
2016/0713

Miss Miranda Steadman

Outline planning application including means of access for general industrial (B2) use and storage and distribution (B8) use with ancillary office (B1) use
Land at Capitol Park, Capitol Close, Dodworth, Barnsley

One letter of support has been received

Site Location and Description

The site lies within the Sheffield City Region Enterprise Zone.

The land lies off Capitol Close immediately to the west of the existing Capitol Park developments, close to Dodworth and Junction 37 of the M1 motorway. Of roughly triangular shape, it is bounded to the east by Higham Lane, Capitol Close with a level access to the land, and the A628 Whinby Road. The site is comprised of scrubby grass with some ephemeral wet areas laying at a slightly higher elevation than Whinby Road.

In total the red line application site boundary covers around 5.61 hectares (13.88 acres) of which 5.11 hectares (12.65 acres) is net developable. This is the area of Capitol Park which has remained undeveloped following planning approval reference B/04/1998/DO dated 23 February 2005.

The first phase of the Capitol Park development, comprising a hotel and pub/restaurant built out in 2006, is located to the east at the Whinby Road roundabout. Later phases of Capitol Park, comprising a mix of office and incubator units, are located to the north and east beyond Capitol Close which is the principal estate road. Higham Road marks the western boundary of the site beyond which there is a densely vegetated area and Whinby Road is located immediately to the south.

Planning History

B/04/1998/DO – Outline employment development proposal comprising B1, B2 and B8 uses, Hotel, Park and Ride site and associated work. With Environmental Impact Statement. Approved 23 February 2005.

B/04/2272/DO - Phase 1 employment development site – Reserved Matters details. Erection of Class B1/B2 hi-tech units, spine road, landscaping and levelling. Approved 23 February 2005.

2005/2073 – Erection of industrial unit with office space (Reserved Matters). Approved 23 April 2006.

2006/0334 – Variation of condition 1 of planning consent B/04/1998/DO relating to expiry dates for the Reserved Matters application. Approved 5 April 2006.

Proposed Development

The proposal is an outline planning application including means of access from Capitol Close for industrial development comprising general industrial (B2) use and storage and distribution (B8) use with ancillary office (B1) use). The precise schedule of development would be determined at Reserved Matters stage when details of scale, layout, appearance and landscaping will be submitted for approval. At the time of the application there were no committed occupiers. Despite this, an indicative masterplan has set out the anticipated development as being of four units of the following sizes:

| Description | Use | Floor Area (Sq ft) | Floor Area (Sq m) | No. of Parking Spaces |
|--------------------|------------|-------------------------------|------------------------------|----------------------------------|
| Unit A | B2/B8 | 27,500 | 2,554 | 42 |
| Unit B | B2/B8 | 30,000 | 2,787 | 63 |
| Unit C | B2/B8 | 70,000 | 6,503 | 118 |
| Unit D | B2/B8 | 50,000 | 4,655 | 74 |
| TOTAL | | 177,500 | 16,499 | 297 |

Based on this amount of development, and excluding the ancillary B1(a) office element of the proposals, a development of 177,500 sq ft (16,499 sq m) could generate in the region of between 200 and 450 jobs, based on use for either B2 or B8 use. This figure is derived from employment density calculations undertaken using the HCA Employment Densities Calculations 2nd Edition 2010 which is accepted generally as a useful aid for calculating job densities in new speculative developments.

The application has been accompanied by a suite of documents to support the proposal including Air Quality assessment, D & A Statement, Ecological Appraisal, FRA and surface water drainage strategy, Geo-environmental desk top study, Planning supporting statement, Transport assessment and Travel Plan, Noise Assessment and Indicative landscape scheme.

The application has been screened under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended, and it has been determined that an Environmental Impact Assessment is not required.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy, saved Unitary Development Plan policies and the Joint Waste Plan. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has produced the Publication Consultation Document of the Local Plan. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although this is still limited by the need to consider any comments received during the consultation and with the knowledge that the Inspector can require changes to the plan.

Unitary Development Plan (UDP)

Employment Proposal DO3

Coal Authority Coal Mining Referral Area

Core Strategy (CS):

- CSP 1 – Climate Change
- CSP 8 - Location of growth
- CSP11 – Providing strategic employment locations
- CSP12 – Distribution of new employment sites
- CSP19 – Protecting Existing Employment Land
- CSP26 – New Development and Highway Improvement
- CSP29 – Design
- CSP40 – Pollution Control and Protection

Unitary Development Plan (UDP) (Saved policies):

ED4 – Economic Development and Residential Amenity.

