BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/1108

To Mrs Tharsiny Ramalingham
2 Dartree Close
Darfield
Barnsley
S73 9NR

DESCRIPTION Variation of condition 4 of application 2010/0844 to extend opening hours of hot food takeaway

LOCATION Unit 1, Nu-well Shopping Centre, Summer Lane, Wombwell, Barnsley, S73 8HD

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 08 September 2011 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved under application 2010/0844(OS Sitemap No: 00024300 and the accompanying floor plans) unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley LDF Core Strategy Policy CSP40.

2 Within 30 days from the date of this decision, a scheme describing the methodology to be employed to control litter and minimise waste from being deposited in the street shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall, amongst other matters, provide details of the packaging to be used and any litter bins to be provided. Any litter bins or other facilities provided pursuant to the requirements of this condition shall be retained and maintained for the duration of the development and the use shall operate in complete accordance with the approved scheme.
Reason: In the interests of the visual amenities of the locality.

3 The use hereby permitted shall operate only between the hours of 1100 and 2300 Monday through till Thursday, between the hours of 1100 and 0200 on Fridays and Saturdays and between the hours of 1100 and 0100 on Sundays and Bank Holidays.
Reason: In the interests of residential amenity and in accordance with Barnsley LDF Core Strategy Policy CSP40.

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 24 October 2011

Planning and Transportation Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

Reason(s) for Granting Permission

1 Unique The proposal complies with Barnsley UDP Saved Policy WW20 in that it would be an acceptable use within a Fringe Commercial Area. Furthermore it is not considered that the proposal will harm the amenities of the occupiers of the closest residential properties in accordance with Barnsley LDF Core Strategy Policy CSP40.

Informative(s)

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.

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.

Planning and Transportation Service **Telephone: 01226 - 772600**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772599**