



BARNSLEY

Metropolitan Borough Council

APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/2091

To Peacock & Smith
Suite 2A
Jospehs Well
Hanover Walk
Leeds
LS3 1AB

Proposal Erection of 2 storey office unit (Reserved Matters)

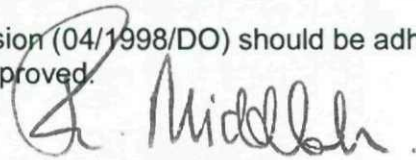
At Land north west of Junction 37, M1 motorway, west of the M1, north of the railway line and east of Higham Lane

Approval is hereby given for the proposals which were the subject of the Application and Plans registered by the Council on 13 December 2006 and described above, being matters reserved in the permission granted on OutlineApplicationDate under Application OutlineApplicationNumber

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 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.
Reason: In the interests of the visual amenities of the locality.
- 3 No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
Reason: In the interests of the visual amenities of the locality.
- 4 All conditions in respect to the outline permission (04/1998/DO) should be adhered to with respect to this planning application hereby approved.
Reason: For the avoidance of doubt.

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

Signed 
Assistant Director, Planning and Transportation

Dated 14 February 2007

- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason. In the interest of road safety.
- 6 Within the sight lines of 2.4m x 90m at the junction of the access road with the main spine road, there shall be no obstruction to visibility placed, erected or grown at any time.
Reason: To ensure that adequate visibility is available, in the interests of highway safety in accordance with UDP Policy T2A.
- 7 The unit hereby approved shall not be occupied before the foul and surface water drainage schemes for the site, as approved in accordance with application B/04/1998/DO, have been fully installed and commissioned.
Reason: To prevent the increased risk of flooding and to ensure the proper drainage of the area.
- 8 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications received on 8th December 2005 and landscaping details received on 25th January 2007, unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

Reason(s) for Granting Permission

- 1 The proposal complies with Policy ED7 in that the type of employment use proposed is compatible with adjoining uses.
- 2 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

Policy DO3/1 Employment proposal

ED3 - business and general industrial uses will be permitted

BE6, seek to achieve good design standards for all types of development.

Office use is compatible with the employment allocation, and the outline conse

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.