



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0106

To Planning Prospects Ltd
Unit 1 Broomhall Business Centre
Broomhall Lane
Worcester
WR5 2NT

DESCRIPTION Erection of two storey development providing for a mix of A1 (shops) A2 (financial or professional services) A3 (restaurants and cafes) and B1 (business) uses including car park and associated works.

LOCATION St Marys Street, Penistone, Sheffield, South Yorkshire, S36 6DT

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 11 February 2011 and described above.

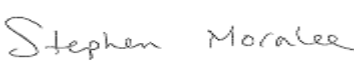
The approval is subject on compliance with the following conditions:

- 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 The development hereby approved shall be carried out in strict accordance with the amended plans and specifications received:-

Traffic Statement dated 10 June 2011
Archaeological Assessment dated February 2007
Design and Access Statement received 28 January 2011
Site Investigation Report dated August 2005

Plans numbered:-
PL-01 Rev A
PL-04
PL-05
PL-06B
PL-07B
PL-08A
PL-09A
10692/5009/3D

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 20 October 2011

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 policy CSP29 of the Core Strategy.

- 3 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.

Reason: In the interests of the visual amenities of the locality and in accordance with policy CSP29 of the Core Strategy.

- 4 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 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents.

- 5 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:

- 1) the parking of vehicles of site operatives and visitors
- 2) loading and unloading of plant and materials
- 3) storage of plant and materials used in constructing the development
- 4) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- 5) measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- 6) measures to mitigate noise during demolition, earth movements and construction.

Reason: In the interests of highway safety and in order to protect the amenity of neighbouring residents.

- 6 Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 3 metres either side of the centre lines of the sewers i.e. protected strip widths of 6 metres per sewer, that cross the site.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

- 7 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

- 8 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that the development can be properly drained.

- 9 All on-site vehicular areas shall be surfaced and drained in an approved manner prior to the development being brought into use, to prevent mud/debris from being deposited on the public highway to the detriment of road safety.
Reason: In the interests of road safety.
- 10 The parking/manoeuvring facilities indicated on the approved 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.
- 11 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.
- 12 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of: -
- a) measures to create a delineated zone for the full length of Back Lane;
 - b) extension of the block paved shared space to encompass the full extent of Back Lane;
 - c) provision of a loading bay on St Marys Street;
 - d) measures to restrict the loading bay to loading/unloading only;
 - e) any necessary signing/lining;
 - f) any necessary changes to/provision of drainage;
 - g) any necessary changes to/provision of street lighting.
 - h) measures to restrict vehicular weight within certain time periods
- Reason: In the interests of road safety.**
- 13 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 road safety.
- 14 Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: To ensure safe and adequate access.
- 15 Prior to the occupation of the building 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 shall be fully implemented.
Reason: In the interests of sustainable development.
- 16 Details of the barrier to the car park shall be submitted to and approved by the Local Planning Authority in writing prior to any works commencing on site.
Reason: In the interests of road safety.

- 17 The car park shall be restricted to staff use only at all times. Prior to commencement of use of the development details of how the parking area will be restricted shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then proceed in accordance with the approved details.

Reason: In the interests of road safety.

Reason(s) for Granting Permission

- 1 Unique The principle of the proposed scheme is in accordance with Policy S1 as it involves commercial development within the designated Principal Shopping/Commercial Centre. The scale, layout and design of the proposal is considered to be in character with the surrounding area and would enhance the appearance of the Conservation Area. Neighbouring residential properties are sufficient distance away not to be significantly detrimentally affected. It is considered that the proposed access and servicing are appropriate to serve the development without adversely affecting highway safety.

Informative(s)

- 1 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:
- Collapse of shallow coal mine workings;
 - Collapse of, or risk of entry into, mine entries (shafts and adits);
 - Gas emissions from coal mines including methane and carbon dioxide;
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
 - Transmission of gases into adjacent properties from underground sources through ground fractures;
 - Coal mining subsidence
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 2 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.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

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 giving 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.