BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0031

To Mr Peter Watson
Bona Vista Warren Lane
Staincross
Barnsley
S75 5BQ

DESCRIPTION Change of use to form extension to hot food takeaway (Retrospective)
LOCATION 1 Spark Lane, Mapplewell, Barnsley, S75 6BN

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 07 January 2009 and described above.

The approval is subject on compliance with the following conditions:

1 The use hereby permitted shall be carried on only between the hours of 8.00am to 8.30pm Mondays to Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.

2 Prior to the commencement of development, details of a system of ventilation and means of discharging fumes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in accordance with the approved details and shall be in operation whenever the premises are in use.
Reason: In the interests of the amenity of the locality in accordance with UDP Policy S7

Reason(s) for Granting Permission

1 Unique The proposal complies with Policy S7 of the Barnsley UDP in that:-

-The proposed unit is located within a defined principle shopping / commercial centre.
-The proposal would not adversely affect highway safety
-The proposal would not undue detriment to the prevailing level of residential amenity in the area

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 16 February 2009

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

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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