BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0525

To Andrew Bailey Architects
Glendower House
85 Lundhill Road
Wombwell
Barnsley
S73 0RL

DESCRIPTION Demolition of existing tyre changing bay, W.C and stores, erection of single storey building to provide 5 no. tyre changing bays, office & welfare facilities and erection of 2 no. storage containers

LOCATION Land to rear of 82 Grange Lane, Cundy Cross, Barnsley, S71 5QQ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 16 May 2012 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 (Nos. 01C Site Plan Existing, 02C Site Plan Proposed, 03C Pland & Elevations, 05C Site Section) and specifications 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 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority detailing the reduction of the height of the front boundary wall to no.82 Grange Lane to 600mm and the widening of the sites entrance to 5.5m. The approved details shall be implemented and retained thereafter prior to the sites redevelopment taking place.
Reason: To improve the visibility and access arrangements at the sites entrance in the interests of Highway Safety.

4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a

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 Regulatory Services

Dated 11 July 2012

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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.

5 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 Core Strategy Policy CSP 40, Pollution Control and Protection.

6 The use of the tyre bays hereby permitted shall be carried on only between the hours of 09.00 to 17.00 Mondays to Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

7 Prior to the commencement of development details of the materials to be used in the improvement works to the rear boundary wall indicated on drawing no. 02C 'Site Plan Proposed' shall be submitted for approval to the local planning Authority. The improvement works shall take place in accordance with the approved details prior to the erection of the tyre bays.
Reason: In the interests of the amenity of the resident of Abbey Lane in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

Reason(s) for Granting Permission

1 Unique The impact of the development would be largely limited owing to the screening provided by the boundary walls. The investment within the site would provide a modern and attractive building more suited to serve the activities associated with the existing tyre business use.

Neighbour representations have been considered but there are no reasons to suggest that their amenity would be compromised. The proposals would help for greater control to be exercised over the site, noise levels would be better contained and the overall appearance greatly improved.

It is therefore considered that the redevelopment of the site meets with the principles of Saved UDP policy H8B, Core Strategy policies 19, 26, 29, 40 the requirements of the adopted Supplementary Planning Documents and relevant paragraphs in the National Planning Policy Framework. As such it is recommended that planning permission should be approved.

Informative(s)

1 The decision to grant planning permission has been taken having regard to the policies and proposals in the adopted Core Strategy and saved policies of the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

Core Strategy
CSP19 'Protecting Existing Employment Land'
CSP 26 'New Development and Highway Improvement'
CSP29 'Design'
CSP 40 'Pollution Control & Protection'

Saved UDP
H8B 'Non Residential Uses in residential Areas'

Planning permission will be granted for small scale, non-residential uses in housing policy areas, and for the expansion of existing uses if:

National
National Planning Policy Framework

Supplementary Planning Documents
'Parking'
'Residential Amenity and the Siting of Buildings'

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.

2 Under the Building Act 1984, the Council is required to be notified of any demolition exceeding 50 cubic metres carried out within the Borough. This can be done by contacting Mr. I Wilson in Environmental Services on 01226 772158

3 The developer must contact Mr G Handley in Environmental Services on 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 accesses to 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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