BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1443

To Mr Adam Murray
Harworth Estates
AMP Technology Centre
Advanced Manufacturing Park
Brunel Way
Waverley
Rotherham
S60 5WG

DESCRIPTION Erection of 19 industrial units with associated external works and landscaping (Extension to time limit of application 2008/1426)

LOCATION Land off Park Spring Road, Houghton Main, Little Houghton, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 20 December 2011 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.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Stephen Moralee

Signed
Assistant Director, Planning and Regulatory Services

Dated 22 February 2012

Planning and Regulatory Services **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

2 The development hereby approved shall be carried out in strict accordance with the following plans and specifications, unless prior written consent has been given by the Local Planning Authority to any minor variation:-

Drawing no 9515 (D) 01B 'Overall Site Layout'

Drawing E9515 (D) 04 'Unit 1 Plans, Elevations and Section'

Drawing E9515 (D) 05 'Unit 2 Plans, Elevations and Section'

Drawing E9515 (D) 06 'Unit 3 Plans, Elevations and Section'

Drawing E9515 (D) 07 'Unit 3 Plans, Elevations and Section'

Drawing E9515 (D) 08 'Unit 4 Plans, Elevations and Section'

Drawing E9515 (D) 09 'Unit 5 Plans, Elevations and Section'

Drawing E9515 (D) 10 'Unit 6 and 10 Plans, Elevations and Section'

Drawing E9515 (D) 11 'Unit 7 Plans, Elevations and Section'

Drawing E9515 (D) 12 'Unit 8 Plans, Elevations and Section'

Drawing E9515 (D) 13 12 'Unit 9 Plans, Elevations and Section'

Drawing SF1512 LL01 'Landscape Proposals'

Drawing SF1512 LL02A 'Landscape Proposals'

The written specification for Horticultural Works and Maintenance

The recommendations in the Geo-Environmental Site Investigation Factual and Interpretative Report
Reason: To define the permission for the avoidance of doubt.

3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Core Strategy Policy CSP29 'Design'.

4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before building are occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality in accordance with Core Strategy Policy CSP29 'Design'.

5 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.

6 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years, 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 be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality

7 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.

8 Prior to commencement of development, details of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the buildings and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the visual amenities of the locality

9 Prior to occupation of the buildings, 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 buildings and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the visual amenities of the locality in accordance with Core Strategy Policy CSP29 'Design'.

10 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. 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: In the interest of highway safety.

11 Prior to the commencement of development, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. Within 28 days of 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 developers expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety.

12 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interest of highway safety.

13 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
-The parking of vehicles of site operatives and visitors
-Means of access for construction traffic
-Loading and unloading of plant and materials
-Storage of plant and materials used in constructing the development
-The erection and maintenance of security hoarding
-Wheel washing facilities
-Measures to control the emission of dust and dirt during construction
-Measures to control noise levels during construction
Reason: In the interests of highway safety and visual amenity.

14 Prior to commencement of development full highway engineering construction details, (including highway retaining structure, and phasing of the highway works) shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety

15 Prior to the commencement of development, a Green Travel Plan shall be submitted to the Local Planning Authority for consideration. The Travel Plan shall include details of its implementation and the monitoring programme. The Travel Plan approved in writing by the Local Planning Authority shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of sustainable development

16 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.
Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

17 No development approved by this permission shall be commenced until a scheme for the provision of surface water and foul drainage works has been submitted to and approved by the Local Planning Authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.
Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

18 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
Reason: The site has had a potentially contaminative former use and the development must ensure that water does not infiltrate into the ground where it will have the potential to cause pollution. This is to ensure the environment is protected.

19 The development hereby permitted shall not be commenced until such time as a scheme to install oil and petrol interceptors and for roof drainage to be sealed at ground level has been submitted to, and approved in writing by, the local planning authority. The scheme shall thereafter be implemented as approved.
Reason: To prevent pollution of the water environment

20 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
Reason: To prevent pollution of the water environment.

21 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1) A preliminary risk assessment which has identified:

· all previous uses

· potential contaminants associated with those uses

· a conceptual model of the site indicating sources, pathways and receptors

· potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: The site has had a potentially contaminative former use and we need to above works to be done to ensure the environment is protected.

22 Prior to the occupation of any buildings subject of the approved development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
Reason: To confirm the site works have been carried out in accordance with the approved works

23 Unless otherwise agreed in writing by the Local Planning Authority, no piped discharge of surface water from the application site shall take place prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that the site is properly drained and surface water is not discharged to any off site drainage system, which will prevent overloading.

24 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.
Reason: In the interest of satisfactory drainage

25 No development shall commence until construction details for the footpath linkages shown on drawing no E9515(D)01B 'Overall Site Layout' has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure an adequate standard of access to the surrounding area and linkages in the interests of local amenity and convenience.

26 The development's carbon dioxide emissions shall be reduced by at least 15% over and above the 2010 Building Regulations in accordance with details to be submitted and approved in writing with the Local Planning Authority prior to the commencement of development. Upon completion of the development an Energy Performance Certificate shall be submitted to the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of sustainable development and to comply with Core Strategy policy CSP5 'Including Renewable Energy in Developments'.

27 No development shall take place until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the stipulated final BREEAM level. No building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating 'very good' has been achieved for this development
Reason: In the interests of sustainable development and to comply with Core Strategy policy CSP2 'Sustainable Construction'.

28 The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Reason(s) for Granting Permission

1 Unique In the opinion of the Local Planning Authority, the proposed extension of the time limit to implement planning permission 2008/1426 is acceptable in that:-

There are no new significant material considerations affecting the land use policy reasons for previously granting planning permission in that UDP policy NE5 has been saved. In addition, Core Strategy policy CSP19 'Protection Existing Employment Land' states that land last used for employment purposes will be retained in order to safeguard existing and potential jobs. Furthermore the same assessment comments regarding the suitability of the site for employment use apply as with application 2008/1426.

Flood risk to the development can be mitigated through the use of a condition to exclude units 8 and 9 from the permission and a scheme to improve the existing surface water disposal system in order to make the development acceptable in relation to CSP4 'Flood Risk'.

UDP Policy BE6, SPG1 and SPG25 have been cancelled since the previous application was considered. However, it is satisfied that there is nothing significantly different in the Core Strategy Policy CSP29 'Design' to alter the original assessment of the proposals.

UDP Policy T2 and SPG32 have been cancelled since the previous application was considered. However, it is satisfied that there is nothing significantly different in Core Strategy policy CSP26 'New Highway Improvement and Highway Improvement' to alter the original assessment of the proposals with regards to highway safety.

Policies CSP2 'Sustainable Construction' and CSP5 'Including Renewable Energy are considered to be significant considerations since the previous application was determined following the adoption of the Core Strategy. The applicant has agreed to the imposition of appropriate conditions to ensure these measures are incorporated as part of the development.

2 Unique All other consultees from previously have been consulted and no objections have been received with regards to other considerations subject to the imposition of the same conditions as previously.

In the opinion of the Local Planning Authority, there are no other material considerations to indicate a decision against the above policies and guidance.

Informative(s)

1 The applicant is advised to take note of all previous informatives on the decision notice of application 2008/1426.

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.

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