



**GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0140

**To** Townsend Planning Consultants  
10 Rishworth Street  
Wakefield  
West Yorkshire  
WF1 3BY

**DESCRIPTION** Variation of condition 28 of planning permission 2007/0760  
**LOCATION** Land at High Royd Lane, Shortwood Business Park, Hoyland, Barnsley, South Yorkshire, S74 9NW

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 29 January 2009 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development the application hereby approved relates to, shall be carried out in accordance with the conditions imposed on on application 2007/0760 apart from condition 28 which shall hereby be removed and replaced with the following condition:

Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use unless otherwise agreed in writing by the Local Planning Authority. Such works shall comprise of: -

A) Reinstatement of junction markings on Stockwith Lane:

B) Provision of a signing strategy and all necessary signing and lining on the surrounding highway network

C) Tactile crossings at all access and on Stockwith Lane.

D) Provision of new street lighting schemes/ upgrading of existing street lighting scheme from A619 to access to site.

F) Making up of access road to adoptable standard.

G) Any necessary amendments to drainage.

Reason: In the interests of highway safety and the proper development of the site.

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

Signed *Stephen Moralee*  
Assistant Director, Planning and Transportation

Dated 29 April 2009

**Reason(s) for Granting Permission**

- 1 Unique The application has been determined in accordance with guidance and advice contained in Circular 11/95: Use of Planning Conditions in Planning Permission and UDP Policy T2, Development and the Highway Network. It is not felt that allowing the variation of condition no. 28 would adversely affect highway safety.

## **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.