



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/1825

To Wm Saunders Partnership LLP
24 Castle Gate
Newark
Notts
NG24 1BQ

DESCRIPTION Erection of B1, B2 and B8 industrial units.

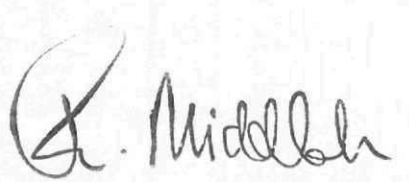
LOCATION Plot 4, Ashroyd Business Park, Tinsley Road, Platts Common, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 31 October 2006 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 All planting, seeding or turfing comprised in the amended and approved details of landscaping which were received on 15 December 2006 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.
- 3 Before the development is brought into use that part of the site to be used by vehicles shall be laid out in accordance with the approved plan and hard surfaced, sealed and drained (and marked out), and shall thereafter be permanently retained for vehicle use.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with UDP Policy T2A.

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 Transportation

Dated 20 December 2006

- 4 During the period of construction sufficient space shall be set aside within the confines of the site for the parking of site workers and visitors.
Reason: To ensure that satisfactory parking is available in the interests of highway safety and the free flow of traffic.
- 5 No outside storage shall at any time take place on the site.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.
- 6 No development shall take place until details of the foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. 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.
- 7 All windows, doors (except for emergency fire doors), vents or other openings shall acoustically attenuated in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the buildings. Thereafter the development shall be carried out in accordance with the approved scheme.
Reason: To safeguard the amenities of local residents
- 8 Prior to any works to construct the units commencing, a report shall be submitted, to the LPA for approval by Pollution Control, detailing the design and location of any flood-, security- or other external lighting on the site. All external lighting shall then be erected in accordance with the approved scheme. The report shall demonstrate to the satisfaction of Pollution Control that the proposed lighting arrangement is such that light glare (that is, the brightness of a light source when viewed against a dark background) or trespass (the spilling of light beyond the boundary of the property on which the light source is located) will not impact on local residents. Hence, the report should detail that the lighting will not spill beyond the area intended to be lit. The report should include details of whether all lighting will be required to operate 24 hours a day or whether certain lighting will be restricted to certain times of the day. In order to minimize obtrusive light the report should consider the Guidance notes for the Reduction of Light Pollution, 2000 produced by the Institution of Lighting Engineers.
Reason: To safeguard the amenities of local residents
- 9 The building shell shall be constructed so as to provide sound insulation against internally generated noise of not less than 35dB(A)
Reason: To safeguard the amenities of local residents
- 10 A masonry wall or other suitable acoustic screen (to be approved by the LPA) shall be provided to a minimum height of 2.5m to the southern and western perimeters of the hard-surfaced areas of the site
Reason: To safeguard the amenities of local residents
- 11 All personnel doors shall be kept closed, except for during access and egress
Reason: To safeguard the amenities of local residents

- 12 Prior to operations commencing at the development a scheme shall be submitted to the LPA for approval by Pollution Control prior to any works to construct the unit commencing, detailing all noise attenuation measures and any operational or procedural steps to mitigate noise from vehicle movements and the transfer, loading and unloading of goods and materials within the service yards such that no loss of amenity is caused to local residents. All site operations shall then be undertaken in accordance with the approved scheme. The report should consider the following:

Mains electric hook ups for all standing vehicles requiring power for refrigeration units;

Engines to be switched off while stationary;

Use of rubberized dock levellers, noise curtains, use of manual handling aids (particularly the noise of wheels inside delivery vehicles);

Screening to loading docks and loading doors; and

The operating mechanism of roller shutter doors.

