



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0075

To Turley Associates
33 Peel Place
Leeds
LS1 2RY

DESCRIPTION Use of premises as retail food store with external alterations including reconfiguration of shop front incorporating new store entrance lobby, canopy & glazing; installation of new mezzanine floor to support customer cafe and associated toilets; removal of existing garden centre and builder's yard; and reconfiguration of customer car park.

LOCATION B and Q, Bleachcroft Way, Stairfoot, Barnsley, S70 3PA

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 28 January 2014 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 (Dwg Nos: A-PL-003 Rev A, A-PL-005 & A-PL-007) as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

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

Signed

Service Director Economic Regeneration, Development, Environment & Culture

Dated 10 October 2014

- 3 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the highway improvement works shown on Plan No. VN30177-107 Rev D. Details shall include:

- Provision of additional lane on Stairfoot roundabout;
- Removal of bus lane on Bleachcroft Way to provide third lane for all vehicular traffic;
- Provision of bus layby on Bleachcroft Way;
- Removal of bus lane on Doncaster Road east to provide third lane for all vehicular traffic;
- Provision of/ any necessary changes to street lighting;
- Provision of/any necessary changes to highway drainage;
- Measures to control parking/loading;
- Any necessary signing/lining;
- Reconstruction/resurfacing as necessary
- Provision of necessary amendments/improvements to existing traffic signal installations

In addition to these details, as identified on plan Plan No. VN30177-107 Rev D, the following details shall be provided prior to commencement of development:

- Widening of the footway along Bleachcroft Way from the gyratory to the pedestrian site access to 2m
- Provision of cycle replacement facilities around Stairfoot roundabout substantially in accordance with the details shown on Dwg No. VN30177-108

All works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

- 4 Prior to the occupation of the development a revised Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the recommendations made by South Yorkshire Passenger Transport Executive. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.

Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.

- 5 No development shall take place until any proposed amendments to surface water drainage 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 and the scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.

- 6 Prior to the occupation of the building, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- New screen fence to the service yard any other proposed means of enclosure
- New plant,
- Proposed lighting (including the location, orientation, angle and luminance)
- Ground Source and Air Source Heat Pumps

The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with policies CSP29 and CSP40.

- 7 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

- 8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-

- The parking of vehicles of site operatives and visitors;
- Means of access for construction traffic;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Measures to prevent mud/debris being deposited on the public highway;
- Hours of operation/delivery times for vehicles associated with the development.

Reason: In the interests of highway safety.

- 9 Fixed plant installations shall be designed to operate so that the noise rating level (as defined in BS 4142 : 1997) measured at 1m from the windows of the nearest neighbouring properties is no louder than 38dBA at all times.

Reason: In the interest of residential amenity, in accordance with policy CSP40.

- 10 The recommendations in the Service Yard Management Plan shall be implemented upon commencement of the use and shall be complied with thereafter.

Reason: In the interests of residential amenity, in accordance with policy CSP40.

- 11 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 areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.

- 12 The landscaped bund/embankment and 4m high screen fence shown on Dwg. No. A-PL-003 Rev A shall be retained in perpetuity.
Reason: In the interest of mitigation noise, in accordance with policy CSP40.
- 13 The net sales area of the store hereby approved, excluding the concession units, shall not exceed 6,836sqm and no more than 42% of that floorspace shall be used for the display and sale of comparison (non-food) goods.
Reason: In the interest of protecting the vitality and viability of defined centres within the catchment area, in accordance with policy CSP31.
- 14 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety.
- 15 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 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.

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.

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.