BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/0102

To DLP Consultants LTD
The Cooper Building
Sheffield Technology Park
Arundel Street
Sheffield
S1 2NS

DESCRIPTION Development comprising 5 apartments in a two-storey block, two storey office building with parking spaces and retention of existing storage building.
LOCATION 2 School Street, Hemmingfield, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 19 January 2006 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 amended plans and specifications received on 27 March 2006, unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.

3 No development shall take place until full details of the proposed stone has 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 18 April 2006

Planning and Transportation Service
Central Offices, Kendray Street, Barnsley. S70 2TN
Telephone: 01226 - 772600
Fax: 01226 - 772599

4 The pointing proposed to be carried out in connection with the development shall be in lime mortar, flush to the face of the stone and finished by brushing off to produce a very slightly recessed and rounded joint.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

5 The warehouse shall be used for the storage of construction equipment and materials in association with First Choice Developments and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.

6 The warehouse and office shall not be used for any sales to either the trade or the general public.
Reason: In the interests of the amenities of local residents, highway safety, and in accordance with UDP Policy ES1, Pollution.

7 The commercial uses (i.e. office and warehouse) hereby permitted shall be carried on only between the hours of 08.00 to 17.30 Mondays to Fridays, 09.00 to 13.00 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.

8 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.

9 Deliveries shall be only take place between the hours of 0800 & 1800 Monday to Friday and 0900 & 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.

10 No outside storage shall at any time take place on the site.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the warehouse which would otherwise be permitted by Part 8 of Schedule 2 to that Order shall be carried out.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property.

12 The means of access to the site shall be fully constructed in accordance with the details indicated on the approved plans before the commencements of works on the construction of the flats hereby approved in accordance with UDP Policy T2A.
Reason: In the interests of highway safety.

13 During the period of construction sufficient space shall be set aside within the confines of the site for the parking of site workers and visitors.
Reason: To ensure that satisfactory parking is available in the interests of highway safety and the free flow of traffic.

14 Within the sight lines at the site access as shown on the approved plans there shall be no obstruction to visibility placed, erected or grown at any time.
Reason: To ensure that adequate visibility is available, in the interests of highway safety in accordance with UDP Policy T2A.

15 *Before the development is brought into use that part of the site to be used by vehicles shall* be laid out in accordance with the approved plan and hard surfaced, sealed and drained (and marked out), and shall thereafter be permanently retained for vehicle use.
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 UDP Policy T2A.

16 *The site shall be developed with separate systems of drainage for foul and surface water.*
Reason: In the interests of satisfactory drainage.

17 No surface water from the site shall be discharged directly or indirectly to any foul or combined sewer.
Reason: To ensure the proper drainage of the area.

18 The warehouse shall not be used for any manufacturing or industrial process whether ancilliary to the authorised B8 use of the site.
Reason: In the interests of the amenities of local residents and in accordance with *UDP Policy ES1, Pollution.*

19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows, other than those expressly authorised by this permission, shall be inserted or constructed in the west elevations of the office or flats hereby approved.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential property and in accordance with UDP Policy BE6, Design Standards.

20 Prior to the commencement of development, existing trees on site (except those shown to be removed on the approved plan) shall be protected by a chestnut pale and scaffold fence erected around the trees' canopies to British Standard 5837. Thereafter no excavations, tipping or storage of materials shall take place within the fenced area.
Reason: To safeguard existing trees, in the interests of the visual amenity.

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window shall be inserted in the west elevation of the office building facing the protected sycamore tree
Reason: To safeguard ta tree subject to a Tree Preservation Order in accordance with UDP Policy GS22A and SPG9.

22 Prior to the commencement of development details of the foundations of the approved office building shall be submitted to and approved in writing by the Local Planning Authority. The details shall indicate a root barrier system. The development shall thereafter be carried out in accordance with the approved details.
Reason: To safeguard a tree subject to a Tree Preservation Order.

23 Within 3 months of the commencement of any development full details of the renovation of the warehouse building shall be submitted to and agreed in writing by the Local Planning Authority.
Reason: In the interests of the visual amenities of the locality.

Informative

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, including Supplementary Planning Guidance:

UDP Policy H8A - *Residential Developments*
UDP Policy H8B - Non residential uses in residential areas
UDP Policy GS22A - Trees
UDP Policy T2A - Access and road layouts
SPG2 - The Design and Layout of Residential Development
SPG9 - Trees
SPG32 - Parking

The site lies within a Housing Policy Area wherin infill residential development is acceptable in principle subject to the criteria in UDP policy H8D. The introduction of an office into a residential area is also acceptable in principle subject to the criteria in UDP Policy H8B. The application will secure improvements to the access but also give the Council the opportunity to control the currently unrestricted use of the site.

The proposals provide adequate separation between the new development and existing dwellings in accordance with UDP Policy H8A and SPG2. Activites, such as ancillary manufacturing, sales and open storage etc. which are currently unrestricted and incompatible within a residential area will be prohibited by way of the suggested conditions.

The apartments are traditional in form and materials and will relate to the street scene. The office and warehouse whilst largely hidden are nevertheless of an acceptable appearance.

The proposals provide sufficient separation from the protected trees.

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.

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