National Planning Policy Framework (NPPF):

Core planning principles 3 and 4 state respectively that planning should proactively drive and support sustainable economic development and always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Building a strong, competitive economy:

- The planning system should do everything it can to support sustainable economic growth.
- Local planning authorities should plan proactively to meet the development needs of business

Requiring good design:

- Good design is a key aspect of sustainable development.
- Planning policies and decisions should aim to ensure that developments (amongst other things) will function well and add to the overall quality of the area, respond to local character and history reflect the identity of local surroundings and are visually attractive.

Emerging Local Plan

The site is allocated as Employment Allocation UB8 in the Emerging Local Plan. The site lies within the Sheffield City Region Enterprise Zone and development on this site will be expected to retain the woodland planting on the sites northern embankment and the section of hedgerow and associated mature trees running adjacent to Higham Lane.

Supplementary Planning Documents (SPD):

Residential Amenity and the Siting of Buildings

Parking

Consultations

Biodiversity – No objections subject to conditions and an informative

Coal Authority – No objections subject to more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent application.

Contaminated Land Officer – no objections subject to a condition requiring intrusive investigations

Design – No objections

Forestry Officer - No objections, a number of self-set trees will have to be removed from the site. More mature specimens are located along the sites boundaries and their long term retention should not be compromised.

Drainage – No objections subject to recommended planning conditions

Enterprising Barnsley – supports the proposals which would lead to substantial numbers of new jobs and private sector investment being secured, providing premises for potential inward investors and expanding local companies. There are virtually no industrial units of this size/quality in Barnsley and as such are much needed. Enterprising Barnsley is working with the developer and agent to bring forward this strategic site.

Highways DC – Recognise that the local highway network is subject to congestion at peak times. Following detailed modelling of the local highway network it is not considered that the development would have a severe impact upon the local highway network that would contribute significant to current issues, subject to conditions which limit/phase the release of floorspace.

Air Quality - No objection subject to a condition regarding mitigation controls for air quality

Highways England - No objections

Pollution Control – No objections in relation to noise subject to conditions

Public Health – No objections.

Superfast Broadband Manager – Considerations of broadband connectivity should be built into the design stage. Guidance notes are attached

SYAS – No comments received

SYMAS – No objections based on the information provided within the Geo-environmental desk top study

SY Police – Provides comments relating to security in design which would be of use in the reserved matters application.

SYPTE – No comments received

Waste Management – No objections

Yorkshire Water – No objections, public sewers cross the site and a suitable easement would have to be secured to allow access/maintenance as part of any Reserved Matters.

Ward Councillors – No comments received

Representations

The application was advertised by press notice, by 3 site notices and by neighbour notification letters to nearby properties.

On letter of support was received from a nearby commercial property of Capitol Close, who gives full support and requests that high speed broadband is rolled out.

Assessment

Material Considerations

Principle

Economic Impacts

Design and Visual Amenity

Residential Amenity

Landscape and Impact on Trees

Highway Safety

Air Quality

Biodiversity

Drainage and Flood Risk

Other

Principle

The site is designated as an employment proposal in the Barnsley Unitary Development Plan. A previous outline planning permission was granted under B/04/1998/DO in 1995. This permission has now lapsed, the site however, remains primed for employment development and this is supported by the UDP where it is allocated as a new employment proposal.

The Council recognises that there is at present a shortage in the supply/allocation of employment land within the Borough. This is recognised with in the emerging Local Plan which aims to allocate approximately 300ha of land for employment purposes to meet future industry and business needs.

The principle of employment use is accepted at this site, it complies with the sites land use allocation, adopted policy of the Core Strategy and the Principle of the NPPF. Consideration however, needs to be given to the aforementioned policy requirements and material planning considerations. These are discussed in more detail below.

Economic Impacts

This site lies within the Sheffield Enterprise Zone and occupies a favourable location close to Junction 37 of the M1 Motorway. The application states that it is expected to create between 200 and 450 jobs. The proposal would lead to private sector investment being secured, providing premises for potential inward investors and expanding local companies. There is a recognised demand for industrial units of this size/quality in Barnsley and as such are much needed. Enterprising Barnsley is working with the developer and agent to bring forward this strategic site. The proposals therefore represent a welcome opportunity to secure employment development at a strategic site within the Borough; this aligns with the Councils growth aspirations.

