



**BARNSELEY**  
Metropolitan Borough Council

## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0456

**To** Miss Teri Arnold  
12 Tempest Avenue  
Darfield  
Barnsley  
S73 9BJ

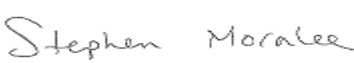
**DESCRIPTION** Change of use of domestic garage to beauty therapy studio.  
**LOCATION** 12 Tempest Avenue, Darfield, Barnsley, S73 9BJ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 April 2011 and described above.

The approval is subject on compliance with the following conditions:

- 1 Unless otherwise agreed in writing with the Local Planning Authority, the use hereby permitted shall cease on the 13th June 2012.  
**Reason: To allow the impacts of the use to be monitored, in accordance with Barnsley UDP Policies H8C (Home Based Business) and H8D (Non Residential Uses in Residential Areas) and Barnsley LDF Core Strategy Policy CSP26 (New Development and Highway Improvement).**
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved (Entitled: Proposed Plan View; External View/Internal View; Existing Rear Elevation/Proposed Rear Elevation; Side Elevation Existing and Proposed; OS Plan Reference SYK 39773) 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 H8B (Non Residential Uses in Residential Areas).**
- 3 The use hereby permitted shall be carried on only between the hours of 9am and 8pm on Thursdays and Fridays and only between the hours of 12pm and 4pm on Saturdays.  
**Reason: In the interest of residential amenity and in accordance with Barnsley UDP Policy H8C (Home Based Business).**

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 09 June 2011

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

- 1 Home Based Business - UDP Policy H8C, Non-residential Uses in Residential Areas - Barnsley UDP Policy H8B, New Development and Highway Improvement - Barnsley LDF Core Strategy Policy CSP26

The proposal complies with Barnsley UDP Policies H8C and H8B in that there is adequate parking and manoeuvring and there would be no undue harm to residential amenity from noise, smell or disturbance.

The proposal also complies with Policy CSP26 (New Development and Highway Improvement) in that it should not generate a significant number of additional vehicular movements.

## **Informative(s)**

- 1 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.