



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2021/1700

To Planning Potential
14-15 Regent Parade
Harrogate
HG1 5AW

DESCRIPTION Change of use of part of vacant retail unit (Class E Use) to Adult Gaming Centre (Sui Generis Use) and associated external alterations to the shopfront

LOCATION 15 - 19 Peel Street, Barnsley, S70 2RA

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 06/01/2022 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.
 - Block Plan
 - Existing Ground Floor Plan drawing number 999-EX-01
 - Existing Shopfront drawing number 999-EX-02
 - Location Plan
 - Proposed Ground Floor Plan drawing number 999-PR-01
 - Proposed Shopfront drawing number 999-PR-02**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 of the adult gaming centre commences, the improvement works listed in table 1 of the Noise Assessment produced by Archo Consulting dated 11/11/21 ref: PR2001_66_FINAL shall be implemented and thereafter retained.
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 Policy POLL1.

- 4 Before the use of the adult gaming centre commences, full details of the proposed screens that are to be displayed in the shopfront windows shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be fully implemented and thereafter retained.

Reason: To help secure an active frontage in the interests of the vitality of the street and the town centre and in accordance with Local Plan Policy TC2.

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 developer is advised that the remainder of the former Argos unit is considered to have a lawful use as a retail shop, being a use that falls within Class E of the Use Classes Order.
- 2 The developer is advised that South Yorkshire Police have recommended that development is designed and built to Secured by Design Standards and that PAS Anti-Ram Barriers are fitted external to the recessed doors.
- 3 A public right of way runs alongside the proposed development site. Safe public access on the right of way should remain available whenever possible, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time then a temporary closure must be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact publicrightsofway@barnsley.gov.uk.
- 4 The developer is advised that advertisement consent may be required for any advertisements to be displayed on the shop front. The design of the advertisements should be appropriate and sympathetic to the building.

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 11/03/2022



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 given 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.