BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0084

To Mrs Linda Marshall
9 Belle Green Gardens
Cudworth
Barnsley
S72 8EN

DESCRIPTION Change of use from existing detached garage to canine grooming salon.
LOCATION 9 Belle Green Gardens, Cudworth, Barnsley, S72 8EN

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 11 February 2014 and described above.

The approval is subject on compliance with the following conditions:

1 The use hereby permitted shall be carried on only by Mrs Linda Marshall (the applicant) and shall be for a limited period of 2 years from the date of this decision notice.
Reason: To ensure that the business is undertaken as described and to protect the amenities of nearby residential occupiers in accordance with Core Strategy Policy CSP40 Pollution Control and Protection.

2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications (including the letter dated 16/1/14) as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality, residential amenities and highway safety in accordance with LDF Core Strategy Policies CSP26 New Development and Highway Improvement, CSP 29 Design and CSP40 Pollution Control and Protection.

3 The use shall only take place between the hours of 09:00 and 17:00 Monday to Saturday and at no time on Sunday or Bank Holidays.
Reason: To protect the amenities of nearby residential occupiers in accordance with Core Strategy Policy CSP40 Pollution Control and Protection.

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
Head of Planning, Building Control and Sustainability

Dated 04 April 2014

Development Service
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4 The approved use shall not commence until a plan has been submitted to and approved in writing by the Local Planning Authority showing the areas to be used for parking/manoeuvring in relation to the business and those to be used in relation to parking for the existing house. The use shall operate in accordance with the approved details and the parking/manoeuvring areas retained as such thereafter.
Reason: In the interests of Highway Safety in accordance with Core Strategy Policy CSP26 New Development and Highway Improvement.

5 The use shall not commence until a plan is submitted showing the location and details of any means of screening of the commercial waste bin that will be required in relation to the use. The use shall operate in accordance with the approved details and thereafter retained.
Reason: In the interest visual amenity in accordance with Core Strategy Policy CSP29 Design.

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.

1 A temporary permission is granted so that the impact of the use can be monitored.

2 A red commercial waste bin is required for hair and other waste and depending upon the size and location this may need to be screened from view to retain the residential character of the street.

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.

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