BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0665

To AA2L Ltd
Glendower House
85 Lundhill Road
Wombwell
Barnsley
S73 0RL

DESCRIPTION Conversion of building to a public house/restaurant (A4) and 7 no. self contained flats

LOCATION Town Hall, High Street, Wombwell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 06 June 2011 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 in strict accordance with the amended plans and specifications received on the 5th July 2011 (Drawing No's: 01A, 04A & 02C) unless prior written consent has been given by the Local Planning Authority to any minor variation.
Reason: For the avoidance of doubt as amendments have been submitted during the course of processing the application and in accordance with Barnsley UDP Saved Policies H8A, BE6 and BE2A and Barnsley LDF Core Strategy Policy CSP29 (Submission Version).

3 Details of the proposed servicing arrangements for the development shall be submitted and approved by the Local Planning Authority prior to the development being brought into use, and shall be fully implemented at all times thereafter.
Reason: In the interest of highway safety and in accordance with Barnsley UDP Saved Policy T2 and Barnsley LDF Core Strategy Policy CSP26 (Submission Version).

Stephen Moralee

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

Signed
Assistant Director, Planning and Transportation

Dated 26 July 2011

Planning and Transportation Service **Telephone: 01226 - 772000**
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4 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
" The parking of vehicles of site operatives and visitors
" Loading and unloading of plant and materials
" Storage of plant and materials used in constructing the development.
Reason: In the interests of highway safety, residential amenity and visual amenity.

5 The opening hours of the public house/restaurant shall be limited to between the hours of 10.00am and midnight Monday through to Thursday and between the hours of 10.00am and 1.00am on Fridays and Saturdays.
Reason: In the interests of the amenities of local residents and in accordance with Barnsley UDP Saved Policy ES1 and Barnsley LDF Core Strategy Policy CSP40 (Submission Version).

6 Prior to commencement of the public house/restaurant 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 fully implemented prior to the commencement of the use and retained as such thereafter.
Reason: In the interests of the amenities of local residents and in accordance with Barnsley UDP Saved Policy ES1 and Barnsley LDF Core Strategy Policy CSP40 (Submission Version).

7 Prior to commencement of the public house/restaurant use, the applicant shall submit to the Local Planning Authority for approval, a written report, following a competent noise assessment, detailing how noise throughout the day and night from the public house/restaurant use, including from the smoking area, bin storage area and any air handling plant, will be mitigated to an acceptable level. The approved measures shall be fully implemented prior to the commencement of the use and retained as such thereafter.
Reason: In the interests of the amenities of local residents and in accordance with Barnsley UDP Saved Policy ES1 and Barnsley LDF Core Strategy Policy CSP40 (Submission Version).

Reason(s) for Granting Permission

1 Unique The proposal complies with PPS3 and PPS6, Barnsley UDP Saved Policies S1, H8A and Barnsley LDF Core Strategy Policy CSP31 (Submission Version) on the basis that it will make good use of an existing building. Furthermore the proposal raises no residential amenity, visual amenity or highway safety concerns and therefore complies with Barnsley UDP Saved Policies H8A, BE6, BE2a, T2 and Barnsley LDF Core Strategy Policies CSP14, CSP26 and CSP29 (Submission Version).

Informative(s)

1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

2 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.

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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