

Application No. B/92/1021/BA

**BARNSELY METROPOLITAN BOROUGH COUNCIL**  
**TOWN AND COUNTRY PLANNING ACT 1990**

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988

**R. J. Lidster Construction Ltd.,**  
**Arunden House,**  
To: **Lund Lane,**  
**Burton Grange, Barnsley.**

In pursuance of its powers under the above mentioned Act and Orders the Barnsley Metropolitan Borough Council as the local planning authority hereby grants permission for the development the subject of the plan(s) and application submitted to the Council on **28th July** 19 **92** and therein described as:-

**Use of land for materials storage and manoeuvring of haulage vehicles,**  
**Land off Burton Road, West Green, Barnsley.**

The permission is subject to compliance with the following conditions:-

1. The development for which permission is hereby granted shall be begun within a period of five years from the date of this permission.

**Conditions continued on attached sheets**



The reasons for the Council's decision to grant permission for the development subject to the conditions specified above are:-

1. In order to comply with the provisions of Section 91. of the Town and Country Planning Act 1990.

**Reasons continued on attached sheet**

Dated the **Twenty eighth** day of **January** 19 **93**

Central Offices,  
Kendray Street,  
Barnsley. S70 2TN.

Signed

Director of Planning.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements \* , to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or County Council, London borough or District Council in which the land is situated as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

\* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.

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Conditions Cont/d ...

2. Prior to the use of the site for open storage, the works required by virtue of the conditions attached to planning permission B/85/1029/BA shall be implemented in their entirety.
3. Prior to the use of the site for open storage a plan shall have been submitted to and approved in writing by the Local Planning Authority showing details of the layout of the storage areas and the provision of purpose designed enclosures to retain the stored materials, and the storage enclosures shall be provided to the satisfaction of the Local Planning Authority and thereafter retained at all times.
4. No outside storage of any description shall at any time exceed a height of 3 metres above existing ground level.
5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include details of the species, positions and planted heights of all proposed trees and shrubs, and indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Such scheme shall provide for the restoration of the tipped access road such that at no point the width of this road exceeds 6.5 metres and the eastern edge of the road shall be positioned 4.5 metres to the west of the bank top of Cudworth Dyke.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the development; and any trees or plants which within a period of 5 years from the completion of the development die, 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.
7. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking or re-enacting that Order), no building or structure shall be placed or erected within 3 metres, measured horizontally, from any sewer or culverted watercourse.
8. Prior to the use of the site for open storage a scheme shall have been submitted to and approved in writing by the Local Planning Authority providing details of a hardstanding surface and surface water drainage system for the area to be used for open storage.
9. Within six months of the approval of the scheme referred to in Condition 8 above, the hardstanding surface and surface water drainage system shall be provided in accordance with the approved scheme and thereafter maintained.

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10. No outside storage or vehicle parking shall at any time take place on the area allocated for vehicle manoeuvring.
11. No burning of materials of any description shall occur on any part of the site at any time.
12. No work associated with the use of the land for storage shall be carried out on the site except between the hours of 0730 and 1800 hours Monday and Friday, 0730 and 1400 Saturdays and not at all on Sundays and Bank Holidays.
13. No scrap vehicles, component parts or scrap materials of any description shall be stored at any time on any part of the site.

Reasons

1. Standard reason 2.
2. To ensure that satisfactory means of access to the site is provided, in the interests of highway safety.
3. In the interests of the visual amenities of the locality and to ensure proper site control and management.
- 4, 11 and 12. In the interests of the amenities of the locality.
5. and 6. In the interests of the visual amenities of the locality.
7. In order to maintain the integrity of existing drainage facilities.
8. and 9. To ensure the proper drainage of the area.
10. In the interests of the amenities of the locality and to ensure that the manoeuvring area is free from obstruction detrimental to the turning movements of vehicles.
13. In the interests of the amenities of the locality.