



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0364

**To** Mr Alan Dalby  
125 Newhill Road  
Monk Bretton  
Barnsley  
S71 1XH

**DESCRIPTION** Erection of stables and hay barn/storage shed and formation of fenced arena (Retrospective).

**LOCATION** Land off Fish Dam Lane, Carlton, Barnsley.

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

The approval is subject on compliance with the following conditions:

- 1 The stables, arena and storage sheds hereby approved shall not be used for any trade or commercial purpose.  
**Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.**
- 2 The static caravan on the site shall be removed within 28 days of this permission unless otherwise agreed in writing by the Local Planning Authority.  
**Reason: In the interest of visual amenity**

### Reason(s) for Granting Permission

- 1 Non-residential uses in non-residential areas - Policy H8B  
The proposal complies with Policy H8B in that it would have no unduly harmful impact on amenity of neighbourhood by way of noise, disturbance, loss of privacy or traffic.  
it would have no undue visual impact on character of area.  
there are no highway safety issues.

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 27 August 2009

## **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 H8B - planning permission will be granted for small scale, non residential uses in Housing Policy/proposal areas if there is no unduly harmful impact on residential and visual amenity and there is no conflict with public or highway safety.

Policy BE6 - The Council will seek to achieve good design standards for all types of development.

Policy T2 - Development will only be allowed if the additional demand for travel generated can be accommodated on the highway network without significant detriment to the environment or the safety and ease of movement of vehicles and pedestrians using the network.

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.