BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/1069

To Mr Simon Hall
43 Norwood Drive
Brierley
Barnsley
South Yorkshire
S72 9EG

DESCRIPTION Change of use from general industry (B2) to retail (A1) sewing classes (D1) and Cafe/Restaurant (A3).

LOCATION 1 Dovecliffe Road, Wombwell, Barnsley, S73 8UE

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 22 September 2014 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 amended plans and specifications submitted via e-mail on 06/11/2014 as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.

3 The parking/manoeuvring facilities accommodating 12 no. permanently marked out parking bays of minimum dimensions 2.5m x 5.0m and one disabled bay of 3.6m x 6.0m; indicated on the submitted plan, shall be surfaced in a permeable solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

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

Signed
Service Director Economic Regeneration, Development, Environment & Culture

Dated 5th December 2014

Development Service
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4 Before the use commences 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 and thereafter retained.

- Measures to control parking at the junction of Dovecliffe and Wood Walk.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

5 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved accesses.
Reason: In the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

6 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 interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

7 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access
Reason: In the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

8 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:-

- The parking of vehicles of site operatives and visitors.
- Means of access for construction traffic;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

9 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

- Tree protective barrier details
- Tree protection plan
- Arboricultural method statement
- Details of no-dig construction for the areas of proposed access, parking and turning (Notwithstanding the details shown on the submitted plans the top soil shall not be removed to form the parking and turning areas).
- Details of how existing roots under the hard surfacing will be irrigated to ensure the trees remain healthy

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Core Strategy policy CSP36 Biodiversity and Geodiversity.

10 Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2005 and any other subsequent amendment orders the gross retail (A1) floorspace shall not exceed the 97.51m2 shown on the approved plan.
Reason: To ensure that there is sufficient parking which has been calculated on the basis of that proposed on the amended plans submitted via e-mail dated 06/11/14 and in accordance with Core Strategy policy CSP26.

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

1 All waste and recyclable waste containers have to be collected from the kerbside of the public highway; therefore, storage areas should be provided adjacent to the highway. The storage areas should provide sufficient space to allow containers to be left on collection days without obstructing pedestrian or vehicular traffic on the public highway, to the detriment of road safety.

2 The developer must contact Mr G Handley - Network Resilience and Asset Management - tel.01226 772026 prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of permanent or temporary vehicular access(es) to the highway and also to ensure no damage is caused to the highway; as the development involves works abutting the highway.

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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