



BARNLSLEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1440

To Mr David Mothershaw
Citadel Ltd
Langthwaite House
Langthwaite Business Park
South Kirkby
Pontefract
WF9 3AE

DESCRIPTION Extension to industrial unit and construction of staff welfare facilities.
LOCATION Galglass Ltd, 321 Hough Lane, Wombwell, Barnsley, S73 0LR

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 30 November 2010 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 The external materials shall match those used in the existing building.
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 approved 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.
- 4 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 UDP Policy ES1, Pollution.

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 28 February 2011

- 5 Prior to occupation of the building/commencement of the use, full details of 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. The approved details shall be implemented prior to occupation of the building/commencement of the use and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light.
- 6 Prior to commencement of development, details of any exhaust ventilation plant shall be submitted in writing to the LPA and accompanied by a competent acoustic report detailing the methodology for ensuring that noise from the plant can 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 BS 4142: 1997 Method for rating industrial noise affecting mixed residential and industrial areas. The assessment shall detail the following:
- both day and night time noise levels (L Aeq,T) from any exhaust or air handling units, in addition to 1/3 octave analysis;
predicted noise levels at main habitable rooms (bedrooms, living rooms) and gardens; and mitigation measures, where appropriate, to demonstrate that the following can be achieved: 30dB LAeq (1hr) or less and 45dB LAmax within bedrooms between 23:00 hours and 07:00 hours, with windows closed, (if the hours of use restrict operation at this time then you can ignore this)
- 40dB LAeq (1hr) or less within living rooms between 23:00 hours and 07:00 hours with windows closed with no discernible tonal characteristics; and
- 55dB LAeq (16hr) or less on balconies, terraces and outdoor living areas (gardens) between 07:00 and 23:00 hours with no discernible tonal characteristics
- The plant shall be installed in accordance with the approved details and retained as such thereafter, unless otherwise agreed in writing by the LPA.
Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.
- 7 Prior to commencement of development, a methodology for ensuring that the building is constructed to provide sound insulation against internally generated noise of not less than 45 db(A) shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved details and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.
- 8 The rear personnel doors shall be kept closed except for access and egress.
Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.
- 9 Deliveries shall be only take place between the hours of 0800 & 1800 Monday to Friday and 0900 & 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 UDP Policy ES1, Pollution.

- 10 The use hereby permitted shall be carried on only between the hours of 07:00 to 22:00 Mondays to Fridays, 08:00 to 16:00 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 UDP Policy ES1, Pollution.

- 11 No development shall take place until:

(a) Full foul and surface water drainage details, with levels and sections, including a scheme for surface water run-off limitation and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Full details of existing pumping station with calculations to demonstrate that it has adequate capacity to serve the new drainage system.

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 proper drainage of the area

- 12 No development shall take place until the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) have been submitted to and approved in writing by the Local Planning Authority:

Root protection areas (RPA)

Tree protection plan (TPP)

Arboricultural method statement (AMS) including special construction techniques and any other methodologies which are required to ensure the survival of the trees during the development.

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

- 13 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

- 14 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. 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.

- 15 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.

Reason(s) for Granting Permission

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| 1 Existing employment policy areas - Policy ED7 | The proposal complies with Policy ED7 in that there is no significant impact on residential/visual amenity/highway safety. |
| 2 Economic development and residential amenity - Policy ED4 | The proposal complies with Policy ED4 in that it would have no significant impact on air pollution/noise; the buildings are not visually intrusive. |

Informative(s)

- 1 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 2 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

H8E - Extensions to dwellings
SPG4: 'House Extensions'

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

- 3 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

ED4 - Economic development close to housing
ED7 - Development on employment land
ED10 - Expansion of existing firms
BE6 - Design Standards
SPG1 - Industrial Units and Warehouses

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

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.