BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0281

To Archipek
53 Stoke Newington High Street
London
London
N16 8EL
United Kingdom

DESCRIPTION Change of use from A2 (Bank) to A3/A5 Mixed use of Fish and Chip resturant/Hot food takeaway.
LOCATION 4 King Street, Hoyland, Barnsley, S74 9JP

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 24 March 2015 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 plans (Nos. 0600-H-2) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 The use hereby permitted shall be carried on only between the hours of 09.00 to 23.00 Mondays to Sundays.
Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

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

Signed
Head of Planning and Building Control

Dated 13 May 2015

Development Service
PO Box 634, Barnsley, S70 9FE
Telephone: 01226 - 772000
Fax: 01226 - 772591

4 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.
Reason: In the interests of the amenity of neighbouring residents in accordance with Core Strategy Policy CSP 40.

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

Saved UDP Policies

Policy ED4 - Economic development and Residential Amenity - proposals for economic development adjoining or close to housing will be assessed with particular regard to the likely impact on residential amenity.

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.

SPDs/SPGs

SPD 'Parking'

SPD 'Hot Food Takeaways'

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.

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