



Town and Country Planning Act 1990 Ashroyd and Shortwood Business Park Hoyland Local Development Order 2012

1. This Order is made by the Barnsley Metropolitan Borough Council (the 'Council') under the powers conferred on the Council as local planning authority by sections 61A-61D and schedule 4A of the Town and Country Planning Act 1990 (as amended) and pursuant to The Town and Country Planning (Development Management Procedure) (England) Order 2010/2184, and shall be known as The Ashroyd and Shortwood Business Park Hoyland Local Development Order 2012 (the 'Order').
2. The Order relates to land in part of the Council's administrative area depicted edged red on the plan attached at Schedule 1 (the 'Land').
3. The Order authorises development of the Land in accordance with Schedule 2 subject to:
 - (a) the definitions, limitations and provisos in that Schedule;
 - (b) the prior information and directions set out in Schedule 3; and
 - (c) the conditions set out in Schedule 4.
4. Definitions in the Town and Country Planning (Use Classes) Order apply in the interpretation of Schedule 2 unless expressly stated otherwise.
5. This Order was adopted by the Council on **10th January 2013** came into effect on the date of adoption and shall be in force until **31st March 2018**
6. On expiry the Order may be renewed in the same or a different form.
7. Pursuant to the provisions of section 61D of the Town and Country Planning Act 1990, any development that is granted planning permission by this Order and has started but is incomplete at the date the Order is withdrawn (as defined in section 61D of the Town and Country Planning Act 1990) may be completed.
8. The Council has made this Order for the reasons set out in the Statement of Reasons that appears with this Order.
9. The Schedules form part of this Order and the words in the Schedules have the same meanings as provided in the body of this Order unless expressly stated otherwise.
10. The address for submission of all communications in relation to operation of this Order is: Development Management Barnsley Council PO Box 604 S70 9FE

Signed

A handwritten signature in black ink, appearing to read 'Ac Tm' with a stylized flourish at the end.

Borough Secretary
Dated 20th April 2015

Schedule 1

Plan with the land that benefits from the LDO edged in red. The boundaries of named areas (Ashroyd 1 and 2 etc) will need to be identified

BARNSELEY METROPOLITAN BOROUGH COUNCIL
STRATEGY, GROWTH & REGENERATION



J36 Enterprise Zone
Hoyland

Within EZ: 12.3 Hectares (6)

Plots	Hectares
Ashroyd 1	1.04011
Ashroyd 2	3.39474
Ashroyd 3	0.972675
Ashroyd 4	3.6679
Shortwood 1	2.02069

Ashroyd Total
9.1

Shortwood Total
3.2

Overall Total
12.3 Hectares

I:\MapInfo - Service Areas\Housing\HMR\Research Files\SGR\Employment\Enterprise Zone Status.wor

Scale 1: 5,000

Drawn by: ES
Drwg No: 005
Date: 01/11/2011

Project: SGR: J36 Enterprise Zone (EZ)
Drawing: Enterprise Zone Status
Plot Priority



Strategy, Growth & Regeneration
Assistant Director: Steve Jagger
Barnsley MBC, PO Box 603, SGR, Barnsley S70 9FD
Tel: (01226) 772742 Fax: (01226) 772995

Schedule 2

Shortwood 1

Up to 15,000 square metres gross floorspace comprising of any of the following uses:

- B1(b) research & development;
- B1(c) light industry,
- B2 general industry,
- B8 storage & distribution

- Of the 15,000 square metres gross floorspace, up to 1,500sqm may comprise of B1(a) Offices

- Associated engineering operations necessary to facilitate the means of access, formation of hardstandings and installation of required infrastructure

Subject to the following site specific conditions:

- The building(s) shall have a maximum eaves height of 8m and a maximum ridge height of 12m as measured from existing ground levels or those shown on any extant planning permission at the time the Order is adopted.

- The building(s) shall be located at least 10m from the north eastern and north western boundaries and 3m from the other boundaries.

- The Hawthorne (*Crataegus Monogyna*) hedge situated on the north eastern and north western boundaries shall be retained.

- Prior to commencement of development a Coal Mining Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved assessment.

Shortwood 2

Up to 10,000 square metres gross floorspace comprising of any of the following uses:

- B1(b) research & development;
- B1(c) light industry,
- B2 general industry,
- B8 storage & distribution

- Of the 10,000 square metres gross floorspace, up to 1,000sqm may comprise of B1(a) Offices

- Associated engineering operations necessary to facilitate the means of access, formation of hardstandings and installation of required infrastructure

Subject to the following site specific conditions:

- The building(s) shall have a maximum eaves height of 7m and a maximum ridge height of 10m as measured from existing ground levels or those shown on any extant planning permission at the time the Order is adopted.
- The building (s) shall be located at least 3m from the site boundaries.
- Prior to commencement of development a Coal Mining Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved assessment.

