



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2022/0525

To NYP Architectural Services
BBIC
Innovation Way
Barnsley
S75 1JL

DESCRIPTION Change of use from a shop to a micro pub and associated external alterations including replacement shop front

LOCATION 138A Redbrook Road, Gawber, Barnsley, S75 2RB

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 24/05/2022 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.
Amended plan, elevations and site plan as proposed drawing number 103/52 P01 Rev C
Existing plans and elevations drawing number 103/52 01
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 Before the use hereby permitted commences, the mitigation measures described in report 'New Micropub, 138A Redbrook Road, Gawber, Barnsley, S75 2RB' produced by Environmental Noise Solutions Limited, dated 8th August 2022, ref: NIA-10459-22-10623-v1, shall be fully implemented so that any noise associated with the development avoids adverse impacts on health or the quality of life to those living and working in the vicinity. The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.
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 Policies POLL1 Pollution Control and Protection and GD1 General Development.

- 4 The shopfront windows shall be fixed shut and the doors to the development shall be kept closed during the hours of operation, apart from to allow ingress and egress of personnel.
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 Policies POLL1 Pollution Control and Protection and GD1 General Development.
- 5 There shall be no music played within the pub.
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 Policies POLL1 Pollution Control and Protection and GD1 General Development.
- 6 There shall be no use of the first floor by customers and the first floor area shall be used only for storage.
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 Policies POLL1 Pollution Control and Protection and GD1 General Development.
- 7 There shall be no outside drinking or smoking.
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 Policies POLL1 Pollution Control and Protection and GD1 General Development.
- 8 The use hereby permitted shall be carried on only between the hours of 11am and 10pm.
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 Policies POLL1 Pollution Control and Protection and GD1 General Development.
- 9 Waste and recycling collections shall not be undertaken before 09:00 or after 17:00 on any day.
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 Policies POLL1 Pollution Control and Protection and GD1 General Development.
- 10 Deliveries shall not be undertaken before 09:00 or after 17:00 on Monday to Saturday and not at all on Sundays or Bank Holidays.
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 Policies POLL1 Pollution Control and Protection and GD1 General Development
- 11 All bins and waste shall be stored inside the building in the area shown on the approved plans and there shall be no outside storage of waste or other materials.
Reason: in the interests of the amenities of local residents and in accordance with Local Plan Policies POLL1 Pollution Control and Protection and GD1 General Development.
- 12 The business shall only operate under the terms of management plan which shall be adhered to throughout the life of the development
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies POLL1 Pollution Control and Protection and GD1 General Development.

- 13 No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment shall be placed or constructed unless details have previously been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interest of visual and residential amenity in accordance with Local Plan Policy Poll1, Pollution Control and Protection.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 1 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 2 The developer is advised that advertisement consent may be required for signage on the building and in particular for any illuminated or projecting signs.
- 3 The developer is advised that any CCTV system should be fitted and registered in accordance with latest Information Commissioner's Office rules

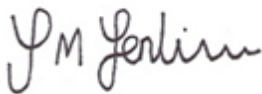
Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- 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 01/12/2022



Joe Jenkinson
Head of Planning, Policy 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 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.