



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/0159

To White Agus Partnership
Office One
34 Victoria Road
Barnsley
S70 2BU

DESCRIPTION Variation of condition 2 for application 2016/0040 (Extensions to existing workshops/garages)

LOCATION Ken Mallinson Ltd, Claycliffe Road, Barugh, Barnsley, S75 1LR

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 06 March 2020 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall only be carried out in accordance with the following documents:
 - a) Drawing titled 'Site Plan As Proposed', numbered 13-104 07 revision A and dated June 2015;
 - b) Drawing titled 'Plans', numbered 13-104 No. 102 and dated Jan 2020; and
 - c) Drawing titled 'Elevations ', numbered 13-104 No. 103 and dated Jan 2020.

Reason: For the avoidance of doubt and in the interests of good design consistent with LP Policy D1 - High Quality Design and Placemaking, and the relevant planning policy statements in the NPPF.

- 2 Within 2 months of the completion of the approved extensions, the existing temporary accommodation contained within the 4 no. portacabins shall be removed from the site.
Reason: In the interests of the visual amenity of the area and to improve internal access arrangements for the parking and manoeuvring of vehicles in accordance with LP Policies D1 and POLL1 respectively.
- 3 The colour/appearance of the extensions shall match/complement the existing (retained) buildings on the site.
Reason: In the interests of the visual amenities of the locality and in accordance with LP Policy D1 and the relevant planning policy statements in the NPPF.



- 4 The development shall not continue until first, a scheme of intrusive borehole site investigation, and second, a report following an intrusive site investigation in compliance with CIRIA publication 32, 'Construction over abandoned mine workings', where applicable, by a suitably qualified and competent engineer to establish the position regarding potential coal mining legacy issues/risks at the site, have been submitted to, and approved in writing by, the Local Planning Authority. The intrusive borehole site investigation shall be carried out in accordance with the approved scheme and the report following the investigation shall include but not necessarily be limited to, proposed remedial measures, if required, to treat any areas of shallow mine workings and associated ground conditions to ensure the safety and stability of the proposed development. Thereafter, the development shall be implemented in accordance with the approved measures.

Reason: To ensure the safe development of the site in accordance with LP Policy CL1 - Contaminated and Unstable Land and the relevant planning policy statements in the NPPF relating to land stability.

- 5 All doors and any windows associated with the workshops shall be closed during any operations between 8pm and 7am.

Reason: In the interests of residential amenity in accordance with LP Policies GD1 - General Development and POLL1 - Pollution Control and Protection

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.

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction*

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed

Dated 27 April 2020



Joe Jenkinson
Head of Planning and Building Control

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

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 given 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.