BARNSLEY
Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0954

To DTZ
St Paul's House
23 Park Square South
Leeds
LS1 2ND

Proposal Development of one employment unit (Unit 5) at plot 5/6 with associated service yard, parking and landscaping (Reserved Matters) of application 2014/1055 - Formation of access roadway and associated infrastructure (Full). Outline planning application for a phased, mixed-use development comprising employment uses (B1bc/B8 with ancillary office B1a), hotel (C1) and/or car showroom/garage (sui generis/B2) and food & drink (A3, A4, A5) with associated infrastructure.
At Land north of Dearne Valley Parkway, Birdwell, Barnsley

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 24 August 2015 and described above, being matters reserved in the permission granted on 23rd January 2015 under Application reference 2014/1055.

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

1 The development, hereby permitted, shall be begun before the expiration of two years from the date of the approval.
Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990 and to comply with condition 1 of the outline approval (2014/1055).

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

Signed
Head of Planning and Building Control

Dated 09 December 2015

Development Service
PO Box 634, Barnsley, S70 9FE
Telephone: 01226 - 772000
Fax: 01226 - 772591

2 The development hereby approved shall be carried out strictly in accordance with the plans (Location Plan 11462B-100B, Existing site layout 11462B-101C, Existing Site Section 11462B-102B, Public Right of Way Diversion 11462B-105A, Proposed Site Layout 11462B-110E, Proposed Unit 5 Floor Plan 11462B-111, Proposed Unit 5 Elevations 11462B-112D, Bin Store Detail 11462B-113A, Proposed Cycle Storage11462B-114, Proposed Site Sections 11462B-115B, Landscape Plan V11462B L01 Rev E, Design and Access Statement 11462B RevE, Lighting Scheme D26521-PY-A, Computer Generated Images CGI01 A CGI02 A, 15% Carbon Reduction (Sustainability) Report July 2015, Drainage and Flood Risk Statement AMF.DFS.4652.5 v.1, Ecological Walkover Survey July 2015, Landscape Maintenance and Management Plan V11462-R01 C, Arboricultural Method Statement (Oct 2015) inc. Tree Protection Plan 6424-A-04 A) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 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: 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 Core Strategy Policy CSP 26, New Development and Highway Improvement.

4 Prior to the occupation of the building written confirmation shall be issued to the Local Planning Authority confirming full compliance of the installation of the low energy facilities detailed within the Carbon Reduction Report prepared by Award Energy Consultants (July 2015). In the event that there is a variance to the approved details within the report full details of such proposals shall be submitted to and approved in writing by the Local Planning Authority, the approved measures shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally from the outside edge of the pipe or culvert, of any sewer or culverted watercourse.
Reason: To prevent damage to the existing sewer or watercourse and to allow sufficient access for maintenance and repair work at all times.

6 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey (Ecological Walkover July 2015), including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

7 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.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

1 Public Rights of Way may be affected during the construction stage of this development, and you should contact Mrs Sarah Ford (tel: 01226 772696) or Mr Mike Gibson (tel: 01226 772569) to discuss the possible need for a temporary closure or diversion.

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.

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