



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2026/0122

To Mrs Miranda Bell
Marshall House Huddersfield Road
Elland
West Yorkshire
HX5 9BW

DESCRIPTION Variation of conditions 2 and 3 relating to application 2021/0479 - Erection of 3no industrial/warehouse units (Use classes B2 and B8 and E(g)(ii) and E(g)(iii) totalling 11,585 sqm floorspace and associated works including provision of access, parking and landscaping (Amended Plans) for revised methodology for construction of retaining wall.

LOCATION Land at Dearne Valley Parkway, Hoyland, Barnsley S74 0QA

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 02/03/2026 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 and specifications as approved unless required by any other conditions in this permission.
- Plan references
- Arboricultural Method Statement produced by Rosetta Landscape Design dated 29.01.26
 - Arboricultural Impact Assessment produced by Rosetta Landscape Design dated 02.02.26
 - Biodiversity Net Gain Calculator
 - Ecological Impact Assessment produced by Brooks Ecological ref ER-3806-05-C dated 29.01.26
 - Landscape Plan 1 of 2 ref 15315-VL_L01 Rev O
 - Landscape Plan 1 of 2 ref 15315-VL_L02 Rev M
 - Landscape Plan 2 of 2 ref 15315-VL_L03 Rev O
 - Sections of southern boundary wall 5419-JPG-ZZ-ZZ-DR-C-1590 S2 P06 received 20.03.26
 - Updated site sections M3061-P100
 - Revised Tree Protection Plan 25064-01 received 20.03.26
 - Site Layout Plan M3061-P01 received 02.04.26
 - Location Plan 15315 100
 - Block Plan 15315 101 REV A
 - Constraints Plan 15315 102 REV A
 - Detailed Site Plan sheet 1 15315 104 REV A
 - Detailed Site Plan sheet 2 15315105 REV A
 - Proposed Site Plan 15315 111 REV AE
 - Detailed Site Plan Sheet 1 15315 114 REV Q
 - Detailed site plan sheet 2 15315 115 REV M
 - Proposed site sections 15315116 REV G
 - Proposed site sections 15315 117 REV E
 - Proposed site sections 15315 118 REV E
 - Block Plan 15315 119 REV C
 - Unit 1 GA plans 120 REV F
 - Unit 1 Elevations 3061-1-301(P2) received 26/06/2025
 - Unit 1 Roof Plan 15315 123 REV E
 - Unit 1 3D views 15315 124 REV G
 - Unit 2 GA Plans 15315 125 REV D
 - Unit 2 Elevations 3061-2-301 (P2) received 26/06/2025
 - Unit 2 Roof Plan 15315 128 REV C
 - Unit 2 3D views 15315 129 REV E
 - Unit 3 GA Plans 15215 130 REV D
 - Unit 3 Elevations 3061-3-301 (P2) received 26/06/2025
 - Unit 3 Roof Plan 15315 133 REV D
 - Unit 3 3D views 15315 134 REV F
 - Typical Bin Store 15315 135
 - Typical Cycle Shelter 15315 136
 - Typical Fencing Detail 15315 137
 - CGI Viewpoints REV B
 - CGI Viewpoints 2 (close-up) REV B
 - Aerial viewpoint M_01E CGI REV B
 - Car Parking Technical Note with appendices 20-262-005.02
 - Transport Assessment with Appendices 20-202-001.3
 - Framework Travel Plan with appendices 20-262-002-04
 - Highways Note rec 050922 by Bryan G Hall 20-262-004.02
 - Tree Plan 3784/1 by Rosetta Landscape Design
 - Tree Survey by Rosetta Landscape Design
 - Biodiversity Net Gain Assessment REV D ER-3806-06D by Brooks Ecological
 - Construction Environment Management plan (Biodiversity) ER-3806-07A by Brooks Ecological updated 21/11/22
 - Breeding Bird Survey by Brooks Ecological ER-3806-07 dated 13/07/22
 - Reptile Survey by Brooks Ecological R-3806-02A
 - Bat Site Inspection report by Brooks Ecological SI-3806-06 dated 18/11/22
 - Great Crested Newt Survey by Brooks Ecological R-3806-03
 - Coal Mining Risk Assessment by JPG dated Feb 2021 5419-JPG-SW-XX-RP-G-0602-S2-P02

Drainage Impact Assessment by JPG dated March 21 5419-JPG-XX-XX-RP-D-0622-S2-P02

Flood Risk Assessment by JPG 5419-JPG-XX-XX-RP-D-0621-S2-P02

Noise Impact Assessment by e3P 50-269-R1-1, and

Plans and documentation approved by discharge of condition as listed set in out in the informative below.