Highway Safety

This proposal is located near to Dodworth roundabout /Junction 37 of the M1 Motorway, which the Highway Authority note is at or close to capacity. Core Strategy policy CSP26 is clear that mitigation will be required if it can be demonstrated this proposal would create or add to highway safety problems or the efficiency of the highway. The NPPF is also clear, at paragraph 32, that where there are significant impacts from development, improvements can be undertaken within the transport network. It also states that 'where the residual cumulative impacts of development are severe' permission can be refused.

The application is supported by a Transport Assessment and Travel Plan. It is suggested that the development will likely consist of four industrial units, with a total gross floor area 16, 499 sqm. It is likely that there will be two smaller units with gross floor areas of 2554 and 2787 sqm and two larger units with 6503 and 4655 sqm. It should be borne in mind that this could vary at Reserved Matters stage, in terms of quantum of development and the configuration of the units.

Improvements works have recently been carried out at J37 under a "Pinch Point" funded project to improve capacity at the junction and reduce congestion. This required the construction of a VISSIM model to demonstrate the base conditions and the impact of the improvement works. VISSIM is a microscopic multi-modal traffic flow simulation software package, and is one of the most sophisticated tools available for simulating traffic movements and the impact of development. The model was built for BMBC in 2014 which is still fit for purpose, and has been updated by adding traffic growth to validate it for the present day and all committed development has been included.

Various scenarios have been tested for 2021 and 2026 am and pm peaks, namely traffic growth and committed development, and then again with the proposed development traffic added. Whilst the "Pinch Point" scheme has addressed some of the congestion on the gyratory, there are still

issues on Dodworth Road from J37 towards Barnsley at peak times. It is also a declared Air Quality Management Area (AQMA).

The modelling demonstrates that just with growth the network becomes progressively more congested in both the am and pm peaks in 2021 and 2026. The impact of the development on this base model could however, not be classed as severe as defined by the NPPF.

However, it is noted at present that the network is so congested at peak times that traffic cannot get onto the network. CSP 26 New Development and Highway Improvement states "New development will be expected to be designed and built to provide, secure and convenient access for all road users.

If a development is not suitably served by the existing highway, or would create or add to highway safety problems or the efficiency of the highway for all road users, the Council expects developers to take appropriate mitigating action or to make a financial contribution to make sure the necessary improvements go ahead. Any contributions will be secured through a planning obligation or planning condition. In these circumstances mitigation of the congestion by the proposed development would not be reasonable as it only contributes to an underlying problem by an extremely small amount. It is considered that the quantum of development to be brought forward prior to mitigation measures to deal with the larger congestion problem, should be controlled to limit the impact on congestion and air quality in the area.

The Highway Authority recommends that the site is developed in two phases and that the number of vehicular trips allowed onto the network is the subject of a condition which limits the amount of development prior to wider mitigation measures being undertaken in the area, and the total number of trips from the entire site. A Phase 1 of 11,844 sqm of development would result in 35 vehicles arriving in the am peak from the direction of Junction 37 and in the pm peak 34 vehicles would travel towards Junction 37. At the signal controlled crossroads on Dodworth Road east of the M1 there would be 17 additional trips in the am peak and 16 in the pm peak. This can only be considered an insignificant impact and would be well within any daily variations in traffic. With the implementation of such a condition, the development complies with CSP 26 and there are no objections from a Highways perspective.

Design and Visual Amenity

The current application seeks only to establish the principle of employment development including details of access. Details of design, scale, layout and landscaping would need to be submitted under a subsequent Reserved Matters application, should planning permission be approved.

The proposals have endorsed the concept of a Master-planned approach which would be enforced by the Parameters (landscaping) plan. Pivotal to this is the delivery of the access which would be taken from the northern boundary off Capitol Close. The submitted parameter plan shows a good balance between developed areas and soft landscaping. As stated above the layout would be subject to subsequent consideration, although in reality it is unlikely that this should differ significantly from that which has been indicated. In this regard it shows a clear hierarchy of four buildings, The two larger units would be located towards the western (Higham Lane) boundary and the entrance would be flanked by two smaller premises. Taken with a comprehensive landscaping scheme this would achieve an attractive development which actively engages with existing units within Capitol Park.

