BARNSLEY
Metropolitan Borough Council

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0588

**To** Ferguson Sayell Partnership
Osbourne House
20 Victoria Avenue
Harrogate
North Yorkshire
HG1 5QY

**DESCRIPTION** Erection of single storey industrial unit
**LOCATION** Pen Hill Estate, Park Spring Road, Grimethorpe, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 July 2009 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 8th July 2009 (Drawing No's 2053-003 Rev. A; 2053-005 Rev. A; 2053-001 Rev. A; 2053-004 Rev. A) 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 Barnsley UDP Policy BE6, Design Standards.**

3 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: In the interest of highway safety.**

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 Transportation

Dated 30 September 2009

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

4 No development shall take place until full foul and surface water drainage details, including a scheme for surface water run-off limitation and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development, unless otherwise agreed in writing with the Local Planning Authority.
**Reason: To ensure proper drainage of the area**

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions of proposed trees and shrubs. The approved hard landscaping details shall be implemented prior to the occupation of the industrial unit.
**Reason: In the interests of the visual amenities of the locality.**

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the industrial unit or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
**Reason: In the interests of the visual amenities of the locality.**

**Reason(s) for Granting Permission**

1 Unique The proposal complies with Policy ED10 in that it will help to ensure the long term future of an existing business within Barnsley.

**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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