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.

- 2 Prior to the first occupation of the development hereby permitted, a public right of way and non-adoptable ways and spaces specification and maintenance scheme shall be submitted to the Local Authority for approval in writing. The scheme shall include constructional details and timing of construction, future status and future maintenance plans of existing and proposed footways and footpaths / cycleways / bridleways, and landscaped areas not put forward for adoption by the Local Authority. Once agreed, the development shall, thereafter, be constructed and maintained in accordance with the approved details.

Reason: to ensure that all existing and proposed footpaths / cycleways / bridleways are constructed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4

- 3 Prior to the first occupation of the development hereby permitted details of measures to facilitate the provision of gigabit-capable full fibre broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure compliance with Local Plan Policy I1 and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.

- 4 Upon completion of construction, a certificate shall be provided to the Local Planning Authority demonstrating that the Very Good standard for BREEAM as set out in Energy Statement by BSB BRJ-BWB-00-XX-RP-ME-0001REV P01 has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.

Reason: To enable delivery of efficient and sustainable design and construction in accordance with Local Plan Policy CC2.

- 5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall thereafter be carried out in accordance with the approved plan.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity

- 6 The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of occupation, evidence of the implementation of measures set out in the Travel Plan shall be prepared, submitted to and agreed in writing with the Local Planning Authority unless alternative timescales are agreed in writing.

Reason: To support sustainable transport objectives, reduce reliance on the private motor car as a primary form of transport and to reduce the impact of travel and transport on the environment.

- 7 During the construction/remediation phase, except in an emergency, heavy goods vehicles shall not enter or leave the site, and 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.
At times when operations and movements are not permitted, work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.
Reason: To reduce or remove adverse impacts on health and the quality of life, and protect the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 8 Fixed plant shall be located as far as practicable from the nearest residential receptors. Cumulative impact of noise from all fixed plant sources shall not exceed 42 dB LA,r at the closest receptors so as not to exceed the typical background sound level, after accounting for any acoustic feature corrections.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1
- 9 Best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.
- 10 Effective steps shall be taken by the operator to prevent the deposition of mud, dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.
- 11 Prior to the first occupation of the development hereby permitted, the proposed access roads, on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Access roads and vehicle parking areas must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.
Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard in accordance with Local Plan Policy T4.
- 12 In plot landscaping - All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the individual buildings; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
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'.

- 13 All out of curtilage 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.
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 No surface water runoff shall be allowed to discharge onto the adjacent 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.
- 15 Notwithstanding the provisions of the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020, (or any Order revoking or re-enacting that Order with or without modification, other than ancillary office use, Class E uses which would otherwise be permitted by that Order shall be limited to Class E(g)ii and E(g)iii.
Reason: To ensure the majority of the site remains in employment use as set out in in accordance with the Hoyland North Masterplan and Local Plan Policy ES14.

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 Documents previously approved by discharge of condition applications under permission 2021/0479 and are also relevant to current application 2026/0122

Condition 4 Discharge of Condition application 2025/0137
5419-JPG-ZZ-ZZ-DR-C-1610 P01 Plot 2 On-plot yellow lining general arrangement

Conditions 5 and 6 Discharge of Condition application 2023/0485
15315(P) 111 REV AG
15315(P) 112 REV T
15315(P) 114 REV R
15315(P) 115 REV N
15315(P) 119 REV D

Condition 7 Discharge of Condition application 2024/1041
CEMP Rev C received 04.02.25

Condition 9 Discharge of Condition application 2023/0321
Ecology Note by Brooks Ecological EN-3806-01 dated 23/03/23
Potentially Damaging development Activities report by Brooks ecological
Page 6 of CEMP submitted with permission 2021/0479

