



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/0921

To Mr Chris Younger
5 Woodroyd Gardens
Wombwell
Barnsley
S73 0HB

DESCRIPTION Change of use into commercial unit at ground floor to be used for either use class E (Shops) or (Financial and professional services), or as a drinking establishment (Sui Generis), 2no residential flats at first floor and associated external alterations

LOCATION 2 - 4 Market Street, Hoyland, Barnsley, S74 9QB

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 16/09/2020 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 plans and specifications as approved unless required by any other conditions in this permission. Plan Nos - Site and Location Plan - W-005- S01 - Proposed Window & Door Schedule - W-002 - S-07 Rev A - Proposed Ground Floor Plan W-005 - S-03 Rev A - Spectus Windows Section Plan 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.

3	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: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
4	The use hereby permitted shall be carried on only between the hours of 8am to 11pm Mondays to Sundays and on Bank Holidays. Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
5	All windows to be used in the construction of the building shall match the specification of the glazing and means of ventilation, the material composition (uPVC), colour (black) and the layout and style indicated on the approved plan: Proposed Window & Door Schedule (W-002 - S-07) and Section 1.7.1 of the Noise Survey (Peak Acoustics Report - KD1703201NR - 12th April 2020). Reason: To protect the character and appearance of the town centre and the amenity of the residents of the building in accordance with LP Policy HE1 - The Historic Environment and LP Policy GD1 - General Development.
6	No storage bins or other items are to be placed in the alley adjacent to the northern elevation of the building which shall impede the right of way shared across this access Reason: In the interests of the amenity of adjoining residential and commercial units in accordance with LP Policy GD1 - General Development.

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

- 1 Any signage to be erected on the building advertising the business operations being conducted on site will require submission of a separate advertising consent application to the Local Planning Authority. Installation of signage and advertisements is at the applicant's own risk.
- 2 Any external plant for the purposes of ventilation or cooling will require a planning application to be submitted to include details of the plant's noise specification. It is recommended that advice is sought with the LPA and Regulatory Services at BMBC prior to submission of the application or purchase of the plant. Installation of plant without permission is at the applicant's own risk

Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed

Dated 11/01/2021



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 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.