



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2022/0269

To Martin Walsh Architectural
Firth Buildings 99-103
Leeds Road
Dewsbury
WF12 7BU
United Kingdom

DESCRIPTION Erection of new vehicle maintenance workshop building and associated works including demolition of existing buildings, formation of yards to the front and the rear of the new building and new wash bays (Amended Plans)

LOCATION Wordsworth Business Park, Whaley Road, Barugh, Barnsley, S75 1FJ

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 25/03/2022 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 amended plans (Nos.) and specifications as approved unless required by any other conditions in this permission.
 - Amended Proposed Elevations drawing number WPWR-MWA-XX-XX-DR-A-205-P1
 - Amended Proposed First Floor Plan drawing number WPWR-MWA-XX-01-DR-A-203-P1
 - Amended Proposed Ground Floor Plan drawing number WPWR-MWA-XX-GF-DR-A-202 P1
 - Amended Proposed Long Section drawing number WPWR-MWA-XX-XX-DR-A-207-P1
 - Amended Proposed Second Floor Plan drawing number WPWR-MWA-XX-02-DR-A 204 P1
 - Amended Proposed Section drawing number WPWR-MWA-XX-XX-DR-A 206 P1
 - Amended Proposed Site Plan and 3D images drawing number WPWR-MWA-XX-XX-DR-A-0101 P10
 - Amended Proposed Site Cross Sections drawing number 221062-MSJ-ZZ-XX-DR-S-3500 Rev P2
 - Impermeable Area Plan drawing number 221062-MSJ-ZZ-XX-DR-D-4001 Rev P2
 - Landscaping Plan drawing number WPWR-MWA-XX-XX-DR-A-0107-Rev P2
 - Location Plan drawing number WPWR-MWA-XX-XX-DR-A-0001 Rev P3

- Existing Site Survey drawing number MWA_234-Wordsworth
- Wash Bays drawing number WPWR-MWA-XX-XX-DR-A-0201 Rev P1
- Drainage Layout plan drawing number 220162-MSJ-ZZ-XX-DR-D-400 Rev P2
- External Works and Proposed Drainage drawing number 221062-MSJ-XX-XX-DR-D-3000 P1.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 No development shall take place until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the safety of the operational railway during construction. in accordance with Local Plan Policy T4 New development and Transport Safety.

- 4 No development shall take place until an Invasive Non-Native Species Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail locations of non-native invasive species on site and measures to be implemented in order to minimise the risk of aiding the spread of the invasive plant species that are known to be located at the Site. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: To prevent the spread of non-native invasive species and protect local ecology and in accordance with Local Plan Policy BIO1, Biodiversity and Geodiversity.

- 5 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:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.

- 6 Prior to the commencement of the development, a preliminary assessment of the buildings BREEAM rating shall be submitted for approval in writing to the Local Planning Authority. The assessment shall: 1. Identify what measures shall be used to achieve BREEAM standard of 'very good' or equivalent; 2. Where the BREEAM standard of 'very good' or equivalent standard cannot reasonably be achieved the assessment shall justify why not; and 3. Shall identify what standard shall be achieved. Upon completion of the development, a certificate shall be provided to the Local Planning Authority demonstrating that the agreed standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.

Reason: In the interests of ensuring that the development achieves sustainable design and construction standards in order to minimise resource and energy consumption, in accordance with Local Plan Policy CC2 Sustainable Design and Construction.

