



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2019/0801

To Mr John Pell
2 Hawthorne Avenue
Lundwood
Barnsley
S71 5FT

DESCRIPTION Change of use to Coffee shop and Micro Pub (Class A4).
LOCATION 66 Agnes Road, Barnsley, S70 1NH

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 August 2019 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.
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 The use hereby permitted shall be carried on only between the hours of 10:00 to 22:30 Mondays to Sundays, including 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 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.
- 5 The restrictions pertaining to outside drinking, refuse collection, deliveries and the implementation of CCTV as stipulated within the Management pPlan submitted on the 9th October 2019 are to be adhered to throughout the lifetime of the use permitted herein.
Reason: In the interests of the residential amenity of the area in line with Local Plan Policy GD1 General Development and POLL1 Pollution Control and Protection



- 6 At no time will live music be performed on the premises.
Reason: To protect the amenity of surrounding residents in line with Local Plan Policy GD1 General Development and POLL1 Pollution Control and Protection
- 7 Upon commencement of the use, details of a means of storing two bicycles securely at the front of the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and retained as such thereafter.
Reason: In the interests of sustainable travel in line with Local Plan Policy T3
- 8 Upon commencement of the use, details of a means to collect and dispose of cigarettes or other smoking paraphernalia on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented upon commencement of the use and retained as such thereafter.
Reason: In the interests of the residential and visual amenity of the area in line with Local Plan Policies GD1 and D1

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.

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.

1	Erection of signage will require submission of an advertisement consent application while alterations to the form of the shopfront, barring repairs, will require a separate planning application to be submitted. Please contact Richard Gilbert either by email at: richardgilbert@barnsley.gov.uk or via phone at: 01226 772108.
2	If you intend to serve food from the premises you will need to register your business with the Council's Food Team. For more information on how to register your premises please visit this link: https://www.barnsley.gov.uk/services/business-information/food-businesses/registering-a-food-business/

Signed 
 Joe Jenkinson
 Head of Planning and Building Control

Dated 01 November 2019

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.