



**GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/1019

**To** Mrs Sheryl Pickering  
AP Hollingworth Ltd  
Unit 71 Moss Garage  
Barnsley Road  
Upper cumberworth  
Huddersfield  
West Yorkshire  
HD8 8NS

**DESCRIPTION** Change of use from pet food store A1 to offices B1  
**LOCATION** 3 Whaley Road, Barugh Green, Barnsley, S75 1HT

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 September 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.  
**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 (Nos 2003/043/01.) 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 parking/manoeuvring facilities indicated on the approved plan shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: In the interests of road safety.**

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 26 October 2012

## Reason(s) for Granting Permission

- 1 Unique The proposals are considered to represent a viable use for the building. The site lies within an established employment area whereby offices would be compatible with adjoining uses. The change of use would complement the Borough's economic objectives by promoting employment opportunities.

The change of use of the building can be accommodated without raising any issues of disturbance, upsetting the general character and visual amenity of the locality or compromising highway safety. The application is therefore considered to be in full accordance with the NPPF and provisions of relevant Core Strategy policies.

## 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:

### Core Strategy Policies

CSP 19 Protecting Existing Employment Land  
CSP 26 New Development and Highway Improvement  
CSP 29 Design  
CSP 40 pollution Control & Protection

### Saved UDP Policies

ED7 Existing Employment Areas

### SPDs/SPGs

Parking

### NPPF

General Principles 7, 9, 12, 14, 17  
Economic Growth 19, 21, 22

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.

- 2 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

## **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.