Reason: To safeguard the amenities of local residents

- 13 Where Reversing alarms are operated on site these shall be "White noise" (broadband) directional alarms

Reason: To safeguard the amenities of local residents

- 14 Prior to any works commencing on the site the applicant shall submit a noise action plans detailing how noise will be controlled and kept to a minimum during the construction phase of the development: The noise action plan shall detail best practicable means to control the noise from the site's development and take account of the guidance contained in the Guide to noise and vibration control on construction and open sites - BS 5228: Parts I & II: 1997. The contents of the plan shall be approved with the Local Planning Authority prior to any construction commencing on the site and the operations shall be undertaken in complete accordance with the approved scheme. The report shall:

identify noise reduction measures for individual items of plant and machinery, including the use of plant and machinery with low noise output and the proposed location of mobile plant e.g. generators, crushers;

identify where the provision of acoustic shields, barriers or enclosures are necessary to safeguard the amenity of local residents;

state the proposed hours of work (normally 08:00 - 18:00 Mondays to Fridays and 08:00 - 13:00 on Saturdays, with no Sunday or Bank Holiday working) which shall include all activities on site;

detail the site access route(s) for vehicles and the estimated number of vehicle movements per day; and

state the estimated duration of the construction of the site.

Noise measurements shall also be appropriate if the applicant wishes to demonstrate that: the operations on site will not cause the LAeq, 1hr at the nearest noise-sensitive property to rise above 55dB LAeq, 1hr (the equivalent continuous A-weighted sound pressure level);

or where, given very high or low background noise levels, the operations on site will not cause the LAeq, 1hr at the nearest noise-sensitive property to give rise to an increase of 10dB or more over the background noise. The times and dates of any monitoring.

Reason: To safeguard the amenities of local residents

- 15 Prior to the commencement of any works the developer shall submit a scheme describing the methodology to be employed to suppress dust arising from the operations. Such measures shall include, where necessary, the use of water bowsers, sprayers (mobile and fixed), hosepipes or similar equipment, regulating the speed of vehicles on site, the sheeting up of loaded vehicles, the use of wheel washes etc

Dust monitoring with the use of dust boards at potentially sensitive properties may also be appropriate, particularly where complaints are being received.

Plans detailing the site's access and haul roads and any noise-sensitive properties in close proximity shall also be advantageous.

Reason: To safeguard the amenities of local residents

- 16 In the event that the development hereby approved leads to impaired TV reception in the surrounding area, then the applicants shall within one month of receiving notification from the Local Planning Authority, submit a survey and report, prepared by a competent firm or consultant experienced and specialising in the assessment and evaluation of TV reception. It shall identify the cause and recommend any works necessary to restore reception. The remedial measures specified in the report shall be completed within one month of the approval.

Reason: In the interests of amenities of nearby residents.

- 17 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway

Reason: In the interest of road safety.

- 18 Sight lines, having the dimensions 4.5m x 90m, shall be safeguarded at the drive entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway

Reason: In the interest of road safety

- 19 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the entire construction period

Reason: In the interest of road safety

- 20 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period

Reason: In the interest of road safety.

- 21 Development shall not commence until details of the means of access for construction traffic have been submitted to and approved, in writing, by the Local Planning Authority, and such an access shall be retained for the entire construction period

Reason: In the interests of road safety.

- 22 Within three months of the occupation of the building a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented

Reason: In the interests of sustainable development

- 23 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings 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 and the amenities of occupiers of adjoining property and in accordance with U.D.P. Policy BE6, Design Standards.

Reason(s) for Granting Permission

- 1 The proposal complies with Policy ED2 in that:

the type of employment use proposed is compatible with adjoining uses.
there is no significant impact on residential/visual amenity/highway safety.
the proposed alternative development on this employment site meets the criteria in SPG 24 on retention of jobs in the Borough.
has an acceptable relationship with surrounding land uses.
is close to service infrastructure.

Informative(s)

- 1 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

ED2 - Employment Policy Areas
ED4 - Development close to housing
T2 - New development and the highway network
SPG1 - New industrial development
SPG23 - Uses on Employment Policy Areas
SPG26 - Landscape on Industrial Development

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

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.