



**GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0714

**To** WYG Planning & Design  
Regatta House  
Clippers Quay  
Salford Quays  
Manchester  
M50 3XP

**DESCRIPTION** Use of Unit 4, The Peel Centre, for catalogue retail sales and the installation of a mezzanine floor (941 sq m gross).

**LOCATION** Unit 4, The Peel Centre, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 12 June 2009 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 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision in any statutory instrument revoking and re-enacting the Order with or without modification, the premises shall only be used by a catalogue showroom retailer for sale and display of items listed within their catalogue. The following exceptions to the items that can be sold from the catalogue shall apply: pharmaceuticals, hot or cold food, groceries, sweets, alcoholic and non- alcoholic drinks, tobacco, magazines and newspapers, for which there shall be no sales permitted whatsoever.  
**Reason: This is an out of centre location where an open A1 consent would be contrary to local and national planning policy.**

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 06 August 2009

- 3 The sale and display of goods shall only take place on the ground floor of the premises and there shall be no retail sales or display of goods from the mezzanine floor whatsoever. The mezzanine floor shall be used for the ancillary storage of items by the catalogue showroom retailer referred to in condition 2 only and for no other purpose.  
**Reason: The proposal is for catalogue showroom retailing with on site storage only, general retail sales in an out of town location would be contrary to local and national policy.**
- 4 Goods purchased from the catalogue showroom retailer shall only be collected by customers in the showroom area. No customer collection of goods purchased at the premises or another outlet in the chain shall be allowed from the rear or side of the building.  
**Reason: In the interests of the safe and free flow of traffic on the rear service road.**

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

- 1 Unique With the exceptions listed in the attached conditions it is considered that the proposal will accord with both local and national retail planning policy.

## **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.