The sites boundaries are defined by the highway (Whinby Road, Higham Lane and Capitol Close). The western and southern boundaries however, support established tree planting, these would be complemented by further landscaping which would also extend around the perimeter of the site. This would provide a soft edge to the overall appearance of the site from surrounding vistas where the units would be viewed against a backdrop of the existing buildings of Capitol Park. All the

landscaping would be subject to a maintenance agreement that would be addressed as part of the Reserved Matters.

In terms of existing features there are few constraints which could affect a comprehensive development such as proposed. The site has been primed for development for a significant time with the development platform and connections with relevant infrastructure being in place. There is little vegetation of any significant merit within the developable area and trees which do exist tend to be located towards the sites boundaries, whereby the future retention should not be compromised.

In summary of the considerations on design/visual amenity grounds, the application is not considered to raise any significant issues at the outline stage. It is considered that a high-quality development can be achieved at the site which incorporates sustainable techniques and complies with CSP29 'Design' and relevant criteria of SPD and contributes positively to the growth agenda that Barnsley is seeking to achieve.

Residential Amenity

This site is part of a long established employment proposal in the approved Barnsley UDP with the benefit of previous permissions for employment use.

One consideration in examining the proposals is the relationship between the proposed new development and the adjacent residential properties. In this case there is one dwelling immediately to the north of the site which could potentially be affected by the service yard of indicative Industrial Unit D. Policy CSP 40 seeks to protect residents from the impact of new industrial and warehouse development and Regulatory Services have proposed conditions which will protect the amenity of the residents. Other properties in the vicinity are substantially divorced from the site by road, intervening landscaping and level changes and are not considered to be affected detrimentally. As such the proposal is considered to accord with CSP 40.

Landscape and Impact on Trees

The trees in the main are situated along the boundaries, can mostly be retained, this includes more substantial/prominent specimens located towards the southern and western boundaries.

An arboricultural impact assessment will be required at the reserved matters stage to clearly demonstrate tree retention and removal and to deal with any potential issues which may arise along with standard tree protection measures where appropriate. Landscaping would also secure mitigation and future enhancement. This meets the recommendations of the Biodiversity and Tree Officer.

Air Quality

An operational air quality assessment was undertaken in support of this application. Due to the impact of forecast increased in traffic (and hence emissions) as a result of the proposed development, a moderate impact due to vehicle emissions impact is expected year of completion of the development of 2021.

Dodworth Road between Barnsley town centre and junction 37 of the M1 motorway is an existing air quality management area (AQMA), due to exceedance of the UK annual average objective (and EU limit value) for the polluting gas nitrogen dioxide. This gas is strongly associated with traffic emissions.

Whilst mindful of the wider benefits this development will bring to the local economy, it is essential that there is suitable mitigation for this air quality impact, in order not to compromise the existing

Barnsley MBC Air Quality Action Plan for improving air quality in the Borough's air quality management areas.

Furthermore, should the proposed development be implemented in phases, in order to account for existing and future road capacity of the road network adjacent to the site, this also would assist in controlling transport related emissions. This would therefore be supported by Pollution Control, along with any future actions to improve traffic flow generally on the road network. As such, a condition is proposed to mitigate the impact of the proposed development on the air quality in an existing air quality management area.

Biodiversity

An Ecological Appraisal has been produced and found no statutory or non-statutory designated sites within 1km of the development and there are no non-statutory Local Wildlife within 1km of the site. There are no records of protected species for the site. The appraisal found that the proposed industrial units at the site are acceptable in accordance with ecological considerations and the NPPG. Mitigation recommendations are put forward as part of the Ecological Appraisal to include protection for existing species habitats where appropriate and enhancements including species rich grassland, pond creation, creation of refuges, tree and shrub planting, enhanced habitats for roosting bats and nesting birds.

The Biodiversity Officer is satisfied that the protection and enhancement proposals are acceptable and would require a maintenance and management plan. If planning permission is granted a condition is proposed to require the detailed mitigation scheme to be implemented, in accordance with CSP 36.

Drainage and Flood Risk

The development located within Flood Zone 1 which is identified as being suitable for all types of development and the risk of flooding from rivers etc. as low.

