BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0361

To Mr David Youel
12 Peel Place
Barnsley
South Yorkshire
S71 1LU

DESCRIPTION Erection of Industrial/ Workshop buildings with Ancillary Offices above for use within classes B1, B2 & B8 (Resubmission of 2008/1416)
LOCATION Land off Peel Place, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 24 March 2009 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 plans and particulars submitted with this application subject to any of the requirements set out in the following planning conditions and unless prior written consent has been given by the Local Planning Authority for any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application.

3 Notwithstanding the submitted details this approval shall not extend to the use of the premises for class B1 Offices (unless ancillary to the main use of the building) as defined by the Town and Country (Use Classes) Order 2005.
Reason: In the interests of highway safety.

Stephen Moralee

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 11 June 2009

Planning and Transportation Service **Telephone: 01226 - 772000**
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4 No development shall take place unless and until

(a) foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. 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.

(b) porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways and

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for construction of the soakaway are all approved in writing by the Local Planning Authority.

Reason: To ensure proper drainage of the area

5 Any liquid storage tanks shall be located within a bund with a capacity of not less than 110% of the largest tank or largest combined volume of connected tanks.
Reason: To ensure that there are no discharges to the public sewerage system which may injure the sewer interfere with free flow or prejudicially affect the treatment and disposal of its contents.

6 The parking/manouevring facilities indicated on the approved plan shall be laid out in a solid bound material prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interests of road safety.

7 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearest channel level of the adjacent highway.
Reason: In the interests of road safety.

8 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted to and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period.
Reason: In the interests of road safety.

Reason(s) for Granting Permission

1	Existing employment policy areas - Policy ED7	The proposal complies with Policy ED7 in that the type of employment use proposed is compatible with adjoining uses.

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 site management shall be responsible for the operation of the development such that the cleanliness of the highway (road and pavement) 100m from the site entrance in any direction is not prejudiced.

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.

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