BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2022/0717

To White Agus Partnership
Office One
34 Victoria Road
Barnsley
S70 2BU

DESCRIPTION Change of use from go-karting use to B8 use class (storage and distribution) and the erection of a new detached warehouse building to be used in connection with the existing business (Amended Document and Plans)

LOCATION Unit 13 and Unit 14, Beevor Street Industrial Estate, Beevor Street, Hoyle Mill, Barnsley, S71 1HN

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 22/07/2022 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) and specifications as approved unless required by any other conditions in this permission.
Plans and elevations drawing number 21-273 02
Site and location plans drawing number 22-273 01 rev BA
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3 The external materials shall match those used in the existing buildings on the site.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

4 Before works above ground level commence, a scheme to delineate the hardstanding area to the north of the proposed warehouse building shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be fully implemented before the new warehouse building hereby permitted is first brought into use and, together with the existing parking and manoeuvring area to the east of the existing building, shall thereafter be retained for the sole use of parking and manoeuvring.
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 Local Plan Policy T4 New development and Transport Safety.

5 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced in a solid bound material and adequate measures shall be so designed into the proposed access, parking and manoeuvring areas to avoid the discharge of surface water from the site on to the highway.
Reason: To ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway and to prevent the migration of loose material on to the public highway to the detriment of road safety.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

1 A public right of way runs alongside the proposed development site. Safe public access on the right of way should remain available whenever possible, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time then a temporary closure must be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact publicrightsofway@barnsley.gov.uk

2 The contractor shall ensure that no vehicle leaving the development hereby permitted enters the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the public highway is an offence under provisions of the Highways Act 1980.

3 Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2021 until 31st December 2022.

4 This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed Dated 20/10/2022



Joe Jenkinson
Head of Planning and Building Control

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

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.