BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0021

To Alpha Planning
Unit 3A
Lion Business Park
Dering Way
Gravesend
Kent
DA12 2DN

DESCRIPTION Erection of 48 industrial units for B1 and B2 uses with associated car parking and landscaping (Extension of time limit of application 2008/0760)
LOCATION Ings Road, Wombwell, Barnsley, S73 0BP

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 10 January 2012 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 (Site Layout Dwg No. SK11 Rev D; Landscaping Plan; Dwg No's: SK07; SK12; SK13; SK15; SK16; SK17; SK18; SK19; SK20; SK21; SK22; SK23; SK24; SK25) and specifications as approved unless required by any other conditions in this permission or if prior written consent is given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

3 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 Barnsley LDF Core Strategy Policy CSP 29, Design.

Stephen Moralee

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

Signed
Assistant Director, Planning and Regulatory Services

Dated 04 April 2012

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

4 All planting, seeding or turfing comprised in the approved details of landscaping (Entitled 'Landscaping Plan') 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 and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

5 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, in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.

6 Prior to any works commencing on-site, 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. 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 interests of road safety and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.

7 Within six months of the site becoming operational a draft Travel Plan shall be submitted to the Local Planning Authority and once it has been approved it shall be fully implemented, unless otherwise agreed in writing with the Local Planning Authority.
Reason: In order to encourage sustainable transport and in accordance with Barnsley LDF Core Strategy Policy CSP 25, New Development and Sustainable Travel.

8 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

a) The provision of two bus shelters on Stonyford Road.

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.

9 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
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement and CSP 40, Pollution Control and Protection.

10 All construction or remediation work including the deliveries of materials shall take place only between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.

11 Prior to occupation of any of the buildings on the site full details of external 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: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.

12 Notwithstanding the submitted plans, prior to commencement of development details of the boundary treatments shall be submitted to, and approved in writing by, the Local Planning Authority. Along the northern and western boundaries, excluding the vehicle access, this shall consist of an acoustic barrier and the barrier shall be 2m in height and constructed from brick with no gaps between or below the panels. The scheme shall then proceed in accordance with the approved details.
Reason: In the interests of residential amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.

13 The building shells shall be constructed so as to provide sound insulation against internally generated noise of not less than 35dB(A) with doors and windows closed, taking into consideration any vents or outlets.
Reason: In the interests of neighbouring amenities and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.

14 There shall be no external storage of goods, unless otherwise approved in writing with the Local Planning Authority.
Reason: In the interests of visual amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.

15 There shall be no HGV vehicle movements or use of mechanical handling equipment outside the hours of 07:00 - 19:00.
Reason: In the interests of residential amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.

16 All roller shutter doors and doors for personnel shall be kept closed except for access and egress to and from the units, between the hours of 18:00 - 08:00.
Reason: In the interests of residential amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.

17 The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Ardent Consulting Engineers, Ref: E630-02. Dated August 2008 and shall incorporate all the proposed mitigation measures detailed in that FRA.
Reason: To reduce the risk to the property in the event of flooding and to accord with CSP 4 Flood Risk.

18 Unless otherwise agreed in writing by the Local planning Authority , no building or other obstruction shall be located over or within:
a) 3.0 (three) metres either side of the centre line of the water mains, which crosses the site
b) 6.0 (six) metres either side of the centre line of the 675mm live sewer
c) 3.0 (three) metres either side of the centre line of the 675mm live sewer.
Reason: In order to allow sufficient access for maintenance and repair work at all times.

19 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
Reason: In the interest of satisfactory and sustainable drainage.

20 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including a scheme to reduce surface water run-off by 30% and details of any balancing works and off -site works, have been submitted to and approved by the Local Planning Authority. Furthermore, the discharge volume into the public sewerage system shall be limited to that resulting from the previous use of the site.
Reason: To ensure that the development can be properly drained and in order to prevent overloading of the public sewer network and the receiving waste water treatment works.

21 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.
Reason: To ensure that the site is properly drained and in order to prevent overloading of the public sewer network, surface water is not discharged to the foul sewerage system.

22 Unless otherwise approved in writing by the Local Planning Authority no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

23 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.

24 No development shall take place until works have been carried out to provide adequate facilities for the disposal and treatment of any waste materials, including trade effluents, in accordance with details to be submitted to and approved by the Local Planning Authority .
Reason: To ensure that the development can be properly drained without damage to the local water environment.

25 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation matters, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. An assessment as to the degree to which the site may be affected by any contamination, including borehole and trial pit results.

2. Measures to test and evaluate the site for the purposes of identifying contamination throughout the duration of the development.

3. Measures to treat or remove any contaminated materials encountered and the methodology to be employed. These procedures should be summarised in a remediation statement.

4. Steps to be taken to prevent any environmental pollution by any such contaminated material encountered.

5. Measures to prevent risks to health and safety of the general public and any persons working on the site.

6. Consideration of any Waste Management issues of any remediation measures.

7. The subsequent certification/validation reports are submitted, showing that the site has been satisfactorily remediated and that the development of the site can be safely occupied

The development shall thereafter be undertaken in full accordance with the submitted report.
Reason: To protect the environment and ensure the site is suitable for the proposed use.

26 Prior to commencement of development, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and upon completion of the development a report shall be submitted to and approved by 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 and all the approved measures shall be retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of sustainable development, in accordance with Barnsley LDF Core Strategy Policy CSP 5, Including Renewable Energy in Developments.

Reason(s) for Granting Permission

1	The proposal complies with Barnsley UDP Saved Policies ED7 and ED4 and Barnsley LDF Core Strategy Policies CSP 19, CSP 26 and CSP 29 in that the type of employment use proposed is compatible with adjoining uses including residential, and the scheme will not adversely affect the visual amenities of the area or highway safety.

Informative(s)

1	Any proposal to discharge surface water drainage to Bulling Dike will require the prior written agreement of the Dearne and Dove Internal Drainage Board.
2	The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included: - Collapse of shallow coal mine workings; - Collapse of, or risk of entry into, mine entries (shafts and adits); - Gas emissions from coal mines including methane and carbon dioxide; - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide; - Transmission of gases into adjacent properties from underground sources through ground fractures; - Coal mining subsidence - Water emissions from coal mine workings. Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated. The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com
3	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.

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.

Planning and Regulatory Services **Telephone: 01226 - 772600**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772599**