BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1507

To Mrs Michelle Mincher-Mosley
1 Manor Croft
South Hiendley
Barnsley
S72 9DU

DESCRIPTION Change of use of former church to florist shop (Class A1) at ground floor with residential flat (Class C3) above and erection of a two storey and single storey rear extension.

LOCATION 231-233 Barnsley Road, Cudworth, Barnsley, S72 8JN

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 23 February 2011 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 and specifications as approved (Drwg No: 001 Rev.B) 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 BE6, Design Standards.

3 The external materials for the extension shall match those on the existing building known as no. 231 - 233 Barnsley Road, Cudworth.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley UDP Policy BE6, Design Standards.

4 The opening hours of the shop shall be limited to between 9am and 5.30pm Monday through to Friday, 8am and 4.30pm on Saturdays and 10am and 2pm Sundays, unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interest of residential amenity.

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 01 March 2011

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

Reason(s) for Granting Permission

1 Unique The proposal complies with UDP Policy S1 as it would result in a new shop opening within the Principle Shopping and Commercial Area which will help to improve the vitality and viability of the town centre.

2 Unique The proposal complies with UDP Policy H5A as the first floor of the building is of a sufficient size to be converted to a flat and the changes proposed to the building facade to facilitate to conversion will be minimal and will not harm its character or appearance.

Informative(s)

1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

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.

3 Please note that Advertisement Consent may be required for the proposed signage.

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**