BARNSLEY
Metropolitan Borough Council

Place Directorate
Economic Regeneration
Planning and Building Control
Head of Service: Joe Jenkinson

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/0014

Mrs Nicola Barry
243 Park Road
Barnsley
S70 1QW

DESCRIPTION Change of use of dwelling (class C3) to ground floor business (class A3 and sui generis) and 1st and second floor residential apartment.
LOCATION 243 Park Road, Barnsley, S70 1QW

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 23 January 2017 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun within 3 years from the date of this permission.
Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2 The development hereby permitted shall only be carried out in accordance with the following documents:
a) Drawing supplied by 'Buy A Plan', at a scale of 1:1250 showing the red line planning application boundary.
Reason: For the avoidance of doubt and to accord with CS policies CSP26, CSP29 and CSP40, UDP policy H8B and the relevant planning policy statements in the NPPF relating to requiring good design.

3 Construction work within the site comprising the use of plant, machinery or equipment, and deliveries of materials shall be limited to the hours between 0800 hours and 1800 hours on Monday to Friday and 0900 hours and 1300 hours on Saturdays, and not at all on Sundays, Bank and Public Holidays.
Reason: In the interests of local amenity and to accord with CS policy CSP40, UDP policy H8B and the relevant planning policy statements in the NPPF relating to conserving and enhancing the natural environment.

4 The business use hereby permitted shall be limited to the hours between 1730 hours and 1930 hours on three evenings during Monday to Friday, and not at all on Saturdays, Sundays and Bank/Public Holidays.
Reason: In the interests of local amenity and to accord with CS policy CSP40, UDP policy H8B and the relevant planning policy statements in the NPPF relating to conserving and enhancing the natural environment.

5 The provision of tea refreshments shall be ancillary to the craft workshop use and shall therefore be only served during the hours specified in condition 5 above.
Reason: For the avoidance of any doubt.

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.

Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.

1 The development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.

Signed JM Jenkinson Dated 16 March 2017
Joe Jenkinson
Head of Planning and Building Control

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 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.