



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/1357

To Building Link Design
15 Thorne Road
Doncaster
South Yorkshire
DN1 2HG

DESCRIPTION Removal of condition 16 of 2006/0205 - The use hereby permitted shall be carried on only by The Hesley Group.

LOCATION Hesley Group, Low Laithes Village Old Farm Lane Wombwell Barnsley S73 8SU

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 December 2012 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out in strict accordance with the plans and specifications approved under planning application 2006/0205
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 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 change of use of the buildings which would otherwise be permitted by Part 3 of Schedule 2 of that Order shall be carried out without the prior written consent of the Local Planning Authority.
Reason: To safeguard the openness and visual amenities of the green belt.
- 3 The parking/manoeuvring facilities, indicated on the submitted plan, shall be retained for that sole purpose at all times.
Reason: In the interests of road safety.

Reason(s) for Granting Permission

- 1 Unique When measured against the tests of circular 11/95 the reason for the condition is considered to lack any precision in terms of justifying its necessity. As such it is considered to fail against the points raised by criteria i, iii, v & vi of the circular and its deletion is deemed to be acceptable.

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 Regulatory Services

Dated 07 February 2013

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.

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

CSP 34 Protection of Green Belt.

Circular 11/95 Use of Conditions in Planning Permission

NPPF

Green Belt para's 79 - 92
Conditions para's 203 - 206

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.