BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning and Building Control

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1691

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 spur road, yard, parking, landscaping and drainage infrastructure (Reserved matters of the outline part of hybrid planning permission 2019/1573 for Phase 3 seeking approval of appearance, landscaping, layout and scale) (Amended Plans)
At: Land to the north of Dearne Valley Parkway. Gateway 36 Phase 3, Hoyland, Barnsley

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 12/01/2022 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 thereby 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 thereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:

Site Layout ref. 21049_P0601 rev.G
Location Plan ref. 21049_P0602 rev.A
Site Finishes Plan ref. 21049_P0603 rev.F
Indicative Site Sections ref. 21049_P0604 rev.B
Fencing and Barrier Details ref. 21049_P0701 rev.E
Bin Store Details ref. 21049_P0702 rev.D
Cycle Shelter Details ref. 21049_P0703 rev.E
Building Plan ref. 21049_P1001 rev.G
Office Plans ref. 21049_P1002 rev.C
Roof Plan ref. 21049_P1003 rev.C
Elevations ref. 21049_P1301 rev.E

Landscape Framework Plan ref. 441-UW-P-001 rev.E
Softworks Planting Plan ref. 441-UW-P-002 rev.E
Landscape Features Plan ref. 441-UW-P-003 rev.D
Landscape Features Signage ref. 441-UW-P-004 Rev.-
Landscape Features Rabbit Fencing ref. 441-UW-P-005
Landscape Features Bench Detail ref. 441-UW-P-006
Landscape Features Typical Tree Planting Details ref. 441-UW-P-007
Landscape Features Typical Retaining Feature ref. 441-UW-P-008
Landscape Amenity Area ref. 441-UW-SK-001 rev.A
Proposed Levels ref. 079577-CUR-XX-XX-DR-C-91001-P12
Retaining Structure and Slope Detail Drawings (set) ref. 079577
Drainage Masterplan ref. 079577-CUR-ZZ-ZZ-D-C-92001-P05
Attenuation Basin Details ref. 079577-CUR-ZZ-ZZ-D-C-92201-P02
Car Park Visibility Splays ref. 22022 IN.02
Planning Statement ref. JM/PS/02
LVIA Addendum (inc. photomontages) (December 2021 rev.A)
Landscape and Ecological Management Plan ref. 441-UW-P-LEMP rev.D
Habitat Creation, Biodiversity Mitigation and Enhancement Scheme rev.A
Biodiversity Impact Assessment Phase 3 rev.A
Biodiversity Offsetting Scheme rev.A
Road Access Levels Statement ref. 079577-CUR-ZZ-ZZ-T-C-95001-P01
Drainage Statement ref. 079577-CUR-ZZ-ZZ-T-C-92001-P03 (inc. Operation & Maintenance Plan ref. 079577-CUR-ZZ-ZZ-T-C-92900-V01)
BREEAM Pre-Assessment Report dated 07/12/21
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 development or other operations being undertaken on site shall take place until tree protection is erected on site in accordance with the method statements in the approved Arboricultural Impact Assessment V2 dated Feb 2020 by The Environment Partnership (approved by outline permission 2019/1573). Thereafter the development shall be implemented in accordance with the approved documents.
Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

4 Prior to the commencement of development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include measures to residential amenity, and to protect the adjacent Dearne Valley Wetlands SSSI and nearby Short Wood and Hay Green LWS from habitat degradation during construction operations including from dust deposition, accidental damage or pollution incidents. Thereafter the development shall proceed in accordance with the approved plan.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, and to ensure that the SSSI and LWS are not degraded during construction operations including through habitat degradation arising from dust deposition, accidental damage, or pollution incidents and in accordance with Poll1 and BIO1.

5 On commencement of engineering/construction operations, details of any temporary lighting (if proposed to be used) shall be submitted to and approved 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. Thereafter the approved details shall be implemented in full.
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.

6 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.

7 No building hereby approved shall be occupied prior to the installation of Electric Vehicle Charge Points in accordance with plan referenced Site Layout ref. 21049_P0601 rev.G 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.

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 first occupation of the building hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan Car Park Visibility Splays ref. 22022IN.02. 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.

10 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.

11 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.

12 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.

13 All 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 and managed in accordance with Landscape and Ecological Management Plan ref. 441-UW-P-LEMP rev.D
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 the development, a scheme for the provision of Pond safety measures shall be submitted to and approved in writing by the Local Planning for approval. The scheme may include (but not be limited to) measures such as ring buoy or other flotation aid and/or signage to the permanent wet pond area. The scheme shall detail:
a) safety measures to be installed,
b) a timescale for their installation,
c) plan detailing the location of the measures, and
d) arrangements for regular inspection and maintenance
Thereafter the approved safety measures shall be maintained for the duration of the development.
Reason: In the interests of public safety and in accordance with Local Plan Policy D1 to contribute towards place making and be of high quality that contributes to a healthy safe and sustainable environment.

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/discharge relating to that part of the site identified in drawing 100C only
vii. 31 Air Quality
viii. 32 BREEAM parts a-d complied with, Post Completion certificate to be submitted
ix. 52 Outside storage

2 If the developer is to make discharge flows to the existing watercourse he must gain the written agreement of the Land Drainage Authority to discharge flows at an agreed rate - highwaydrainage@barnsley.gov.uk

3 If the developer is to carry out works within or in the proximity of any watercourse he must gain the relevant permissions from the Lead Local Flood Authority - highwaydrainage@barnsley.gov.uk

4 The landowner should consult Natural England via a S28E consent to permit the proposed management works on the nearby Dearne Valley Wetlands SSSI.

5 A discharge of condition application 2021/1692 has been submitted containing documents to discharge the following outline planning conditions as they relate to the reserved matters application site indicated on Site Plan ref. 21049_P0602 rev.A approved above.

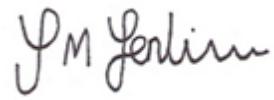
22 (common areas of landscaping)
35 (on plot landscaping)
36 (on plot landscape management)
44 (on plot levels and surfaces)

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 06/07/2022



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.