BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2008/0760

To Dallas Estates
Alpha House
140-143 Milton Road
Gravesend
Kent
DA122RH

DESCRIPTION Erection of 48 industrial units (B1 and B2 uses) with associated car parking.
LOCATION Ings Road, Wombwell, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans *registered by the Council on 18 September 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 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as originally submitted apart from the site layout plan which shall be in accordance with the amended plan received on the 12th march 2009, unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

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 08 April 2009

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4 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.

5 All on-site vehicular areas shall be surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the development being brought into use, to prevent mud/debris from being deposited on the public highway to the detriment of road safety.
Reason: In interests of road safety

6 The parking/manoeuvring facilities indicated on the approved 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 interests of road safety

7 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In interests of road safety

8 Prior to the occupation of the building a draft Travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plans shall indicate measures that will be put in place to encourage travel by modes other than private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local planning Authority and once approved shall be fully implemented, in the interests of sustainable development.
Reason: In interests of road safety

9 There shall be no obstruction to visibility at a height exceeding 1.05m within 2.4m of the kerb face for the entire site frontage
Reason: In interests of road safety

10 Any gates shall be located at least 5m from the highway boundary to allow a car to park clear of the highway whilst the gates are opened
Reason: In interests of road safety

11 Development shall not commence until arrangements have been entered into to secure the provision of two bus shelters on Stonyford Road , and such works shall be completed prior to the development being brought into use.
Reason: In the interests of road safety

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12 No development shall take place until details of the construction phase, including the parking of builders' vehicles, the storage of materials and plant, and measures to prevent mud/debris being deposited on the highway, have been submitted to and approved in writing by the local planning authority.. Development shall proceed in accordance with the approved details
Reason: In interests of road safety

13 All external lighting apparatus shall be designed, erected and maintained to ensure that light pollution such as to cause a statutory nuisance does not affect any neighbouring dwelling houses.
Reason: In the interests of neighbouring amenities

14 During construction the hours of work, including the delivery of materials/waste collections shall be within:-
08.00 - 18.00 Mon - Fri,
09.00 - 13.00hrs Sats,
No noisy works at all on Suns & Bank Hols.

Reason - to ensure that the effects of disruption due to construction are controlled

15 The building shells shall be constructed so as to provide sound insulation against internally generated noise of not less than 35dB(A) with doors and windows closed, taking into consideration any vents or outlets
Reason: In the interests of neighbouring amenities

16 There shall be no external storage of goods.
Reason: In the interests of visual amenities

17 There shall be no goods vehicle movements or use of mechanical handling equipment outside the hours of 07:00 - 19:00
Reason: In the interests of neighbouring amenities

18 Notwithstanding the submitted plans, prior to commencement of development details of the boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. Along the northern and western boundaries, excluding the vehicle access, this shall consist of an acoustic barrier. The barrier shall be of brick construction or close boarded timber, with no gaps between or below the panels, of minimum height 2.0 metres. The scheme shall then proceed in accordance with the approved details.
Reason: In the interests of neighbouring amenities

19 The site shall be developed with separate systems of drainage for foul and surface water on and off the site.
Reason: In the interests of satisfactory and sustainable drainage

20 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.
Reason: To ensure that the development can be properly drained.

21 Unless otherwise approved in writing by the Local planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal

22 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 by the local planning authority before development commences.
Reason: To ensure that the site is properly drained and in order to prevent overloading of the public sewer network

23 Unless otherwise agreed in writing by the Local planning Authority , no building or other obstruction shall be located over or within:
a) 3.0 (three) metres either side of the centre line of the water mains, which crosses the site
b) 6.0 (six) metres either side of the centre line of the 675mm live sewer
c) 3.0 (three) metres either side of the centre line of the 675mm live sewer.
Reason: In order to allow sufficient access for maintenance and repair work at all times.

24 Unless otherwise approved in writing by the Local Planning Authority no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

25 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through an interceptor.
Reason: In the interest of satisfactory drainage

26 Any liquid storage tanks for fuel oil should be located within a bund with a capacity of not less than 110% of the largest tank or largest combined volume of connected tanks.
Reason: To ensure that there are no discharges to the public sewerage system which may injure the sewer, interfere with free flow or prejudicially affect the treatment and disposal of its contents

27 No development shall take place until works have been carries out to provide adequate facilities for the disposal and treatment of any waste materials, including trade effluents, in accordance with details to be submitted to and approved by the local planning authority.
Reason: To ensure that the development can be properly drained without damage to the local water environment

28 The development shall be carried out in accordance with the approved Flood Risk assessment by Ardent Consulting Engineers, ref: E630-02, dated August 2008, and shall incorporate all the proposed mitigation measures detailed in that FRA.
Reason: So as to reduce the risk to the property in the event of flooding and to accord with PPS25

29 All roller shutter doors and doors for personnel shall be kept closed except for access and egress to and from the units, between the hours of 18:00 - 08:00.
Reason: In the interests of neighbouring amenities

30 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation matters, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. An assessment as to the degree to which the site may be affected by any contamination, including borehole and trial pit results.

2. Measures to test and evaluate the site for the purposes of identifying contamination throughout the duration of the development.

3. Measures to treat or remove any contaminated materials encountered and the methodology to be employed. These procedures should be summarised in a remediation statement.

4. Steps to be taken to prevent any environmental pollution by any such contaminated material encountered.

5. Measures to prevent risks to health and safety of the general public and any persons working on the site.

6. Consideration of any Waste Management issues of any remediation measures.

7. The subsequent certification/validation reports are submitted, showing that the site has been satisfactorily remediated and that the development of the site can be safely occupied

The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".
Reason - to protect the environment and ensure the site is suitable for the proposed use

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Reason(s) for Granting Permission

1	Existing employment policy areas - Policy ED7	The proposal complies with Policy ED7 in that the type of employment use proposed is compatible with adjoining uses. Although the scheme represents a high intensification development it is considered that there is no significant impact on residential/visual amenity/highway safety.

Informative(s)

1 The developer should be aware if incorporating measures to control dust throughout demolition and construction. Such measures may include the use of water bowsers, sprayers (mobile and fixed), hosepipes or similar equipment and the use of wheel washes

2 Any proposal to discharge surface water drainage to Bulling Dike will require the prior written agreement of the Dearne and Dove Internal Drainage Board

3 Sustainable drainage solutions should be investigated as stated in the FRA and incorporated into the design of the site where possible

4 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:

- Collapse of shallow coal mine workings;
- Collapse of, or risk of entry into, mine entries (shafts and adits);
- Gas emissions from coal mines including methane and carbon dioxide;
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
- Transmission of gases into adjacent properties from underground sources through ground fractures;
- Coal mining subsidence
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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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