Ashroyd 1

- Use of the existing building for:
 - B1(b) research & development
 - B1(c) light industry
 - B2 general industry
 - B8 storage & distribution
 - Up to 1,000sqm may comprise of B1(a) Offices

Ashroyd 2

- Use of the existing building for:
 - B1(b) research & development
 - B1(c) light industry
 - B2 general industry
 - B8 storage & distribution
 - Up to 2,000sqm may comprise of B1(a) Offices

Ashroyd 3

Up to 8,000 square metres gross floorspace comprising of any of the following uses:

- B1(b) research & development
- B1(c) light industry
- B2 general industry
- B8 storage & distribution
- Of the 8,000 square metres gross floorspace, up to 1,000sqm may comprise of B1(a) Offices
- Associated engineering operations necessary to facilitate the means of access, formation of hardstandings and installation of required infrastructure

Subject to the following site specific conditions:

- The building(s) shall have a maximum eaves height of 10m and a maximum ridge height of 15m as measured from existing ground levels or those shown on any extant planning permission at the time the Order is adopted.

- Prior to commencement of development a Coal Mining Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved assessment.

Ashroyd 4

Up to 20,000 square metres gross floorspace comprising of any of the following uses:

- B1(b) research & development
- B1(c) light industry
- B2 general industry
- B8 storage & distribution

- Of the 20,000 square metres gross floorspace, up to 2,000sqm may comprise of B1(a) Offices

- Associated engineering operations necessary to facilitate the means of access, formation of hardstandings and installation of required infrastructure

Subject to the following site specific conditions:

- The building(s) shall have a maximum eaves height of 10m and a maximum ridge height of 15m as measured from existing ground levels or those shown on any extant planning permission at the time the Order is adopted.

Schedule 3 – Prior notification Forms



Ashroyd & Shortwood Business Park, Hoyland Local Development Order 2012 - Self Certification Form

1. Applicants Details

Name of Contact	
Company Name	
Address	
Postcode	
Tel:	
E-mail	

2. Location, Uses & Floorspace

Proposed Plot (e.g. Shortwood 1)	Proposed Uses	Floorspace (m ²)
	B1(a)	
	B1(b)	
Development Description	B1 (c)	
	B2	
	B8	
	Total	

3. Building Heights (measured from existing ground level) **and Proximity to Boundaries** (measured at nearest point)

Building	Ridge Height	Eaves Height	Distance to Boundaries (Please identify boundary & distance – e.g. N.E. 7m)			
1						
2						
3						
4						

4. Landowners Consent

The landowners consent must be sought prior to submitting the scheme. Please provide details below:		
Name of Owner	Address	Date Notified

5. Declaration

I/We hereby apply for certification of compliance with the Ashroyd and Shortwood Business Park Hoyland Local Development Order 2012 as described in this form and the accompanying plans/drawings and additional information.	
Signed	Date

6. Checklist

Required Details	Enclosed? (Please Tick)
a) Block plan - showing the proposal in relation to the site boundaries, other buildings and trees at a metric scale of 1:200 or 1:500 (<i>not required for Ashroyd 1 & 2</i>)	
b) Elevations – all existing and proposed to be shown at a metric scale of 1:50 or 1:100 (<i>not required for Ashroyd 1 & 2</i>)	
c) Floor plans – existing (where relevant) and proposed at a metric scale of 1:50 or 1:100.	
d) Existing & Proposed Sections - showing the relationship of buildings with adjoining land and property, including finished floor levels of all buildings. (<i>not required for Ashroyd 1 & 2</i>)	
e) Planning Statement – explaining how the proposal conforms with the objectives of the Enterprise Zone	

7. Conditions

- Please note that condition 2 requires the Local Planning Authority to be given 28 days notice of an intention to start on site using *The Notice of Intention to Commence Development Form*
- Conditions 3, 4, 5, 6, 9, and 10 also require submission of various details prior to commencement of development.

Please complete and send this form

By e-mail: developmentmanagement@barnsley.gov.uk

By post: Development Management, Planning & Regulatory Services,
Barnsley Metropolitan Borough Council, Westgate Plaza, PO
Box 604, Barnsley, S70 9FE

Ashroyd & Shortwood Business Park, Hoyland Local Development
Order 2012 – Commencement Notice

Development Site	
Description	
Notice is hereby given that works to implement the above LDO compliant scheme will commence on:	
Signed	
For and on behalf of (name and address of developer)	
Contact Name	
Tel:	
E-Mail	
Pre Commencement Conditions (3, 4, 5, 6, 9, and 10) Complied with?	(Yes/No) delete as appropriate

