BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/1122

To Mr Richard Wilkinson
72 East Dulwich Grove
London

DESCRIPTION Change of use of public house with residential on first and second floors to 5 self contained flats, erection of side extension and alterations to roof.
LOCATION Fitzwilliam Inn, 24 Sackville Street, Barnsley, S70 2BD

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 28 September 2015 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 and specifications as approved unless required by any other conditions in this permission:
72/364/300 Existing Site Plan
72/364/302A Existing Basement and Ground Floor Plans
72/364/303 Existing 1st and 2nd Floor Plans
72/364/304 Existing Roof Plan
72/364/305 Existing Elevations Sheet 1
72/364/306 Existing Elevations Sheet 2
72/364/401A Proposed Block Plan Amended Plan Received 19 Nov 15
72/364/402B Proposed Basement and GF Plans Amended Plan Received 19 Nov 15
72/364/403A Proposed 1st and 2nd Floor Plans
72/364/404A Proposed Roof Plan
72/364/405C Elevations Sheet 1 Amended Plan Received 19 Nov 15
72/364/406B Elevations Sheet 2
72/364/407A Proposed Car Park Layout Amended Plan Received 19 Nov 2015.
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
Head of Planning and Building Control

Dated 18 February 2016

Development Service
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3 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected and design of bin stores. The boundary treatment shall be completed before the first flat is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Core Strategy Policy CSP 29, Design.

4 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

5 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.

6 Nothing other than clean uncontaminated material shall be used for fill where necessary to raise levels for the car parking area.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.

7 Notwithstanding submitted details, prior to the occupation of the building, a scheme shall be submitted to and agreed in writing to the Local Planning Authority. Details shall include the location and size of test areas on the front elevation which shall have paint removed to determine if the substrate is sound and capable of being uncovered in its entirety, and the steps to be taken if it is determined that the stonework it is suitable to be revealed and the steps to be taken if it is determined that the stonework is not suitable to be revealed. The approved details shall be implemented prior to occupation of the building/commencement of the use and retained as such thereafter.
Reason: To safeguard the visual amenities of the area and in accordance with Core Strategy policy CSP 30.

8 Within 3 months of the commencement of the development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained, shall be submitted for approval in wirting by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

9 The parking/manoeuvring facilities, indicated on the approved plan 72/364/407A, 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, in accordance with Core Strategy Policy CSP 26.

10 Prior to the occupation of the first flat, the improvements to the sightlines/visibility splays at the junction of Fitzwilliam Street/Sackville Street shall be completed in accordance with approved plan 72/364/407A
Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.

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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 granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

2 The development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.

3 The developer must contact Highways, Engineering & Transportation on 01226 773555 prior to any work commencing on-site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.

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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