



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/0367

To White Agus Partnership
Office One
34 Victoria Road
Barnsley
S70 2BU

DESCRIPTION Change of use to mixed use E (b) and Sui Generis - (Food and drink for consumption on the premises and drinking establishments), extensions to the roof height of the building, side extension to accommodate toilets and storage, external stairwell for all 3 floors, changes to the external facing materials and fenestration details

LOCATION MC Mills and Co. Ltd, Lower Castlereagh Street, Barnsley, S70 1AR

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 12/04/2021 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 strictly in accordance with the amended plans (Nos.) and specifications as approved unless required by any other conditions in this permission.

Plans as existing 19-179-01
Site Plan and Location Plan 19-179-07
Floor Plans 19-179-08
Elevations 19-179-09 Rev A
Elevations 19-179-10 Rev A

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

- 3 The external materials to be used in the development hereby permitted shall match those used in the existing building unless allowed by any other conditions in this permission.
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.
- 4 The cladding to be used in the development hereby permitted shall be Kingspan Spectrum Metallic Beigestone and only in the positions specified on the approved drawings.
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.
- 5 Prior to the commencement of development, plans to show full details of the materials and finish of doors and windows to be used shall be submitted to and agreed in writing by the Local Planning Authority and only the agreed details shall be implemented.
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.
- 6 Prior to the commencement of development, plans to show full details of the method by which the proposed prison weldmesh will be attached to the external stairwells shall be submitted to and agreed in writing by the Local Planning Authority and the agreed details shall be implemented in full before any use of the first or second floor of the building.
Reason: In the interests of the safety and security of the completed development and of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 7 Prior to the commencement of development, plans to show full details of a fire exit door to prevent access to the external stairwell from the ground floor shall be submitted to and agreed in writing by the Local Planning Authority and the agreed details shall be implemented in full before any use of the first or second floor of the building.
Reason: In the interests of the safety and security of the completed development and of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 8 Prior to the commencement of the uses hereby permitted, full details of the method of fume extraction shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of the use to which the details relate and retained as such thereafter.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.
- 9 Prior to the commencement of the uses hereby permitted, full details of externally mounted plant or equipment for heating, cooling or ventilation purposes, or grilles, ducts, vents for similar internal equipment, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of the use to which the details relate and retained as such thereafter.
Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

- 10 No tables or other structures shall be placed outside the building unless full details have previously been submitted to and approved in writing by the Local Planning Authority.
Reason: to ensure that the development takes the form envisaged by the Local Planning Authority and in the interests of residential amenity and provision of adequate car parking spaces in accordance with Local Plan Policies Poll1, Pollution Control and Protection and T3 New Development and Sustainable Travel.

- 11 The use hereby permitted shall be carried on only between the hours of 10:00 to 24:00 Mondays to Fridays and 10:00 to 02:00 on Saturdays and Sundays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

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 The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845762 6848 or at www.groundstability.com

- 2 It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents and/or workers. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke or dust. No waste should be burnt. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, dust or smoke nuisance from being created.

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 18/08/2021



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 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.