

14/9/10

Application for removal or variation of a condition following grant of
planning permission. Town and Country Planning Act 1990.
Planning (Listed Buildings and Conservation Areas) Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title:	Mrs	First name:	sharon	Surname:	baxter
Company name	Noah's Ark Kindergarten				
Street address:				Telephone number:	
	8 cravenwood close			Mobile number:	
Town/City	barnsley			Fax number:	
County:	south yorkshire				
Country:	United Kingdom			Email address:	
Postcode:	s75 2ny			sharonnoahsark@sky.com	

Are you an agent acting on behalf of the applicant? ☐ Yes ☒ No

2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

3. Site Address Details

Full postal address of the site (including full postcode where available)

House:	14	Suffix:	
House name:			
Street address:	VICTORIA ROAD		
Town/City:	BARNSELEY		
County:	SOUTH YORKSHIRE		
Postcode:	S70 2BB		
Description of location or a grid reference (must be completed if postcode is not known):			
Easting:	434196		
Northing:	406794		

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: Mr

First name: Steve

Surname: Kirkham

Reference:

Date (DD/MM/YYYY):

14/09/2010

(Must be pre-application submission)

Details of the pre-application advice received:

How to apply and gain the correct forms etc and to write as supporting letter outlining the varying of the condition.

5. Description of Proposal

Please provide a description of the approved development as shown on the decision letter:

change of use of offices to private day nursery with enclosed play area at rear at 14 victoria road
B/98/0536/BA

Application reference number:

B/98/0536/BA

Date of decision:

24/07/1998

Please state the condition number(s) to which this application relates:

Condition number(s):

5

Has the development already started?

☒ Yes ☐ No

If Yes, please state when the development was started:

28/07/1998

Has the development been completed?

☒ Yes ☐ No

If Yes, please state when the development was completed:

28/09/1998

6. Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed:

We have had a great deal of demand for the Saturday childcare service, as these are very hard to find on a professional level

If you wish the existing condition to be changed, please state how you wish the condition to be varied:

We merely wish to vary the condition by opening 8am to 6pm on Saturdays

7. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☐ The agent ☒ The applicant ☐ Other person

8. Certificates (Certificate A)

Certificate of Ownership - Certificate A

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates.

Title: Mrs

First name: sharon

Surname: baxter

Person role: Applicant

Declaration date:

14/09/2010

☒ Declaration made

8. Certificates (Agricultural Land Declaration)

Agricultural Land Declaration

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of an agricultural holding.

(B) I have/The applicant has given the requisite notice to every person other than myself/the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

If any part of the land is an agricultural holding, of which the applicant is the sole tenant, the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

Title: Mrs

First Name: sharon

Surname: baxter

Person role: Applicant

Declaration date:

14/09/2010

☒ Declaration Made

9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information.



Date

14/09/2010



To:

FAO Steve Kirkham

Planning and Transportation Service

Barnsley MBC

PO Box 604

Barnsley

S70 9FE

From:

Sharon Baxter

Noah's Ark Kindergarten

c/o 8 Cravenwood Close

Pogmoor

Barnsley

S75 2NY

Dear Mr Kirkham,

Please find enclosed the application for the variation to the condition set out in ref G/980536/BA to be able to offer childcare during Saturdays from 8am to 6pm. This variation has previously been refused in 2001 ref B/01/1052/BA.

In support of this new application I would like to make the following comments:

During 1998 when we first applied for the Day Nursery we were the first private Day Nursery to open in Barnsley Town Centre, and as such admittedly we were an unknown quantity, which made the people who objected uneasy as to the impact upon the area such a business would make.

We received the planning permission and have ran a very successful business ever since, without having any detrimental impact upon the neighbouring properties.

When we first asked for the variation on the condition to open on a Saturday, I think the time that had elapsed from our first initiation was too little for them to realistically feel that we had proven ourselves. Subsequently the variation was refused.

However, twelve years have now passed without any adverse effect to the area or people. I feel now that we are a well established business with a proven track record and we are well known in the town. The impact of our Day Nursery is now widely known and tolerance these days has shifted somewhat, with a knowledge that our services are in great demand and parents are in a real need for childcare on a Saturday.

We do have planning permission to open on the weekends and Bank Holidays at our sister nursery in Dodworth, but it is too far out of town for our Barnsley site families to make use of. We have been asked to endeavour to gain planning for just the Saturday (not Sunday or Bank Holidays), in order to provide a much needed service for the town .

Times have changed greatly during the past twelve years and I am sure it is widely acknowledged that these days parents have to work during the weekends, in fact Saturday especially, is almost just another working day. We do need to meet these demands and show an understanding of the ever changing lifestyles of our families in the town. The previous comments on the past conditions are no longer appropriate due to the fact that the neighbouring area is predominantly commercial at our end, as we are almost in the town centre itself. To one side of us is an accountants with dentists and solicitors and the probation team (who work on a Saturday), as well as the various office suites around; including the council education offices backing on to us.

Please consider this application favourably this time as we have proven to be an asset to the area and it's people; offering a quality service second to none. We have adhered to the conditions set over the past twelve years, but we and our parents are becoming increasingly frustrated at not being able to care for the children on a Saturday, we have huge demand and it is a 'need' not a 'want'. The challenging economic downturn has meant that it is even more essential that we support our families, staff and small businesses to make it through the times ahead.

It should also be noted that our parents arrive and depart at all times during the day and therefore there is never a queue or roadway problem, neither do lots of children play outside, or neither do they cause any noise disturbance, as they are mainly contained within the building. When they are outside it is just a few happy, smiling children having fun. WE have also been good supporting neighbour and feel that we have a superb relationship with all concerned.

Yours sincerely Sharon Baxter