Conditions 12, 16 & 17 Discharge of Condition application 2023/0328
Drainage Layout 1 of 2 00.23009-ACE-00-ZZ-DR-C-01000 P3
Drainage Layout 1 of 2 00.23009-ACE-00-ZZ-DR-C-01001 P1
Typical Drainage Details 1 of 3 00.23009-ACE-00-ZZ-DR-C-01030 P1
Typical Drainage Details 2 of 3 00.23009-ACE-00-ZZ-DR-C-01031 P1
Typical Drainage Details 3 of 3 00.23009-ACE-00-ZZ-DR-C-01032 P2
Typical Attenuation Tank Details 00.23009-ACE-00-ZZ-DR-C-01035 P1
SW14 Hydrobrake Detail 00.23009-ACE-00-ZZ-DR-C-01036 P1
SW23 Hydrobrake detail 00.23009-ACE-00-ZZ-DR-C-01037 P1
SW32 Hydrobrake detail 00.23009-ACE-00-ZZ-DR-C-01038 P1
Manhole Schedules 00.23009-ACE-00-ZZ-DR-C-01110 P1
Coal Mining Risk Assessment and Coal Recovery Report by JPG 5419-JPG-SW-XX-RP-G-0602-S2-P02 dated February 2021
Geo-Environmental Ground Investigation by JPG 5419-JPG-XX-XX-RP-G-0604-S2-P01
RJB-BWB-00-XX-DR-E-2302 REV P3 Electrical Services, Proposed External Lighting Lux Plot Site Plan
Ecology Note by Brooks Ecological EN-3806-01 dated 23/03/2023

Condition 18 Discharge of Condition application 2023/0337
Revised Biodiversity Management Plan reference ER-3806-08C dated 12th June 2025 by Brooks Ecological.

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: 7 May 2026

A handwritten signature in black ink, consisting of a stylized 'G' and 'H' followed by a horizontal line extending to the right.

Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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.

STATUTORY BIODIVERSITY NET GAIN CONDITION

DEEMED CONDITION

(As required Schedule 7a of the Town and Country Planning Act 1990 (as amended) and inserted by the Environment Act 2021)

Development may not be begun unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority; and
2. The Local Planning Authority has approved the plan.

The Biodiversity Gain Plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development; and
- f) any such other matters as the Secretary of State may by regulations specify.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- g) name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- h) a description of the development and planning permission reference number (to which the plan relates);
- i) the [relevant date](#), for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- j) [the completed biodiversity metric calculation tool\(s\)](#), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the [relevant date](#), and post-development biodiversity value;
- k) a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- l) (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- m) pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the [relevant date](#), and drawn to an identified scale and showing the direction of North;
- n) a description of any [irreplaceable habitat](#) on the land to which the plan relates which exist on the [relevant date](#), and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and
- o) if [habitat degradation](#) has taken place:
 - i. a statement to this effect,
 - ii. the date immediately before the degradation activity,
 - iii. the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
 - iv. any available supporting evidence for the value.

INFORMATIVE 1

When calculating the post-development biodiversity value of a habitat, the Local Planning Authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation, or conservation covenant

INFORMATIVE 2

The General Biodiversity Gain Condition has a separate legal basis in contrast to other planning conditions and will apply to all planning permissions, unless exempt. The General Biodiversity Gain Condition will therefore not appear on the decision notice along with the list of planning conditions imposed on the application, rather it will be referenced separately.

The General Biodiversity Gain Condition cannot be varied or removed by an application under section 73 of the Town and Country Planning Act. It also cannot be discharged as part of the grant of planning permission.

INFORMATIVE 3

A Biodiversity Net Gain Template can be found here:

<https://www.gov.uk/government/publications/biodiversity-gain-plan>

INFORMATIVE 4

The statutory deemed condition above is relevant to all major applications submitted since 12th February 2024 and to all non-major applications submitted after 2nd April 2024, unless exempt.

The onus is on the applicant/agent to notify the Local Planning Authority at developmentmanagement@barnsley.gov.uk if the application was exempt and provide the reasons for the exemption. Exemptions can be found at this link <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>