BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0310

To Mr Neil Carnevale
Denis Brays Ltd
R/O 60 Park Grove
Barnsley
S70 1QA

DESCRIPTION Change of use from warehouse (B8) to garage (B2)
LOCATION Unit 1, Twibell Street, Barnsley, S71 1DG

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 10 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 premises shall be used for a motor vehicle mechanical, MOT and servicing garage (i.e. excluding body repairs and paint spraying) and for no other purpose (including any other purpose in Class B2 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 in accordance with Core Strategy Policies CSP 29 and CSP 40.

3 The use hereby permitted shall be carried on only between the hours of 08.00 to 18.00 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 Core Strategy Policy CSP 40, Pollution Control and Protection.

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 22 June 2012

Planning and Regulatory Services **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

Reason(s) for Granting Permission

1	Non-residential uses in non-residential areas - Policy H8B	The proposal complies with Core Strategy policy CSP40 and UDP Policy H8B in that it would have no unduly harmful impact on amenity of neighbourhood by way of noise, disturbance, loss of privacy or traffic.

Informative(s)

1 It is stated that there will be occasional night time use when vehicles have been recovered. This would be treated as an exception to the normal hours of operation if the frequency is as described in your application. Any more frequent night time use would be unacceptable. Should the recovery of vehicles become more regular and complaints are received it is possible that legal action would be considered.

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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