



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/1355

To William Saunders Partnership
Sheppard Lockton House
Cafferata Way
Newark
NG24 2TN

DESCRIPTION Variation of condition 7 (details of the proposed use and opening/operating hours for unit 6) of planning permission 2017/1002 - Erection of 15 no. industrial units in 8 blocks (Classes B1, B2 and B8) with associated car parking

LOCATION Unit 6, Capitol Close, Dodworth, Barnsley, S75 3UB

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 November 2019 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the plans (Nos 11548-(D)01-K, 11548-(D)02-C, 11548-(D)03-C, 11548-(D)04-D, 11548-(D)05-C, 11548-(D)06-C, 11548-(D)07-C, 11548-(D)08-C, 11548-(D)10-A, LL01-E, LL02-E, 2450-7-D1, 2450-7-D2 & 2450-7-D12) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1.
- 2 The development shall incorporate and implement the air quality mitigations as detailed in paragraphs 5.3.19 and 5.3.20 of the supporting air quality assessment and retain for the life of the development.
Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Local Plan Policy Poll1.
- 3 The opening hours of unit 6 shall be limited to 07:00-23:00 hours unless or until a 4m high solid screen has been installed on the eastern boundary of the yard in accordance with details to be submitted to and approved in writing by the Local Planning Authority, or the need for the operating times restrictions stated has been confirmed by the Local Planning Authority following the determination of planning application 2019/0691 and its subsequent implementation.
Reason: In the interests of the amenities of hotel guests and in accordance with Local Plan Policy GD1.

- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (ie not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: to ensure that satisfactory off street parking/manoeuvring are provided, in the interests of highway safety and the free and safe flow of traffic and in accordance with Local Plan Policy T4.
- 5 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Local Plan Policy Poll1
- 6 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 the interest of highway safety, in accordance with Local Plan Policy T4.
- 7 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4.
- 8 Within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.
Reason: In the interest of promoting use of public transport
- 9 The approved Service Yard Management Plan by William Saunders shall be strictly adhered to by all unit occupants at all times.
Reason: In the interests of highway safety and in accordance with Local Plan Policy T4.
- 10 The development shall be carried out in accordance with the Construction Method Statement by PDR Construction (Ref: 10631-3.1). The statement shall be adhered to throughout the construction period.
Reason: In the interest of Highway safety and in accordance with Local Plan Policy T4.
- 11 The development will have a maximum floor area 7,477.81sq.m and must not result in greater than 34 and 31 two way vehicle trips in the weekday am peak hour (8.00-9.00) and the weekday pm peak hour (1700-1800) respectively.
Reason: To limit the effects of the development on the highway network in accordance with policy T4.
- 12 The development shall be implemented in accordance with the approved details set out in the Ecology Report - Phase 1 Habitat Survey and Protected Species Assessment - Revision B (SF2660) and the Landscape Proposals by Smeeden Foreman (SF2660-LL01-H & SF2660-LL02-H and retained throughout the life of the development.
Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1 'Biodiversity & Geodiversity'.
- 13 Prior to occupation of the individual units, full details of any externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details
Reason: In the interest of visual and residential amenity in accordance with Local Plan Policy Poll1.

14 The development shall be carried out in accordance with the recommendations and mitigation measures set out in the report by Sharpes Redmore dated 13th April 2018 (Ref:1817742).

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.

15 The approved details set out in the email dated 15/05/2019 from Focus shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.

Reason: In the interest of sustainable development.

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

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.

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 granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

3 The applicants attention is drawn to the comments from the South Yorkshire Police Crime Reduction Officer.

Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 10 February 2020

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.