
- Planting Plan Sheet 2 ref. 334-UW-P-019 Rev.C
- Planting Plan Sheet 3 ref. 334-UW-P-020 Rev.C
- Planting Plan Sheet 4 ref. 334-UW-P-021 Rev.C
- Planting Plan Sheet 5 ref. 334-UW-P-022 Rev.C
- Proposed Levels Plan ref. Y20112-D100-REV8
- 2020-2021 Earthworks Levels ref. Y20112-D101-REV3
- Site Sections Sheet 1 of 2 ref. Y20112-D601-REV3
- Site Sections Sheet 2 of 2 ref. Y20112-D602-REV3
- Site Sections Location Plan ref. Y20112-D603-REV3
- Proposed Drainage Layout s1of3 ref. Y20112-D200 rev.2
- Proposed Drainage Layout s2of3 ref. Y20112-D201 rev.2
- Proposed Drainage Layout s3of3 ref. Y20112-D202 rev.2
- Visibility Splays ref. 21095.IN.02 Rev.A
- Schemes, Specifications and Management Plans
- Landscape Specification ref. 12006-2-VL_L05
- Landscape Maintenance & Management Plan ref. 12006-2-VL-R01A
- Habitat Creation, Biodiversity Mitigation and Enhancement Scheme ref. 6424 rev.A
- Landscape and Ecological Management Plan Revision D (November 2021)
- Drainage Strategy Report ref. AMF/DS/Y20112.v2, including Management and Maintenance Plan ref. VW/DMMP/AMF/DS/Y20112.v2
- Biodiversity Off-Setting Report (Phase 2A.1) Rev.- (November 2021)

Assessments:

- BREEAM Pre-Assessment Planning Note ref. 18680-ELDS rev.02
- LVIA Addendum (including photomontages) ref. 334-UW-P-Rev.E
- Biodiversity Impact Assessment (Phase 2A.1) Rev.D (November 2021)

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 of the streets proposed for highway adoption including accesses shall be commenced until full engineering, drainage, street lighting and constructional details of these have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.

Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety, and Local Plan Policy.

- 4 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.

- 5 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.
- 6 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.
- 7 Prior to the first occupation of each unit hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan 21095.IN.01 dated 29/11/21(Junction Intervisibility and Spacing 2.4m x 43m splays). The splay shall thereafter be maintained at all times free from any obstruction exceeding 900mm above the level of the adjacent highway carriageway.
Reason: In interests of highway safety and in accordance with Local Plan Policy T4.
- 8 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 and Protection.
- 9 No building or use hereby permitted shall be occupied or use commenced until a Delivery & Servicing Plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development. The delivery and servicing plan shall include:
- a) The contact details of a suitably qualified co-ordinator;
 - b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;
 - c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;
- Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion, in accordance with Local Plan Policy T4.**
- 10 No building hereby approved shall be occupied prior to the installation of Electric Vehicle Charge Points in accordance with plans ref Detailed site plan-Plot 1 ref. 12006-2 (P)112G, Detailed site plan-Plot 2 ref. 12006-2 (P)113F, Detailed site plan-Plot 3 ref. 12006-2 (P)114G and meeting the minimum specification of "mode 3" 7 kW 32 amp, or alternative in accordance with an Electric Vehicle Charge Point and Infrastructure Strategy scheme submitted to and approved by the local planning authority.
Reason: In the interests of minimising the impact of the proposal on air quality in accordance with Local Plan Policy Poll 1.

- 11 The feature panels to building elevations shall be an ungraduated random mix of horizontal bands of the four approved RAL colours/numbers as specified on approved elevation plans: Unit 1 Elevations ref. 12006-2 (P)121J, Unit 2 Elevations ref. 12006-2 (P)126G, Unit 3 Elevations ref. 12006-2 (P)131H
Reason: In the interests of High-Quality Design in accordance with Local Plan Policy D1.
- 12 All in plot planting, seeding or turfing comprised in the approved details of landscaping (plan refs) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; 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'.
- 13 All out of plot planting, seeding or turfing comprised in the approved details of landscaping (plan refs) 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'.
- 14 Upon commencement of development the detailed construction specifications and implementation timescales of all footpaths/multi user routes/bridleways shown on the approved plans for this phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the footpaths/multi user routes/bridleways shall be constructed and maintained in accordance with the approved details and timescales.
Reason: To support sustainable transport objectives in accordance with Local Plan Policy T3.

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. 24 (Verification report) partial discharge for phase 2 area (site investigation and remediation scheme only) agreed by SYMAS
 - ii. 25 External facing materials for each plot within this application
 - iii. 26 Boundary treatments and fencing for each plot within the application
 - iv. 27 existing ground levels finished floor levels, road levels
 - v. 28 Biodiversity mitigation and enhancement
 - vi. 29 scheme of improvement/retention of existing or provision of footpaths/cycle ways
 - vii. 30 Drainage approval/discharge relating to that part of the site identified in drawing 100C only
 - viii. 31 Air Quality
 - ix. 32 BREEAM parts a-d complied with, Post Completion certificate to be submitted
 - x. 52 Outside storage
- 2 S38 Streets to be Adopted - The development hereby approved includes the construction of new highway. To be considered for adoption and on-going maintenance at public expense, it must be laid out and constructed to the BMBC engineering standard details and to the terms of phasing of the development.

You are advised that you must enter into a highway agreement under s38 of the Highways Act 1980. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control on email HighwaysDC@barnsley.gov.uk or call to 01226 773555 prior to any work commencing on site.

Please note that it is necessary to gain all technical and legal approvals for all street road details from the LHA prior to submission of such approved details to the LPA to discharge conditions within this consent.

- 3 Road Licences - You are advised that should the development hereby permitted requires you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers), or to place any equipment, materials in, on, above or abutting a highway requires you to have a licence. Further details are available on the BMBC website at: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/> or my contacting Streetworks@barnsley.gov.uk
- 4 Street lighting design and installation is undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with the authorities Street Lighting Team, Tel 01226 770770. Email. Streetlightingdesign@barnsley.gov.uk as soon as possible.

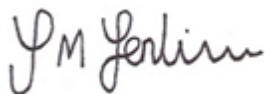
Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- 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 18/01/2022

A handwritten signature in dark ink, appearing to read 'J M Jenkinson', written in a cursive style.

Joe Jenkinson
Head of Planning and Building Control

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.