BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Culture
Planning and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1459

To NYP Architectural Services Limited
Barnsley Business and Innovation Centre
Innovation Way
Barnsley
S75 1JL

DESCRIPTION Change of use of no.10 from betting office to hot food takeaway, 10B from residential to use as storage and staff facilities for hot food takeaway and installation of associated flue extract/ ventilation system at rear.

LOCATION 10 and 10B (10B is the property to the rear) Hoyland Road, Hoyland Common, Barnsley, S74 0LY

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 09/11/2021 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 plans (Nos) and specifications as approved unless required by any other conditions in this permission.
a. Existing Plan and Elevations drawing number 102-140 01 A
b. Location Plan drawing number 102-140 LOC -01 A
c. Proposed Plan and Elevations drawing number 102-140 03 A
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.

3 Before the use hereby permitted first commences, full details of the method of fume extraction required in association with the use including the need for the installation of any ducting, filters, extraction vents or similar equipment and predicted noise output levels shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to commencement of the use hereby approved and thereafter retained unless otherwise agreed by the Local Planning Authority.
Reason: In the interests of the residential and visual amenities of the locality and in accordance with the Local Plan Policies D1 High Quality Design and Place Making and Poll1, Pollution Control and Protection.

4 Prior to the commencement of the use full details of the proposed bin store shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby approved and thereafter shall be retained unless otherwise agreed by the Local Planning Authority.
Reason: In the interests of the visual amenities of the locality and in accordance with the Local Plan Policies D1 High Quality Design and Place Making and Poll1, Pollution Control and Protection.

5 Prior to the commencement of the use hereby permitted a healthy eating management plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall indicate the means by which information regarding healthier eating options and calorie, fat, salt and sugar content will be made available to customers and will demonstrate how the proposed food offer will ensure that food options of lower calorie, fat, salt and sugar content will be made available to customers. The approved plan shall be fully implemented before the use hereby permitted first commences and thereafter shall be retained unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of enabling and supporting healthy lifestyles.

6 The use hereby permitted shall be carried on only between the hours of 5pm to 10pm.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1, Pollution Control and Protection.

7 The hot food takeaway use hereby permitted shall be limited to the ground floor only as shown on the approved plans. There shall be no cooking in or customer access to the areas shown as store room and staff area on the approved plans.
Reason: To ensure the proposal takes the form envisaged by the Local Planning Authority when granting planning permission and in the interests of the amenities of local residents in accordance with Local Plan Policies Poll1, Pollution Control and Protection and GD1 General Development.

Informative(s)

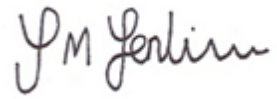
Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application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

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 27/01/2022



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 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.