



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/1039

**To** Mr Sean Benson  
20 Darton Road  
Cawthorne  
Barnsley  
S754HR

**DESCRIPTION** Conversion of annex into retail shop (Class A1).  
**LOCATION** 20 Darton Road, Cawthorne, Barnsley, S75 4HR

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 08 October 2012 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 and the permission shall be for a temporary period of 12 months. The Local Planning Authority shall be notified of the date the use commences and at the end of the 12 month period the Local Planning Authority shall be notified that the use has ceased.  
**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 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 use hereby permitted shall be carried on only between the hours of 09:30 to 15:30.  
**Reason: In the interests of the amenities of local residents and highway safety, 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.

*Stephen Moralee*  
Signed  
Assistant Director, Planning and Regulatory Services

Dated 20 December 2012

- 4 Prior to the commencement of the use, details of a means of preventing unauthorised car parking on the small area of hardstanding at the front of the property and across the adjacent private driveway shall be submitted to and approved in writing by the Local Planning Authority. Details shall include either a physical barrier or appropriate soft landscaping not exceeding 1m in height on the site frontage and a 'H-bar' within the carriageway across the extent of the adjacent dropped crossing. The approved details shall be installed prior to commencement of the use and retained as such thereafter.

**Reason: In the interest of Highway Safety, in accordance with Core Strategy policy CSP 26.**

### **Reason(s) for Granting Permission**

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| 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. |
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### **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.*

## **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.