The site is currently semi vegetated cleared land, development that increases the amount of impermeable surfaces can result in an increase in surface water run-off, which in turn can result in increased flood risk both on site and elsewhere within the catchment.

Initial ground intrusive investigations have identified a gravelly clay over stiff clay conditions. This would result in poor infiltration rates within the site which is unsuited for soakaways. In light of this it is proposed that run-off associated from buildings roofs, associated hardstanding and service roads will discharge to existing tails within the nearby adopted drainage network.

The FRA has considered the potential for surface runoff rates, this includes a management (attenuation) strategy to accommodate the 12 month 1/30 and 1 in 100 year events, this would ensure that Green Field Run Off rates are achieved. Yorkshire Water have advised that the site is developed with separate foul and surface water drainage systems and that a public sewer crosses the site, accordingly they recommend that an easement is observed to not prejudice any future maintenance.

Subject to the recommendations of the FRA being secured by a condition, the proposed development can satisfy the requirements of National Planning Policy Framework as well as Core Strategy policies CSP1, CSP3 and CSP4.

Other Matters

The applicant became aware late on in the assessment of this application that part of the land within the red line boundary was not in their ownership. As such, the applicant issued a notice to the landowner on 14th September 2016 giving statutory notification of the planning application. Under the Town and Country Planning (Development Management Procedure) Order 2015, a

Local Planning Authority cannot issue a decision within 21 days of serving such a notice. Whilst Members may be minded to grant permission therefore, a decision notice may not be issued until 5th October, once the 21 days statutory notice has expired.

Conclusions

The proposal is considered to comply with local and national planning policy in that it would support economic development on an allocated employment site. The proposals would bring into economic use to an underutilised site the investment in which would result in much needed job creation boosting the local economy.

The application has adequately demonstrated that the site is of an appropriate size to accommodate the scale of employment development proposed. Its location directly adjacent to the M1 Motorway means that it is ideally located in relation to the strategic highway network. The identified conditions mean that the site will be acceptable from a highways, amenity, drainage, and ecological perspective.

There are therefore no significant or demonstrable adverse impacts associated with the development and the application has successfully demonstrated that an adequate access can be achieved without compromising highway safety.

Recommendation

Approve subject to conditions, and subject to there being no objections to the statutory notice of application for planning permission.

Grant subject to:-

- 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.

- 3 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:

14120-14 REV E Proposed Site Plan, Amended Plan received 14 September 2016

14120-002 REV A Location Plan

V14129 L01 Tree Retention & Removals Plan

V14120 L02 Strategic Landscape Masterplan

Ecological Survey and Assessment ERAP Ltd dated May 2016

Ecological Survey and Assessment ERAP Ltd dated July 2016(additional surveys)

Drainage and Flood Risk Assessment by JPG dated May 2016
Planning Supporting Statement dated June 2016
Noise Impact Assessment by ENS dated 2nd June 2016
Geo-Environmental Desk Study Report by JPG dated May 2016
Framework Travel Plan by AECOM dated June 2016
Transport Assessment by AECOM dated June 2016
Trip Generation Calculation Formula by AECOM, received 19 September 2016
Air Quality Assessment by AECOM dated June 2016
Air Quality Technical Note by AECOM dated 13 September 2016

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

- 4 No development shall take place of any phase of the development until full foul and surface water drainage details and a programme of works for implementation of that phase, 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.

Reason: To ensure proper drainage of the area in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or over or within 5.0 (five) metres either side of the centre line of the 900mm and 1050mm sewers i.e. a protected strip width of 10 metres, that traverse the site. If the required stand-off distance is to be achieved via diversion or closure of the sewers, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

Reason: In order to allow sufficient access for maintenance and repair work at all times and to ensure the proper drainage of the area in accordance with Core Strategy policy CSP4.

- 6 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 in writing by the Local Planning Authority before development commences.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system, which will prevent overloading in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 7 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment and in accordance with CSP 40 Pollution Control and Protection.

- 8 Details shall accompany each phase of 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.

- 9 Detailed plans shall accompany the reserved matters submission indicating existing ground levels, finished floor levels of buildings 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.

- 10 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.

- 11 A detailed scheme of ecological mitigation and enhancement and maintenance shall be submitted with the reserved matters application. The scheme shall broadly follow the measures set out in Section 5 of the ERAP Ecological Assessment and shall identify a timetable for implementation and maintenance for 5 years. The scheme shall be accompanied by a plan which clearly identifies what ecological features are proposed to be retained, mitigated and enhanced. Thereafter the development shall be carried out in accordance with the approved measures.

