BARNSLEY
Metropolitan Borough Council

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0345

**To** DM Eco Design
Woodroyd Lodge
150a Barnsley Road
Denby Dale
Huddersfield
HD8 8QW

**DESCRIPTION** Use site for hand car wash (Retrospective)
**LOCATION** Its For Hire Ltd., St Marys Street, Penistone, Sheffield, S36 6DT,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 22 May 2014 and described above.

The approval is subject on compliance with the following conditions:

1 This planning permission relates to the hand car wash use only.
**Reason: For the avoidance of doubt and as the original application forms and plans were submitted also originally included a proposal to construct 5no industrial units.**

2 The use hereby permitted shall be carried out for a limited period of 18 months from the date of this permission following which all equipment and structures brought on to the site in connection with the use shall be removed from the site.
**Reason: The site is designated for comprehensive development under saved UDP policy PE17. The use of the part of the site on a piecemeal basis is not considered acceptable on a permanent basis as it would prejudice a more comprehensive development, which would also be contrary to CSP31 'Town Centres'. In addition the granting of a limited period consent would allow the effects of the development on residential amenity to be reviewed at the end of the period.**

3 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:-

-drawing no 01 Rev C 'Site Plan'
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design**.

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
Head of Planning, Building Control and Sustainability

Dated 25 September 2014

**Development Service** **Telephone: 01226 - 772000**
**PO Box 604, Barnsley, S70 9FE** **Fax: 01226 - 772591**

4 The use hereby permitted shall be carried on only between the hours of 0900 to 1800 Monday to Sunday inclusive.
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

5 In accordance with the details shown on approved plan ref 01 Rev C 'Site Plan' the wash down separator capable of dealing with the discharge capacity of the car wash shall be installed on site within 28 days of the date of this permission and retained and used for such purposes thereafter.
**Reason: To prevent pollution of the water environment and in accordance with Core Strategy Policy CSP 40.**

**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 The applicant should note the following informative comments provided in the formal consultation response received by Council from Yorkshire Water 26th June 2014:-

It is imperative that surface water run-off from the areas used for and immediately adjacent to vehicle washing facilities and/or other similar areas where detergent is likely to be used is not discharged to any public surface water sewer network. Surface water from such areas must pass through an oil, petrol and grit interceptor/separator of adequate design before discharge to the public foul or combined sewer network. A trade effluent consent - that may be conditional and, amongst other things, place a restriction on the rate of discharge to public sewer - may be required for such discharges. The developer is advised to contact Yorkshire Water's Industrial Waste Section (telephone 0845 124 2424) about any such proposal.

It is good drainage practice for any interceptor/separator to be located upstream of any on-site balancing, storage or other means of flow attenuation that may be required.

**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.

**Development Service**
**PO Box 604, Barnsley, S70 9FE**
**Telephone: 01226 - 772600**
**Fax: 01226 - 772599**