



BARNLSLEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/1055

To DTZ
St Pauls House
23 Park Square
North
Leeds
West Yorkshire
LS1 2ND

DESCRIPTION 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.

LOCATION Land to the North of Dearne Valley Parkway, Birdwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 September 2014 and described above.

The approval is subject on compliance with the following conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
 - (a) the layout of the proposed development.
 - (b) scale of building(s)
 - (c) the design and external appearance of the proposed development.
 - (d) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

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

Signed

Service Director Economic Regeneration, Development, Environment & Culture

Dated 23 January 2015

- 3 The access arrangements hereby approved shall be carried out substantially in accordance with the details shown on the plans: Site Location Plan 11462-100 RevB, Parameters Plan 11462-105 RevE, Existing Site Plan 11462-101RevC, Proposed Site Plan (illustrative masterplan)11462-110 RevL, Existing Site Plan - Public Footpath 11462-104 RevB, Proposed Site Plan- Public Footpath 11462-114 RevC, Existing Site Sections 11462-102 RevB, Proposed Site Sections 11462-112 RevB, Access Road General Arrangement 4652-R1 RevD, Access Road Longitudinal Section 4652-R2 RevC, Landscape Plan - Western Boundary V11462 L01 RevD, Coloured Landscape Sections & Elevations V11462 L02 RevA and specifications within the following reports Planning Statement 05/09/14, Statement of Community Involvement 05/09/14, Design and Access Statement 05/09/14, Arboricultural Assessment 05/09/14, Transport Assessment inc. Travel Plan 05/09/14, Geo-Environmental Site Assessment 05/09/14, Appraisal of Ground Conditions and Coal Mining of Review 05/09/14, Drainage & Flood Risk Statement 9/1/15, Noise Assessment 05/09/14, Air Quality Assessment 05/09/14, Employment and Town Centre Uses: Catchment Area and Sequential Assessment 19/12/14, Rockingham 1 Ecological Survey and Assessment Summary 19/12/14, Rockingham Sites Ecological Appraisal 19/12/14, GCN Survey Reports (2013 and 2014) 19/12/14, Water Voles and Badger Survey Report 19/12/14, Breeding Bird Survey and Report (2014) 19/12/14, Rockingham 1 Bat Survey 19/12/14, Optima Highways Rockingham Phase 1 Trip Generation Calculation Formula dated 14/1/15 as approved unless required by any other conditions in this permission.
Reason: To ensure a safe and adequate access can be achieved to the highway network, in accordance with Core Strategy Policy CSP 26.
- 4 The reserved matters shall be designed in substantial accordance with details contained with the details shown on the Parameters Plan 11462-105 RevE.
Reason: To ensure that design aspirations of the sites development are achieved and that the privacy and amenities of the occupiers of adjoining residential property are safeguarded in accordance with Core Strategy Policy CSP 29.
- 5 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of all dwellings and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.
Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Core Strategy Policy CSP 29, Design.
- 6 The development hereby approved shall not exceed a maximum of 16,000sqm of floorspace, of which a maximum 1,900sqm (12%) may be food & drink (A3/A4/A5) uses, 2,700sqm (17%) hotel (C1) and 2,000sqm (13%) car showroom/garage (sui generis/B2) uses, the details of which shall be submitted as part of the application for approval of reserved matters.
Reason: To ensure the development conforms with the approved outline planning Permission and stays with the maximum assessed level of development.

- 7 A scheme for disposing of surface water by means of a sustainable drainage system shall accompany the reserved matters application. The scheme shall include the following details:
- Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - A timetable for its implementation; and
 - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.

Reason: To ensure proper, sustainable drainage of the area in accordance with Core Strategy policy CSP3

- 8 All on-site vehicular areas within any phase shall be surfaced and drained in an approved manner prior to that phase of the development being brought into use. The method of drainage shall include an interceptor of adequate capacity.

Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety in accordance with Core Strategy Policy CSP 26.

- 9 Sight lines, having the dimensions 2.4m x 43m, shall be safeguarded at the drive entrance/exit to each plot, 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 highway safety, in accordance with Core Strategy Policy CSP 26.

- 10 The final mix of development must not result in greater than 103 and 132 two way vehicle trips in the weekday AM peak hour (0800 to 0900) and the weekday PM peak hour (1700 to 1800) respectively. The total number of trips will be calculated according to the formula set out in the Optima Highways Rockingham Phase 1 Trip Generation Calculation Formula, dated 14 January 2015. The development shall then be undertaken in accordance with the approved details.

