



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2016/0923

To Mr William James
Wellsfield Associates
2 Boudicca Mews
Moulsham Street
Chelmsford
Essex
CM2 0LA

DESCRIPTION External works including partial shopfront replacement, installation of new plant and air-conditioning equipment, erection of external cold rooms and a new canopy.
LOCATION The Co-operative Store, 16-22 Hoyland Road, Hoyland Common, Barnsley, S74 ONE

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 04 August 2016 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 titled 'Location, Site and Block Plans', numbered 3170-01 and dated July 2016;
 - b) Drawing titled 'Existing Plans', numbered 3170-02 and dated July 2016;
 - c) Drawing titled 'Proposed Plans', numbered 3170-03 and dated July 2016; and
 - d) Plant Assessment for Proposed Refrigeration/Air Conditioning Plan, report reference B4365 20160707 R and dated 7 July 2016.**Reason: For the avoidance of doubt and in the interests of visual and residential amenity in accordance with CS policies CSP29, Design and CSP40, Pollution Control and Protection.**
- 3 The colour/appearance of the external works shall match/complement the existing (retained) buildings on the site.
Reason: In the interests of the visual amenities of the locality and in accordance with CS policy CSP29 and the relevant planning policy statements in the NPPF.

- 4 External plant must not exceed a maximum cumulative design Rating Level of 45dBA at the boundary of the nearest residential property during the day (7am to 11pm), and 35dBA outside the nearest dwelling during the night (11pm to 7am).

Reason: In the interests of residential amenity and in accordance with CS policy CSP40, 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.

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.
- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 21 September 2016

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.