



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/0912

To Mark Wood
MWA
12 Glenmore Centre Jessop Court
Waterwells Business Park
Quedgeley
Gloucester
Gloucestershire
GL2 2AP

DESCRIPTION Variation of condition 1 of application B/96/1167/BA to allow sale of toys, non fashion clothing, toiletries, food and confectionary.
LOCATION PC World, Old Mill Lane, Barnsley, S71 1LP

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 20 August 2013 and described above.

The approval is subject on compliance with the following conditions:

- 1 The permission hereby granted shall be restricted solely to the sale of goods within the categories specified below:
 1. Carpets and furniture, soft furnishings and household textiles
 2. Electrical goods and accessories
 3. Gardening tools and implements, seeds and plants
 4. Motor accessories
 5. DIY goods
 6. Toys up to a maximum floor area of 120m²
 7. Non fashion clothing up to a maximum floor area of 60m²
 8. Toiletries up to a maximum floor area of 120m²
 9. Food and confectionary up to a maximum floor area of 120m²

Reason:

To minimise the adverse impact of comparison and convenience goods sold from the unit competing with goods sold from Barnsley Town Centre retail units.

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

Stephen Moralee
Signed
Head of Planning, Building Control and Sustainability

Dated 27 September 2013

- 2 The variation of condition hereby granted permission applies only for the benefit of B&M Retail Ltd (trading as B&M Homestore) only whilst B&M Retail Ltd is in occupation of the premises. When B&M Retail Ltd cease occupation of the premises, the premises shall revert to the use as prescribed in condition no. 1 attached to planning permission B/96/1167/BA dated 28th November 1996.
Reason: The permission has been granted bearing in mind the nature of the B&M Homestore's retail offer and the Local Planning Authority would wish to re-assess the situation in the event of a change of owner/operator in the interests of the vitality of Barnsley Town Centre.
- 3 The net sales floorspace shall not exceed 1336sqm as laid out on the submitted proposed shelving layout ref Rev A received by the Local Planning Authority on the 25th September 2013.
Reason: To secure a properly planned development and to ensure compliance with condition no.1.
- 4 The unit shall not be sub-divided without the prior written approval of the Local Planning Authority through the submission of a formal planning application.
Reason: To safeguard the rights of control of the Local Planning Authority in the interests of the vitality and viability of Barnsley Town centre.

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 developer is responsible for the removal of all site notices which have been displayed in connection with this application.

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.