- 7 Prior to the commencement of development, full details of Armco or similar barriers and the proposed palisade fence on the railway boundary shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be carried out in full before the building hereby permitted is first occupied and shall thereafter be retained in perpetuity.
Reason: In the interests of the safety, operational needs and integrity of the railway and the satisfactory appearance of the completed development and in accordance with local plan policies T4 New development and Transport Safety and D1 High Quality Design and Place Making.
- 8 Prior to any development above ground level, full details of the proposed bin store shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details and thereafter shall be retained unless otherwise agreed by the Local Planning Authority.
Reason: In the interests of the visual amenities of the locality and in accordance with the Local Plan Policies D1 High Quality Design and Place Making and Poll1, Pollution Control and Protection.
- 9 Upon commencement of development details of the proposed roofing materials 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.
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.
- 10 Upon commencement of development 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 be carried out in accordance with the approved details.
Reason: In the interests of sustainable development, in accordance with Local Plan policy I1 Infrastructure and Planning Obligations.
- 11 Upon commencement of development, details of on-site secure cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. The agreed facilities shall be provided before the use of the building hereby permitted and retained in perpetuity.
Reason: In the interest of promoting active travel and in accordance with Local Plan Policy T3 New Development and Sustainable Travel and the Parking SPD.
- 12 Prior to occupation of the building, 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 and the areas of ground directly illuminated and shall be produced in line with the following guidance: Bat Conservation Trust publications 'Artificial Lighting and Wildlife' (2014); Bats and Artificial Lighting in the UK' (2018) and Emma L Stone (2015) and shall also be designed to ensure that there is no risk of train drivers being dazzled or for the lights to be mistaken for railway signals. The approved details shall be implemented prior to occupation of the building and retained as such thereafter.
Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Local Plan Policy Poll1, Pollution Control and Protection, to conserve and enhance biodiversity in accordance with Local Plan Policy BIO1, Biodiversity and Geodiversity and in the interests of the safety, operational needs and integrity of the railway.

- 13 The development shall be completed in strict accordance with the recommendations in the Ecological Management Plan, dated 21st July 2022 and section 4 of the Preliminary Ecological Appraisal. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.
Reason: to preserve and enhance biodiversity in accordance with Local Plan policy BIO1 Biodiversity and Geodiversity.
- 14 The development shall be completed in strict accordance with the recommendations in the Travel Plan Framework. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of promoting more sustainable travel choices.
Reason: Reason: In the interest of promoting active travel and the use of public transport, in accordance with Local Plan Policy T3 New Development and Sustainable Travel.
- 15 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in the specified materials 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 Local Plan Policy T3 New Development and Sustainable Travel.
- 16 The use hereby permitted shall be carried on only between the hours of 5am to 6pm Mondays to Fridays, 6am to 4pm on Saturdays and 8am to 4pm on Sundays and Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1, Pollution Control and Protection.
- 17 The building shall be constructed to the standards set out in the Noise Impact Assessment (Acoustic Advice) produced by Environmental Noise Solutions Limited dated 1st December 2021 ref: NIA/9908/21/9947/v1/Wordsworth. Any deviation for this standard shall be agreed by the Local Planning Authority.
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.
- 18 The noise rating level from fixed installations at the proposed extension, as measured in the locality of the nearest or most exposed noise sensitive receptors, shall be at least 5 dBA below the background noise levels during both daytime and night time when assessed in accordance with BS 4142:2014.
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.
- 19 The development shall be carried out in accordance with the details shown on the submitted report, 'Drainage Strategy 221062 (rev 3) prepared by Melia Smith & Jones, dated 20/04/22' unless otherwise agreed in writing by the Local Planning Authority
Reason: In the interests of satisfactory and sustainable drainage.

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 The contractor shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the public highway is an offence under provisions of the Highways Act 1980
- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

- 3 The Parking SPD indicates that for a development of this size, provision should be made for at least two cycle parking spaces inside the building; one cycle parking space close to the entrance; and 2 long stay and 1 short stay space for motorbikes outside the building.
- 4 The developer is advised that consultation and agreement with the Network Rail Asset Protection Project Manager may be required in connection with the construction including in relation to use of cranes, plant, machinery and scaffolding; excavation and earthworks; security of the boundary; demolition that may endanger the safe operation of the railway; encroachment onto Network Rail property; and the likelihood of increased trips under railway bridges and any abnormal loads routes including any Network Rail assets.

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 07/02/2023



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.