



BARNSLEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/1967

To GD Design Group
No 3 The Barns
Grayston Plain Lane
Hampsthwaite
Harrogate
HG3 2HT

DESCRIPTION Erection of single-storey car showroom with workshop and office and single-storey building for car valeting with canteen and toilet facilities.

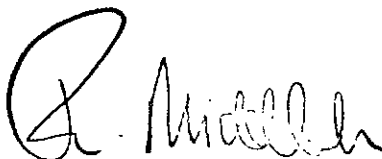
LOCATION Perrys Motor Village, Claycliffe Road, Barugh, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 02 January 2007 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 strictly in accordance with the plans and specifications as approved unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.
- 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 UDP Policy BE6, Design Standards.

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 12 February 2007

4. No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation matters, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-

1. An assessment as to the degree to which the site may be affected by any contamination, including borehole and trial pit results.

2. Measures to test and evaluate the site for the purposes of identifying contamination throughout the duration of the development.

3. Measures to treat or remove any contaminated materials encountered and the methodology to be employed. These procedures should be summarised in a remediation statement.

4. Steps to be taken to prevent any environmental pollution by any such contaminated material encountered.

5. Measures to prevent risks to health and safety of the general public and any persons working on the site.

6. Consideration of any Waste Management issues of any remediation measures.

7. The subsequent certification/validation reports are submitted, showing that the site has been satisfactorily remediated and that the development of the site can be safely occupied.

The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".

Reason: To protect the environment and ensure the site is suitable for the proposed use.

5. No development shall take place until details of the foul and surface water drainage 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.

Reason: To ensure the proper drainage of the area.

6. All on-site vehicular areas shall be hard 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 interest of road safety

7. 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.

8. 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.

- 9 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the entire construction period
Reason: In the interest of road safety.
- 10 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 and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period
Reason: In the interest of road safety.
- 11 Prior to the commencement of the development a scheme shall be submitted to, and approved in writing by, the Local Planning Authority describing the methodology to be employed to suppress dust arising from the operations in the form of a Dust Action Plan. Such measures may include water bowsters; sprayers mobile and fixed; or similar equipment; regulating the speed of vehicles on the site; and such other steps as are appropriate. The operations shall thereafter be undertaken in complete accordance with the approved scheme. At such times, when due to site conditions the prevention of dust is not possible all site works contributing to the dust problem should cease until such time as conditions improve to allow a resumption of works.
Reason: In the interests of local amenity and to protect the environment.
- 12 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 and in accordance with UDP Policy ES1, Pollution.

Reason(s) for Granting Permission

- 1 The proposal complies with Policy BA7 in that:-
- it would have no unduly harmful impact on amenity of the neighbourhood by way of noise, disturbance, loss of privacy or traffic.
 - it would have no undue visual impact on character of area.
 - there are no highway safety issues.

Informative(s)

1. 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:

Policy BA7 - Mixed Use Policy Areas
Policy BE6 - Design Standards
Policy T2 - Highway Safety

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

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.