



APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/0248

Miss Miranda Steadman
Marshall House
Huddersfield Road
Elland
HX5 9BW

Proposal Proposed 7,225 sq m (gross external area) industrial unit at Plot A for general industrial (B2) and storage and distribution use (B8) with ancillary office (B1)
(Reserved Matters pursuant to outline planning permission 2016/0713 - appearance, landscaping, layout and scale)

At Unit A Land at Capitol Park, Capitol Close, Dodworth, Barnsley

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 23 February 2017 and described above, being matters reserved in the permission granted under Application.

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, hereby permitted, shall be begun before the expiration of two years from the date of this reserved matters approval.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990

- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission: The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission as follows:
M3016-00-SK4 Location Plan
M3016-01-SK5 Site Layout
M3016-02-SK4 Floor Layout Plan
M3016-03-SK4 Elevations
M3016-05-SK4 Site Sections
M3016-07-SK4 Proposed Roof Plan
2450.2017-DSK1 Drainage Layout
SF2651 LL01 REV A Landscape Proposals
Phase 1 Transport Statement dated 15 February 2017 by Aecom
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 3 The approved Capitol Park - Phase 1 Transport Statement dated 15 February 2017 by Aecom shall be fully implemented for the duration of the development.
Reason: In the interests of sustainable travel and in accordance with CSP 25
- 4 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 Core Strategy Policy CSP 29, Design.
- 5 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 Core Strategy Policy CSP26, New Development and Highway Improvement.
- 6 Prior to the occupation of the development a detailed scheme of ecological mitigation and enhancement and maintenance shall be submitted for approval to the Local Planning Authority. The scheme shall broadly follow the measures set out in Section 5 of the ERAP Ecological Assessment and shall identify a timetable for implementation and maintenance for 5 years. The scheme shall be accompanied by a plan which clearly identifies what ecological features are proposed to be retained, mitigated and enhanced. Thereafter the development shall be carried out in accordance with the approved measures.
Reason: In the interests of biodiversity and in accordance with CSP 36

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.

Signed
Joe Jenkinson



Dated 20 April 2017

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:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.