Reason: In the interests of biodiversity and in accordance with CSP 36.

- 12 The level of noise emitted from the site shall not exceed 51dB LAeq(15 mins) between 0700 and 2300, as measured at the boundary of the nearest neighbouring property.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 13 The level of noise emitted from the site shall not exceed 46dB LAeq(15 mins) between 2300 and 0700, as measured at the boundary of the nearest neighbouring property.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 14 In the event of a complaint being received in writing by BMBC alleging noise nuisance due to the development approved, the operator shall, at its expense, employ a consultant approved by BMBC to measure the level of noise emissions from the development at the location of, and external to, the complainant's property (or, in the event that access is not possible, at the nearest publicly accessible location acceptable to BMBC). The results of the consultant's assessment shall be provided to

BMBC within 2 months of the date of notification of complaint unless otherwise agreed in writing by BMBC.

The operator shall cooperate with BMBC to ensure that the development is compliant with the above defined limits for the site.

In the event that the noise level from the development is above the stated levels and noise measurements have been carried out in accordance with the details above, then the applicant shall submit a mitigation scheme for the written approval of BMBC in order to identify measures to reduce the noise of the development to acceptable levels. The approved scheme shall then be implemented. In the event that the noise level from the development cannot be brought within acceptable levels, as defined above, the development shall not continue to operate.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 15 Prior to occupation of the building, a noise and traffic management plan for the Service Yards shall be submitted to and approved in writing by the Local Planning Authority. This should consider noise generated from deliveries, loading/unloading activities, along with general service yard activities, and consideration of any mitigation measures required. The development shall be carried out in accordance with the approved details, which shall be retained and adhered to at all times.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 16 Noise from any fixed plant, such as fans, extractors, air conditioning units shall operate at a level no higher than 46dBA Leq during the day and at night time at the nearest property.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 17 The hours of construction and deliveries shall only take place between Mon-Fri 0800-1800 and Sat 0800-1300. No working 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.

- 18 Prior to any work commencing, the applicant shall submit to BMBC for their approval a dust management plan detailing how they will control dust during construction. Once approved the applicant shall adhere to the dust management plan at all times.

Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

- 19 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. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

Reason: To protect the environment and ensure the site is suitable for the proposed use, in accordance with CSP 39.

- 20 Prior to the occupation of the development 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, it shall be fully implemented and retained as such thereafter.

Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.

- 21 Prior to the occupation of the development full details of bin storage and recycling facilities shall be submitted to the Local Planning Authority for consideration. The facilities shall be provided in accordance with the approved details prior to the occupation of any of the units and retained as such thereafter.

Reason: In the interests of visual amenity and in accordance with Joint Waste Strategy Policy WCS7.

- 22 Prior to the occupation of each unit, details of appropriate mitigation controls shall be agreed in writing with the Local Planning Authority. The mitigation controls shall be in accordance with the requirements of the Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance, and shall be also incorporated into any Travel Plan where appropriate for the proposed development. Thereafter the controls shall be implemented in full for the duration of the development.

Reason: In the accordance adopted Core Strategy Policies CSP 40 (Pollution Control and Protection) and CSP 41 (Development in Air Quality Management Areas).

- 23 No development or other operations being undertaken on site shall take place until the following documents in accordance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree survey
Arboricultural impact assessment
Tree protective barrier details
Tree protection plan
Arboricultural method statement

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

- 24 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

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

- 25 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.

- 26 The final mix of development must not result in greater than 64 and 63 and 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 AECOM Trip Generation Calculation Formula, dated received 19 September 2016. 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.

- 27 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (ie 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 are provided, in the interests of highway safety and the free and safe flow of traffic and in accordance with Core Strategy Policy CSP26, New Development and Highway Improvement.

- 28 Sight lines, having the dimensions 2.4m x 70m, shall be safeguarded at the junction of the access road with Capital Close, 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 and in accordance with CSP 26.

- 29 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway

Reason: In the interest of road safety and in accordance with CSP 26.

- 30 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 and in accordance with Core Strategy policy CSP 36.

- 31 Within six months of the site becoming operational, a detailed travel plan, including

monitoring and implementation, shall be submitted to the Local Planning Authority and once approved shall be fully implemented.

