BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0266

To Mr Peter Richardson
The Stables
32A Fitzwilliam Street
Elsecar
Barnsley
South Yorkshire
S74 8EE

DESCRIPTION Change of use of allotment to form extension to domestic curtilage (Retrospective)
LOCATION The Stables, 32A Fitzwilliam Street, Elsecar, Barnsley, S74 8EE

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 25 March 2009 and described above.

The approval is subject on compliance with the following conditions:

1 The use hereby approved is for a temporary period of 5 years unless otherwise agreed in writing by the Local Planning Authority.
Reason: to coincide with the garden agreement and remain flexible for future allotment needs.

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the garden which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out.
Reason: To safeguard the open and undeveloped Green Space

Stephen Moralee

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

Signed
Assistant Director, Planning and Transportation

Dated 19 May 2009

Planning and Transportation Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

Reason(s) for Granting Permission

1	Conservation Areas - Policy BE1/1A	The proposal complies with Policy BE1/1A in that it preserves the character/appearance of the Conservation Area.
2	Unique	The proposal complies with policy GS34 as; the area remains open and undeveloped

Informative(s)

1 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

Policy BE1 - In conservation areas development will only be approved if it enhances or preserves the character of the Conservation area.

Policy BE6 - The Council will seek to achieve good design standards

Policy GS34 - Areas designated as urban Green Space will normally remain open and undeveloped. Proposals for the development of such areas will be assessed for their effect on the present and potential formal and informal function of the area.

Policy GS38 - Development of land in use, or last used, as allotments will not normally be permitted. Any proposals for development or alternative use will be considered on the basis of the following: suitable alternatives shall be provided in close proximity, proposals will be subject to environmental and other policies in the plan and where allotments are or become disused consideration will be given to demand for allotments in the area.

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

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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