BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/1035

To Mr F Rawlinson
7 Hodroyd Close
Shafton
Barnsley
South Yorkshire
S72 8RB

DESCRIPTION Change of use of domestic outbuilding to kennels (Retrospective)
LOCATION 7 Hodroyd Close, Shafton, Barnsley, South Yorkshire, S72 8RB

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 11 August 2009 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved (Dwgs Entitled: 'Proposed Kennels' within the garden of 7 Hodroyd Close Dated: August 2008) unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley UDP Policy GS8A.

2 Unless otherwise agreed in writing with the Local Planning Authority the number of dogs to be kept in the outbuilding shall be limited to a maximum of ten.
Reason: In the interests of residential amenity and in accordance with Barnsley UDP Policy H8B.

3 Details of the method of waste disposal shall be submitted to the Local Planning Authority for approval within 1 month of the date of this permission
and the approved details shall be thereafter implemented and the method maintained.
In the interest of residential amenity and in accordance with Barnsley UDP Policy H8B.

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 21 October 2009

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

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 and disturbance.
2	Unique	The proposed use would not have a significantly harmful effect on the openness of the Green Belt in accordance with Barnsley UDP Policy GS8A.

Informative(s)

1 The operator should be aware of the Model Licence Conditions and Guidance for Dog Boarding Establishments produced by the Chartered Institute of Environmental Health and comply with the conditions.

The operator should also seek guidance from the Waste Management Authority.

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.

Planning and Transportation Service **Telephone: 01226 - 772600**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772599**