



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0737

**To** Mrs Lyndsey Smith  
32 Quarry Bank Close  
Cudworth  
Barnsley  
S72 8BJ

**DESCRIPTION** Change of use from storage (Class B8) to assembly and leisure (Class D2)  
(Amended Location Plan)

**LOCATION** Unit B, Meadow Street, Barnsley, S71 1DR

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 10 August 2009 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 in strict accordance the amended plans and specifications received on the 6th October 2009 (Drawing No. 402 & Supporting Statement prepared by PAH Highway Consultants ), unless prior written consent has been given by the Local Planning Authority to any minor variation.  
**Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with UDP Policy BE6, Design Standards.**
- 3 The access, parking and 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 Transportation

Dated 22 October 2009

- 4 Unless otherwise agreed in writing by the Local Planning Authority the use hereby approved shall be limited to a maximum number of 40 children.  
**Reason:**  
**In the interests of residential amenity and highway safety and in accordance with UDP polices H8B and T2.**
- 5 The premises shall be used for a children's soft play centre and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).  
**Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.**
- 6 The use hereby permitted shall be carried on only between the hours of 10.00-20.00hrs Mon-Fri, 09.30-20.00hrs Saturdays and 10.00-18.00 Sundays.  
**Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.**

**Reason(s) for Granting Permission**

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| 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, disturbance, loss of privacy or traffic. In addition it would not have an undue impact upon the visual character of area. |
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## **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.