BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0677

To Iceni Projects
Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

DESCRIPTION Subdivision and change of use of existing warehouse to create 2 no. units with flexible permission for either class A1 (Non-food retail) or Class B8 (Storage and Distribution).

LOCATION Former Comet Plc, Twibell Street, Barnsley, S71 1DL

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 20 June 2016 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 (Nos 7949-103-03-B, 7949-103-04-B & 13-T062-03) and specifications 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.

3 The A1 use shall be solely for the sale and storage of furniture, DIY products, ancillary and complementary electrical goods, carpets and other flooring materials, household furnishings, lighting and bathroom fittings and for no other use falling with Class A1.
Reason: To ensure that alternative A1 uses are subject to a planning application and further sequential assessment, in accordance with CSP 8 'The location of Growth', CSP 31 'Town Centres' and BA27 'Other Large Scale Retail Development'.

4 The use hereby permitted shall be carried on only between the hours of 07:00 to 20:00 Mondays to Fridays, 07:00. to 18:00 on Saturdays and 10:00 to 16:00 on Sundays.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

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 05 August 2016

Development Service
PO Box 634, Barnsley, S70 9GG
Telephone: 01226 - 773555
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5 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.

6 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.

7 There shall be no external storage of goods within the site.
Reason: In the interests of visual amenity in accordance with CSP29

8 No retail unit shall have a gross floor space of less than 328sqm (3531sqft) and no unit shall be subdivided to form a unit with floor space below 328sqm (3531sqft).
Reason: Support will be given to maintaining and enhancing the vitality and viability of Barnsley Town Centre in accordance with CSP31

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 effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk

2 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.

3 The delivery vehicles serving the units should be members of the free ECO Stars scheme (http://www.ecostars-uk.com/).

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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