Please complete and send this form

By e-mail: developmentmanagement@barnsley.gov.uk

By post: Development Management, Planning & Regulatory Services,
Barnsley Metropolitan Borough Council, Westgate Plaza, PO
Box 604, Barnsley, S70 9FE

Schedule 4 – General Conditions

1. Any development authorised by this Order is only authorised if it has begun by 31st March 2018. If this Order is withdrawn (as defined in section 61D of the Town and Country Planning Act 1990) and at that date development that is authorised by this Order has started but is incomplete, that development may be completed
2. Before commencement of development and in order to ensure compliance with the LDO, all proposals which seek to benefit from the provisions of the LDO must complete and submit the self-certification form at Schedule 3 together with the plans, documents indicated in the checklist in that form. The Council will confirm in writing within 28 days of the receipt of the form whether the proposed development is permitted under this Order subject to these conditions and notifications. Thereafter the Local Planning Authority should be given 28 days notice of an intention to start on site using the form at Schedule 3).
3. Prior to commencement of development details of the means of access, manoeuvring areas and parking provision shall be submitted to and approved in writing by the Local Planning Authority. The details shall include parking provision (including disabled parking and cycle parking) in compliance with the standards in the Council's Supplementary Planning Document – Parking. The means of access, manoeuvring areas and parking provision shall be installed in accordance with the approved details prior to the commencement of the approved use(s).
4. No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
5. No development shall take place 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
 - Wheel washing facilities
 - Measures to control the emission of dust and dirt during construction
 - Measures to control noise levels during construction
6. 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 boundary treatments and 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 boundary treatments and hard landscaping

details shall be implemented prior to the occupation of the building(s)/commencement of the use(s).

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.
8. All development shall be constructed to achieve a minimum rating of BREEAM 'very good' and shall have received formal certification before occupation.
9. Prior to occupation of the building(s)/commencement of the use(s), full details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to occupation of the building(s)/ commencement of the use(s) and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
10. No development shall take place until:
 - (a) Full foul and surface water drainage details, including a scheme to reduce surface water run-off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority;
 - (b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;
 - (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;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.
11. No piped discharge of surface water from the application site shall take place prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.
12. Prior to being discharged into any watercourse, surface water sewer or soakaway system all surface water drainage from parking areas and hardstandings shall be passed through a petrol / oil interceptor designed and constructed in accordance with details to be approved in writing by the Local Planning Authority prior to commencement of development.

13. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be designed to discharge downwards into the bund.
14. Upon commencement of the use a car share scheme, including a database, shall be set up and during employee inductions, employees shall be provided with details of the car share scheme as well as details of public transport timetables (bus and rail) and of cycle and walking routes to and from the site.
15. Outside storage shall only occur in purpose designed enclosures, detailed plans of which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and thereafter shall be retained.
16. 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 1900 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
17. 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) (“the GPDO”) and the provisions of the Town and Country Planning (Use Classes) Order 1987 (“the Use Classes Order”) no changes of use are permitted under Schedule 2 of Part 2 of the GPDO to B1 that have the effect of exceeding the limitation of B1(a) office floorspace under this Order or changes from B1(b) or B1(c) of the Use Classes Order to B1(a) which have the effect of exceeding the limitation on B1(a) office floorspace under this Order

Checklist

1. Block plan - showing the proposal in relation to the site boundaries, other buildings and trees at a metric scale of 1:200 or 1:500
2. Elevations – all existing and proposed to be shown at a metric scale of 1:50 or 1:100
3. Floor plans – existing (where relevant) and proposed at a metric scale of 1:50 or 1:100.
4. Sections - showing the relationship of buildings with adjoining land and property, including finished floor levels of all buildings.
5. Planning Statement – explaining how the proposal conforms with the objectives of the Enterprise Zone

Informatives

(a) The developer must contact Mr G Handley – Highways & Engineering prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of permanent or temporary vehicular access(es) to the highway.

(b) Prior to commencement of development, the developer is advised to contact the Council's Pollution Control Team to discuss their requirements and the suitability of the site and buildings in terms of noise generation. In order to minimise the risk of noise complaints, the Pollution Control Team will be able to advise on mitigation measures such as site layout, building design, boundary treatments and location of plant/machinery.

(c) The granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

(d) For Ashroyd 1, 2 and 4 the proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845762 6848 or at www.groundstability.com

(e) The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

(f) Where a proposed development includes an activity listed under the Environmental Permitting (England and Wales) Regulations 2010 then, separate from any planning permission granted under the LDO, the developer will also need to make a successful application for an Environmental Permit. This Environmental Permit must have been issued before any activities that require permitting can begin. There is no presumption that Environmental Permits will be issued for installations sited within a Local Development Order area. Early contact with the Environment Agency will allow any permitting requirements to be clearly explained so potentially costly delays can be avoided.