BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Culture
Planning and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0272

To MBooth Design Ltd
Fairfield House
Berneslai Close
off Churchfield
Barnsley
S70 2FL

DESCRIPTION Formation of new access to car wash and extension of hard standing to form additional queuing space and staff parking area
LOCATION 2A Sheffield Road, Birdwell, Barnsley, S70 5UZ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 22 March 2019 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 plans and specifications as approved unless required by any other conditions in this permission.

Plan Nos -

- Site Plan - P4 - Revision C

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3 Prior to use of the development hereby permitted the vehicular access shall be provided and thereafter retained in the position shown on Site Plan 4B Rev C and laid out and constructed in accordance with the BMBC highway specification for vehicular accesses. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
Reason: To ensure satisfactory access into the site and avoidance of the carriage of extraneous material or surface water from or onto the highway in line with Local Plan Policy T4 New Development and Transport Safety.

4 Pedestrian inter-visibility splays having the dimensions 2m x 2m shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 600mm above the nearside channel level of the adjacent highway.
Reason: In the interests of highway safety in line with Local Plan Policy T4 - New Development and Transport Safety

5 Any gates must be erected so as to open inwards into the site and not out onto the adopted highway.
Reason: In the interest of road safety in line with Local Plan Policy T4 - New Development and Transport Safety

6 The parking/manoeuvring facilities indicated on the submitted plan, shall be surfaced in a 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 are provided, in the interests of highway safety and the free and safe flow of traffic in line with Local Plan Policy T4 - New Development and Transport Safety

7 Vehicular and pedestrian gradients within the site shall not exceed 1:20 to ensure safe and adequate access.
Reason: In the interests of highway safety in line with Local Plan Policy T4 - New Development and Transport Safety

8 All redundant vehicular accesses shall be reinstated as kerb and footway in accordance with the BMBC highway specification prior to the development being brought into use.
Reason: In the interests of highway safety in line with Local Plan Policy T4 - New Development and Transport Safety

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.

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction*

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.

1 i. Vehicle accesses - The Applicant / Developer must contact Highways & Engineering on 01226 773555 prior to any work commencing on site to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and/or removal of vehicular accesses to the highway. Further information and an application form is available from the BMBC web site at: https://www.barnsley.gov.uk/services/roads-travel-and-parking/parking/dropped-kerbs/

Signed JM Jenkinson Dated 17 January 2020
Joe Jenkinson
Head of Planning and Building Control

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

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.