



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0684

To Equine Commercial - Legal
Marigold Cottage
The Square
Audlem
CW3 0AD

DESCRIPTION Removal of condition 3 of planning permission 2020/0380 to allow the retention of the log cabin on a permanent basis - Change of use from agricultural to 'mixed agricultural and equestrian'; outdoor riding surface; mobile turnout pen and siting of temporary rural enterprise dwelling (log cabin) for a period of 3 years - Part Retrospective

LOCATION Wentworth Grange Farm, Stainborough Lane, Hood Green, Barnsley, S75 3HA

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 26/07/2023 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission:
Location Plan
Block Plan
Cross Section Riding Surface
Log cabin side elevation 1
Loc cabin side elevation 2
Log cabin end elevations
Log cabin floor plan

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings or hardstandings or patios shall be erected.
Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1 Protection of Green Belt.
- 3 The occupation of the dwelling hereby permitted shall be limited to Mrs Caroline Saynor and husband.
Reason: Owing to the special circumstances of the applicant in accordance with Local Plan Policy GB1 Protection of Green Belt
- 4 The outbuilding and paved patio to the rear of the log cabin shall be removed within 6 months of the granting of this permission with written confirmation to be sent to the Local Planning Authority once removal is complete.
Reason: To ensure inappropriate development in the Green Belt is removed to protect the openness of the Green Belt
- 5 If the current equine use and business ceases to operate at this location or the log cabin becomes unoccupied for a period of 6 months, it shall be removed from site and the site shall then be reinstated within a further 3 months.
Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1 Protection of Green Belt.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed

Dated: 14 September 2023

Development Management

For and on behalf of Group Leaders,
Andrew Burton and Matthew Smith

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

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 given 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.