



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0361

To JE Architectural Ltd
23 Windmill Road
Wombwell
Barnsley
S73 8PW

DESCRIPTION Variation of conditions 2 and 8 of application 2021/0885 (Extension of service yards and provision of car parking to existing factory) to allow change in surfacing and drainage

LOCATION Station Road Industrial Estate, Valley Road, Wombwell, Barnsley, S73 0BS

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 02/05/2023 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before 28th April 2025.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990 and to accord with application 2021/0885.
- 2 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved:
 - Site Location Plan Ref 202007 Dwg No: 02
 - Extended Service Areas and Car Park Layout Proposals Ref:202214 01 dated FEB 2023
 - Flood Risk Assessment Ref: 878/FRA1
 - Arboricultural Impact Assessment Ref: 210818 AIA
 - Arboricultural Method Statement Ref: 210818 MS
 - Tree Survey Ref 210818

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 Upon commencement of development, full details of soft landscaping works to screen the development and provide habitat replacement, including details of the species, positions and planted heights of proposed trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 5 All 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 occupation; 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'.
- 6 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 7 Prior to commencement, an Electric Vehicle Charge Point and Infrastructure Strategy shall be submitted and approved in writing by the Local Planning Authority. The strategy shall include projection of likely future use / demand for charge points and triggers for implementing additional infrastructure on site. The Electric Vehicle Charge Point and Infrastructure Strategy shall be implemented in accordance with the agreed details for the duration of the development hereby approved.
Reason: In accordance with Local Plan Policy T3 and the Sustainable Travel SPD.
- 8 All on-site vehicular areas shall be grass surfaced and reinforced with 'GrassProtecta' plastic mesh and drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety, in accordance with Local Plan Policy T4.
- 9 The parking/manoeuvring facilities indicated on the submitted plan shall be provided prior to the development being brought into use and shall be retained for that sole purpose at all times.
Reason: In the interests of highway safety, in accordance with Local Plan Policy T4.

10 No development shall take place unless and until surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include:

- Porosity tests carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways, and

-Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways.

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.

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 Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 25 October 2023



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 given 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.