



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2022/0930

To NYP Architectural Services Limited
BBIC
Innovation Way
Barnsley
S75 1JL

DESCRIPTION Conversion of building into new sandwich bar/delicatessen style food outlet with 2no football match day sales kiosks and associated internal and external works including replacement shop front, food cooking and preparation area, internal customer waiting area, staff facilities and integral storage units

LOCATION Rockingham Bakery, Windermere Road, Barnsley, S71 1EG

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 21/09/2022 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.
 - Amended proposed plan and elevations drawing number 103-57 102 B
 - Existing plan and elevations drawing number 103-57 01 A
 - Location Plan drawing number 103-57 103
 - Site Plan drawing number 103-57 104**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 hereby permitted commences a scheme to provide for 6 parking spaces shall be submitted to and agreed in writing by the Local Planning Authority. The agreed parking provision shall be surfaced and delineated before the use hereby permitted commences and retained thereafter for the lifetime of the development/use.
Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Highway Improvement.

- 4 Before any works to replace the shopfront first commence, full details of the colour finish of the proposed replacement shopfront shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.
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.
- 5 The premises shall be used for the retail sale of cold foods for consumption off the premises or for any other use falling in use Class E(a) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)
Reason: To ensure that the use takes the form envisaged by the Local Planning Authority when granting permission, and in the interests of the amenities of the local residents and in accordance with Local Plan Policy Policies GD1 General Development and Poll1, Pollution Control and Protection.
- 6 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays
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
- 7 The premises shall only be open for sales to customers or for collections/deliveries between the following hours:
7am to 2pm Monday to Saturday and one hour either side of events/match days at Oakwell Football Stadium.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development and Poll1, Pollution Control and Protection.
- 8 The restrictions relating to the menu, waste and recycling on the amended sandwich shop overview shall be adhered to for the lifetime of the use hereby permitted.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development and Poll1, Pollution Control and Protection.
- 9 No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment shall be constructed unless details including predicted noise output levels have previously been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
Reason: In the interest of visual and residential amenity in accordance with Local Plan Policies D1 High Quality Design and Place Making and Poll1, Pollution Control and Protection.

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 South Yorkshire Police have recommended that the developer refer to https://www.securedbydesign.com/images/CONSTRUCTION_SITE_SECURITY_GUIDE_A4_8pp.pdf to keep the development secure and safe during construction.
- 2 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 10/03/2023



Joe Jenkinson
Head of Planning, Policy 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.