

# Rotherham Metropolitan Borough Council

<b>Town and Country Planning Act 1990</b>	Reference RB2018/0411
	Decision Date 01 August 2018
Smith Jenkins Ltd Mrs J Harris 5 Warren Yard Warren Park Wolverton Mill Milton Keynes MK12 5NW	
Description and Location Formation of car park for 32 No. electric car charging spaces and associated works at Woodall Services (Northbound) M1 Motorway Woodall Rotherham.	

You are hereby notified that your application for **Planning Permission** for the above development was **GRANTED CONDITIONALLY** on 01 August 2018.

## **Condition(s) imposed:**

01

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

(Proposed elevations CD90) (received 13 March 2018)

(Proposed site plan CD90, Transformer plan, switchgear plan)(received 18 May 2018)

(Proposed footpath link) (Received 18 May 2018)

Reason

To define the permission and for the avoidance of doubt.

03

Before the development is brought into use, that part of the site to be used by vehicles shall be constructed with either;

a/ a permeable surface and associated water retention/collection drainage,  
or;

b/ an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

**Reason**

To ensure that surface water can adequately be drained and that mud and other extraneous material is not deposited on the public highway and that each dwelling can be reached conveniently from the footway in the interests of the adequate drainage of the site, road safety and residential amenity.

04

Before the development is brought into use, the footpath shown on footpath link plan received 18 May 2018 shall be installed.

**Reason**

In the interest of highway safety and the sustainability of the development.

**Positive and Proactive Statement**

During the determination of the application, the Local Planning Authority worked with the applicant to consider what amendments were necessary to make the scheme acceptable. The applicant agreed to amend the scheme so that it was in accordance with the principles of the National Planning Policy Framework.

Please read the attached NOTES carefully.

A handwritten signature in black ink, appearing to read 'B. Knight'.

<sup>pp</sup>Director of Planning Regeneration & Transport Services

## NOTES

1. THIS FORM RELATES TO PLANNING CONTROL ONLY.  
Where planning permission is granted and an application has also been made under the Building Regulations a separate communication will be sent to you giving notice of the Council's decision and **WORK MUST NOT BE COMMENCED BEFORE SUCH DECISION HAS BEEN RECEIVED**. Any other statutory consent necessary must be obtained from the Council or other appropriate authority.

### **Party Wall Act 1996**

2. You are advised to take account of the Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to the boundary with adjoining property is concerned.
3. **Appeals to the Secretary of State**
  - If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
  - If you want to appeal against this decision then you must do so within 6 months of the date of this notice, unless this is a decision to refuse planning permission for a householder application, then you must do so within 12 weeks of the date of this notice. Where an enforcement notice has been served in relation to the same, or substantially the same, development, within 2 years of the date the application was made, the period for receiving a planning appeal is within **28 days** of the date of this decision notice or of the date by which the LPA should have decided the application (unless this would extend the period beyond the normal deadline).
  - For the definition of a householder application please see Statutory Instruments 2009 No. 452 The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009. Viewable at [http://www.opsi.gov.uk/si/si2009/pdf/uksi\\_20090452\\_en.pdf](http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090452_en.pdf)
  - Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: **0303 444 5000**.
  - The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
  - In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

**4. Purchase Notices**

- If either the local planning authority or the Secretary of State 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 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 (District Council, London Borough Council or Common Council of the City of London) 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.
5. If permission to develop land is refused or granted subject to conditions, whether by the Council or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council a purchase notice requiring 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.
6. In certain circumstances a claim for compensation may be made against the Council where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Part V of the Town and Country Planning Act 1990.

**Discharge/compliance of condition**

Please note that under regulation 11(D) of the Town and Country Planning (fees for applications and deemed applications) (amendment) (England) Regulations 2008, a fee is chargeable of £116 per request (or £34 where the related planning permission was for extending or altering a dwelling house) for the discharge and/or compliance with a condition. To avoid any unnecessary cost we would recommend that you submit all the required information for discharge of conditions in one application as the fee is payable per request.

Rotherham Metropolitan Borough Council  
Development Management  
Planning Regeneration & Transport Services  
Riverside House  
Main Street  
Rotherham S60 1AE      Telephone: (01709) 382121

INFORMATIVE NOTE

ALL DEVELOPMENTS WITHIN COALFIELD STANDING ADVICE  
AREAS

*The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.*

*Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.*

*Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)*

Please disregard this informative if a coal mining risk assessment was submitted with the application.