BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0170

To Keith Cooper
34 Pangbourne Road
Thurnscoe
Rotherham
S63 0LQ

DESCRIPTION Change of use of land at rear to A1 and formation of hard standing (Retrospective).
LOCATION Homework, 35 Market Street, Hoyland, Barnsley, S74 9QH

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 February 2011 and described above.

The approval is subject on compliance with the following conditions:

1 The land between the retaining wall at the rear of the shop and the rear (north east) boundary, shown hatched on the attached plan, shall only be used for the storage and sale of compost and peat and for customer parking/manoeuvring and shall be ancillary to the existing shop use.
Reason: In the interests of visual and residential amenity.

2 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications received on 08/04/2011 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 more than 40 pallets of compost/garden peat shall be stored on the site at any one time. The pallets shall be sited in the location shown on the approved plan and shall be stored at ground level only to a height not exceeding 1.8m and not stacked.
Reason: In the interests of visual and residential amenity.

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 13 June 2011

Planning and Transportation Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

4 All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

5 The car park/storage area hereby permitted shall be utilised only between the hours of 09.00 to 17.00 Mondays to Fridays, 09.00 to 17.00 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.

6 The Blackthorn hedge shall be maintained so that it does not exceed 2m in height.
Reason: In the interests of residential amenity.

Reason(s) for Granting Permission

1	Non-residential uses in non-residential areas - Policy H8B	The proposal complies with Policy H8B in that it would have no unduly harmful impact on amenity of 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 proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

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.

3 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:

BE6 - The Council will seek to achieve good design standards for all types of development.

Proposals for development will be assessed using the following design criteria:

A) The quality of layout, and suitability of scale of the development

B) The use, quality, design and landscape treatment of open land within the site and the area around buildings

C) The standard of detailed design and facing materials of proposed buildings

D) The suitability of the whole development for its proposed context and its relationship with adjoining land uses.

Designs which the Council considers unsatisfactory in terms of any of these criteria will be rejected.

Policy H8B - planning permission will be granted for small scale, non-residential uses in Housing Policy Areas, and for the expansion of existing uses if there is no unduly harmful impact on the amenity of neighbouring residents, there is no unduly harmful impact on the character of the area and there is no conflict with highway safety.

SPD 32 provides further guidance on Parking, Transport Assessments and Travel Plans.

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.

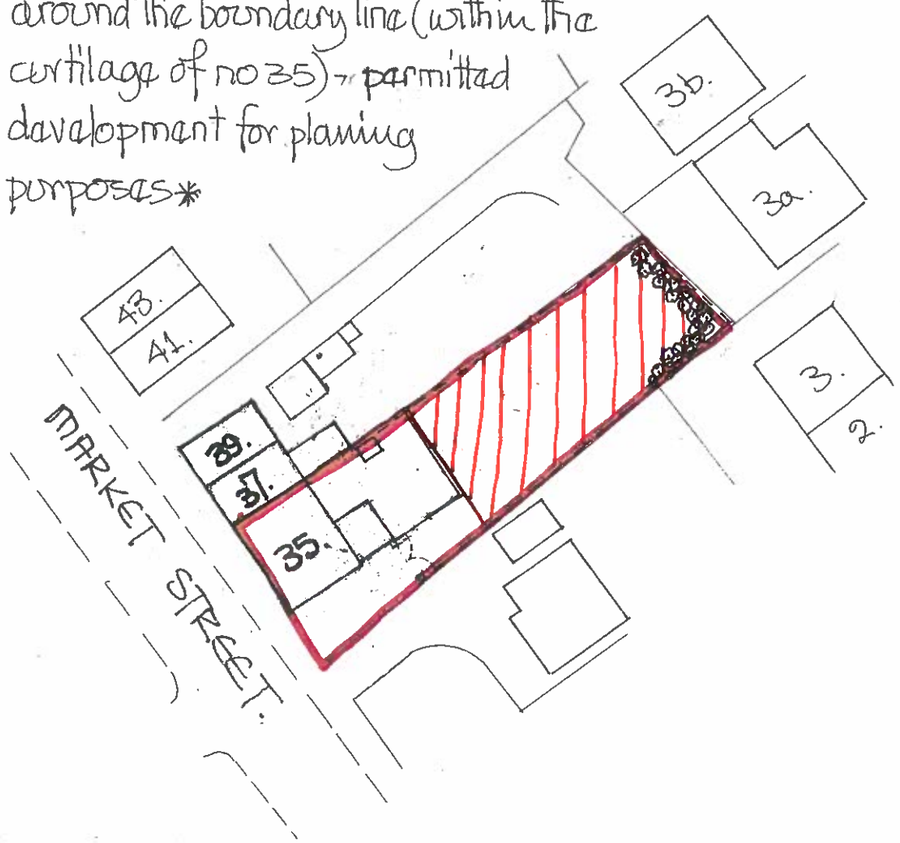
Compensation

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.

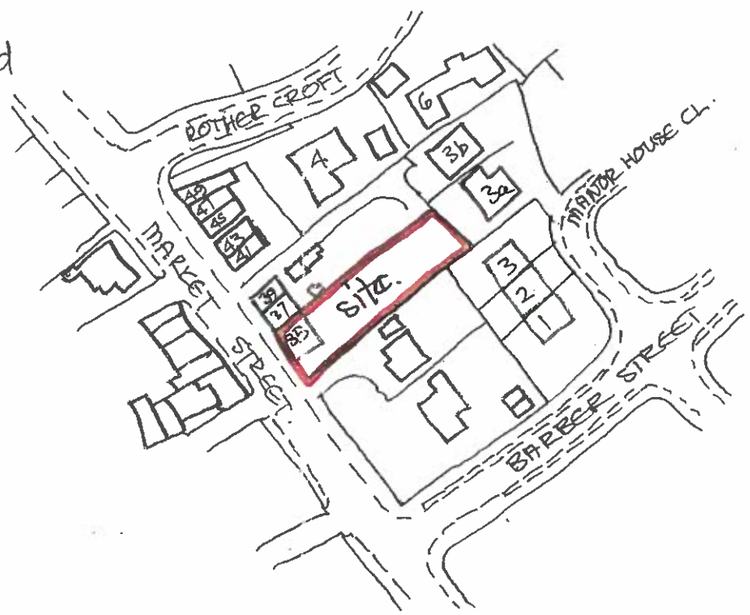
Planning and Transportation Service **Telephone: 01226 - 772600**
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site plan scale 1:500m.

* note:- a new maximum 2m fance is to be erected around the boundary line (within the curtilage of no 35) - permitted development for planing purposes*



location plan scale 1:1250.



* planting barrier to be formed to northern boundary (with no 3a manor House Close) + to be returned along low boundary wall to no 3. - Blackthorn or similar hedging - rapid growth - dual purpose to provide natural barrier for any surface water from hardstanding + to provide a more natural separation barrier to no 3 + 3a*

* note:- a fixed log style barrier is to be provided parallel with the western boundary adjacent to no 37 market street to prevent any vehical contact with the fencing *

* note:- the new entrance/security gates are to be positioned towards the rear wall of the shop extension to allow for sufficient off road parking for delivery vans from the rear of the pavament area*

* REVISED + REDEPOSITED AFTER SITE MEETING + DISCUSSIONS WITH PLANNING OFFICIALS* *2010/1443*