



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0398

To White Agus Partnership
Office One
34 Victoria Road
Barnsley
S70 2BU

DESCRIPTION Erection of 2no industrial warehouse buildings including 2 storey office block
LOCATION Unit 6 and Unit 7, Construction Way, Carlton, Barnsley, S71 3HU

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 02/05/2023 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 development hereby approved shall be carried out strictly in accordance with the plans (Nos.) and specifications as approved unless required by any other conditions in this permission.
 - Amended Plans and Elevations drawing number 22-195 02 B
 - Amended Site Layout Plan drawing number 2222 001A
 - Amended Site Plan drawing number 22-195 01 B**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.**

- 3 No development shall take place unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, have been submitted to and approved in writing by the Local Planning Authority. The details shall show the provision of separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge which are to be agreed. If surface water discharge to the public sewer is proposed, the information shall include, but not be exclusive to:-
- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
 - b) evidence of existing positive drainage to public sewer and the current points of connection; and
 - c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change. 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 the proper drainage of the area, in the interest of sustainable drainage and in accordance with Local Plan Policy CC3 Flood Risk

- 4 The external materials shall match those used in the existing adjacent buildings.
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.

- 5 Prior to either building first being brought into use, the proposed access, on-site car parking, vehicle turning and loading areas shall be laid out in accordance with the approved plan. All areas to be used by vehicles must be properly consolidated and surfaced with a solid bound tarmac finish or in accordance with details that shall have been first have been submitted to and approved in writing by the local planning authority, and the parking areas delineated and those areas shall thereafter be kept available at all times for parking, turning and loading as specified on the approved plan.

Reason: To ensure that there are adequate parking, turning and loading facilities to serve the development which are constructed to an acceptable standard; to prevent mud/debris from being deposited on the public highway; and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policies T3 New development and Sustainable Travel and T4 New Development and Transport Safety.

- 6 No outside storage shall at any time take place on the site except the area specified on the approved layout plan as yard to unit 10.
Reason: In the interests of the visual amenities of the locality and to ensure that the parking, turning and servicing areas remain available for use, in accordance with Local Plan policies D1 High Quality Design and Place Making, T3 New development and Sustainable Travel and T4 New Development and Transport Safety.

- 7 The premises shall be used for general industrial, storage and distribution, offices, the research and development of products or processes, any industrial process, (which can be carried out in any residential area without causing detriment to the amenity of the area) and for no other purpose (including any other purpose in Class B2, B8 or E (g) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when granting planning permission and to secure control over alternative uses within Class E in accordance with Local Plan policies E3 Uses on employment land and E4 Protecting Existing Employment Land.

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 A Public Footpath runs alongside the proposed development site. Safe public access on the rights of way should remain available whenever possible, with no obstruction of or encroachment onto the width of the paths, and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time then a temporary closure should be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact publicrightsofway@barnsley.gov.uk

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: 21 July 2023



Joe Jenkinson
Head of Planning, Policy 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:-

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.