Reason: In the interests of sustainable development and in accordance with Core Strategy Policy CSP 25.

32 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
- 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

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

33 Details of measures to restrict the access to the car park to Unit A to an ingress only shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development and shall be retained at all times thereafter.

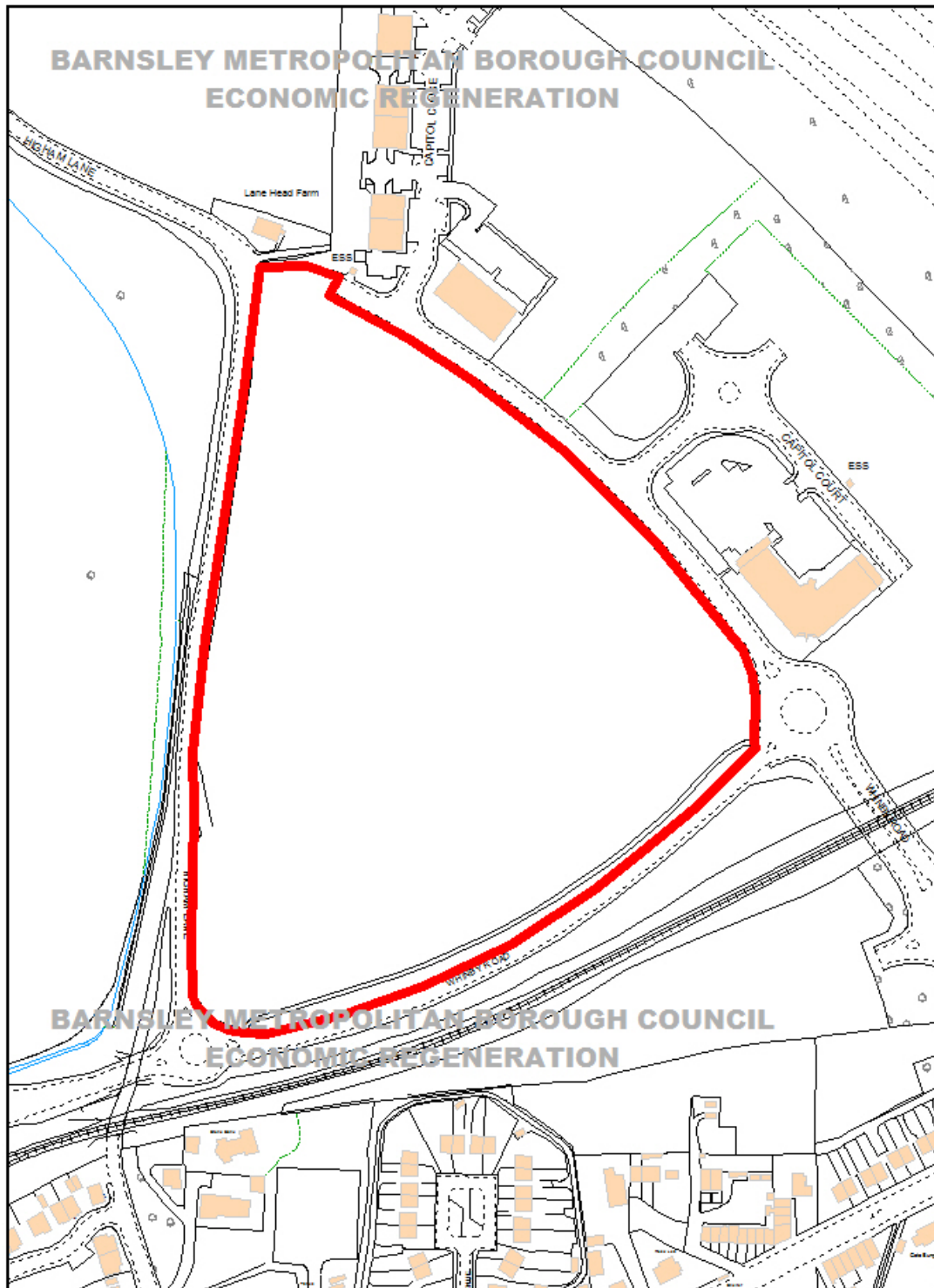
Reason: In the interests of road safety and in accordance with Core Strategy Policy CSP 26.

PA reference :-

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