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**Place Directorate**  
**David Shepherd**  
**Economic Regeneration, Development Management**  
**PO Box 634, Barnsley, S70 9FE**  
Head of Service: Joe Jenkinson

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Mr Matt Phillips  
Architecture Design Ltd  
Fitted Rigging House  
The Historic Dockyard  
Chatham, Kent  
ME4 4TZ

My Ref: 2022/0155 (2021/0624)  
Your Ref: As above  
Date: 2 August 2022  
Enquiries to: Helen Willows  
Direct Dial: 01226 772642  
E-Mail: [helenwillows@barnsley.gov.uk](mailto:helenwillows@barnsley.gov.uk)

Dear Mr Phillips

**Re: Discharge of conditions 3 (External materials), 4 (Hard surfacing materials), 5 (air conditioning) and 6 (cooking equipment and fume extract system) of planning permission 2021/0624 – Hot food delivery and takeaway hub (amendment to previously approved application 2020/1249) at Former Frankie and Benny's, Doncaster Road, Stairfoot, Barnsley, S70 3PE.**

I refer to the application submitted by you in respect of the above. With apologies for the delay, I confirm the Council's decision on your application to discharge conditions but also raise an issue in relation to the potential use of the building following the changes that have been made to the internal layout compared with the versions included with approved planning applications 2020/1249 and 2021/0624

I am now pleased to confirm that the details of the planning permission that were reserved by condition 3: external materials, 4: hard surfacing materials, 5: air conditioning equipment and 6 (cooking equipment and fume extract system) may now be discharged in accordance with the details submitted with the discharge of condition application as amended.

In particular, I can confirm agreement to the proposed:

1. Use of plain wire cut Ibstock Cheddar Golden facing bricks as specified in your email of 27 May 2022, (and not the Blue Brick slips or the grey cladding specified on the Plans and Elevations drawing number 92.20.04.1 submitted with your application); Goosewing Grey metal roof cladding and Traffic Grey eaves and soffits, rainwater pipes and entrance door and windows as specified on the Plans and Elevations drawing number 92.20.04.1 submitted with your application.

2. Use of tarmac for the areas to be hard surfaced for parking bays, as specified on the Plans and Elevations drawing number 92.20.04.1 submitted with your application.



3. Air conditioning and cooking equipment and fume extract system details shown on layout plan drawing submitted with your application.

The details in respect of conditions 3 and 4 are satisfactory having regard to the relevant planning considerations including in particular design. Conditions 5 and 6 were requested by Pollution Control who have confirmed that they are satisfied with the submitted details of air conditioning, cooking equipment and fume extract system.

Notwithstanding the above I would raise the point that the plans submitted with the above discharge of condition application show a different internal layout to the versions approved under planning applications 2021/0624 and 2020/1249 in relation to showing an increased amount of internal seating provision. The applicant is reminded that the aforementioned applications were submitted as hot food takeaway hubs which would be one type of sui generis use and were not assessed on the basis of it being a facility intending to allow for dining in on the premises which would be a mixed sui generis and class E use. Should that be the intended or eventual use the applicant is advised that would not be covered by the existing planning permissions meaning that a new application would be required to seek approval for a different usage to that which has been approved.

I trust that the contents of the above letter are in order. You are advised to ensure that the development is constructed in accordance with the approved plans and conditions together with the specifications hereby approved. I would also recommend that you retain a copy of this letter with the original decision notice.

Yours sincerely

*Helen Willows*

Helen Willows, Planning Officer (Inner Area Team)

For and on behalf of  
Development Management  
Joe Jenkinson BA (Hons) MSc  
Head of Planning and Building Control  
[www.barnsley.gov.uk/developmentmanagement](http://www.barnsley.gov.uk/developmentmanagement)