Reason: To control the number of new vehicles on the highway network and prevent additional congestion in accordance with policy CSP26.

- 11 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:

Amendments to lining to increase the lane width on the Sheffield Road entry to Birdwell Roundabout;

Provision of additional directional lining;

Provision of an advance directional sign.

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 in accordance with Core Strategy policy CSP 26.

- 12 The layout submitted as part of any reserved matters application shall include full details of a vehicular route to be provided from the sites entrance which leads through to the south western boundary of the site. The development and vehicular route shall thereafter be implemented in accordance with a timetable to be agreed in writing with the local planning authority prior to commencement of development..
Reason: To ensure that access to adjoining land is not prejudiced in the interests of comprehensive and in recognition of the identified shortage of employment land in accordance with policies, CSP19 and CSP 26.
- 13 No phase of development shall take place, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period for that phase. The Statement shall provide for:
The parking of vehicles of site operatives and visitors
Means of access for construction traffic
Phasing of the development
Loading and unloading of plant and materials
Storage of plant and materials used in constructing the development
The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
Wheel washing facilities
Measures to control the emission of dust and dirt during construction
Measures to control noise levels during construction
The works shall be completed in accordance with the approved details and a timetable shall be submitted and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.
- 14 Within 6 months of the occupation of any unit a detailed 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. Once approved the Travel Plan shall be fully implemented.
Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.
- 15 Details shall accompany the Reserved Matters submission indicating how it is intended to secure the improvement and retention of existing or provision of alternate footpaths within the site. Thereafter the development shall proceed in accordance with the proposed details.
Reason: In the interests of residential amenity and to ensure that pedestrian access is facilitated in accordance with CSP25
- 16 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 the interests of highway safety.

- 17 No development shall take place until full foul drainage details have been submitted to and approved in writing by the Local Planning Authority, the scheme shall then be implemented in accordance with the approved details.
Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.
- 18 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 4 metres, measured horizontally, of any sewer or culverted watercourse that crosses the site.
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 19 Notwithstanding the details submitted within the ecological assessment detailed plans shall be submitted with the Reserved Matters application indicating biodiversity mitigation and enhancement measures. Thereafter the development shall proceed in accordance with the approved details.
Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.
- 20 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place 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 Core Strategy Policy CSP 40, Pollution Control and Protection.
- 21 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management activity shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 22 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-
1. A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
3. An appraisal of remedial options, and proposal of the preferred option(s).
4. A remediation statement summarising the works to be undertaken (if required).
The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The development shall thereafter be undertaken in full accordance with the submitted report.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.

- 23 The development hereby approved shall be carried out in accordance with the recommendations detailed within section 8.2.2 of the Geo-environmental Site Assessment Report (October 2013, prepared by RSK Environmental Ltd), the findings shall be documented within a report which shall be submitted in writing for approval by the Local Planning Authority. Should further ground work investigations or mitigation work be agreed this shall be completed in accordance with a timetable to be agreed in writing with the Local Planning Authority.
Reason: To ensure that the developer has demonstrated that the development can be undertaken and occupied in a safe and secure manner given the proximity of the development to former mining works, landfill site which is known to be producing landfill gas and in accordance with Core Strategy Policy CSP 39
- 24 Excluding the area identified for unit 1, the hours of operation within the 'good neighbour zone', as indicated on the Parameter Plan ref 11462-105 REV E, shall be between the hours 07.00hrs-22.00hrs Monday-Sunday.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 25 The hours of operation for the A3/A4/A5 within the areas identified on the parameters plan (ref 11462-105 REV E) shall be carried on only between the hours 06.00hrs-00.00hrs Monday-Sunday.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.
- 26 Deliveries to any units located within the 'good neighbour zone' as indicated on the Parameter Plan ref 11462-105 REV E shall be only take place between the hours of 0700 & 1900 Monday to Sunday.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.
- 27 Details shall accompany the reserved matters 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.
Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.
- 28 All buildings within the proposed development shall achieve BREEAM standard of 'very good' or equivalent. Upon completion of the development, an energy performance certificate shall be provided to the Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.
Reason: In the interest of sustainable development, in accordance with Core Strategy Policy CSP2.

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.

