



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/1068

**To** Mr Simon Elliott  
24 Beely Road  
Oughtibridge  
Sheffield  
S35 0FD

**DESCRIPTION** Change of use from retail (Class A1) to Hot Food Take-away (A5), installation of new shop front and creation of a first floor office

**LOCATION** 8 High Street, Royston, Barnsley, S71 4ST

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 27 September 2013 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 (received on 17th October 2013) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.**
- 3 Prior to occupation of the building/commencement of the use, 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 occupation of the building/commencement of the use and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.  
**Reason: In the interests of the amenity of neighbouring residents.**

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

Signed *Stephen Moralee*  
Head of Planning, Building Control and Sustainability

Dated 15 November 2013

- 4 Prior to the commencement of the use a scheme describing the methodology to be employed to control litter and minimise waste from being deposited in the street shall have been submitted to and approved in writing by the Local Planning Authority. Such scheme shall, amongst other matters, provide details of the packaging to be used, any litter bins to be provided and any signage to be displayed on the premises advising customer of the need to dispose of litter in appropriate litter bins or other facilities. Any litter bins or other facilities provided pursuant to the requirements of this condition shall be retained and maintained for the duration of the development and the use shall operate in complete accordance with the approved scheme.

**Reason: In the interests of the visual amenity of the locality.**

- 5 The use hereby permitted shall be carried on only between the hours of 0900 to 23.30 Monday to Saturday and 0900 to 2300 on Sundays and Bank Holidays.

**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**

- 6 The door to the rear of the premise shall comprise and be maintained as an alarmed fire door and shall not be opened except for emergency purposes.

**Reason: To prevent undue disturbance in the interests of residential amenity**

### **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 decision to grant planning permission has been taken having regard to the saved policies and proposals in the Barnsley Unitary Development Plan and the policies and proposals in the Core Strategy and to all relevant material considerations, including Supplementary Planning Guidance:

#### Core Strategy

Core Strategy Policy CSP 29 sets out the overarching design principles for the borough to ensure that development is appropriate to its context. The policy is to be applied to new development and to the extension and conversion of existing buildings.

CSP 40 'Pollution Control and Protection' - Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural or built environment or to people.

SPD 'Hot Food Takeaways' - the main considerations that are likely to apply to the determination of a planning application are noise and disturbance, proximity to schools, concentration issues, smells/discharge of fumes, storage of waste products, opening hours & customer traffic generation/deliveries.

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.

## **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.