BARNSLEY
Metropolitan Borough Council

**Place Directorate**
**Regeneration and Culture**
**Planning and Building Control**

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

## APPLICATION NO. 2021/0793

**To** Coda Studios Ltd
70 - 71 Cornish Place
Cornish Street
Sheffield
S6 3AF

**DESCRIPTION** Change of use of ground floor to 1no commercial unit (use class E (a), (b) Commercial, Business and Service or sui generis uses Laundrette and tanning salon).

**LOCATION** Marlborough Hotel, 36 Dodworth Road, Barnsley, S70 6DY

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 21/07/2021 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 27 14-001 Location and Site Plan, 27 14-004 Proposed Plans and 27 14-005 Proposed Elevations 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 Prior to occupation of the building/commencement of the use, full details of externally mounted plant or equipment for heating, cooling or fume extraction purposes, ventilation grilles, ducts, vents for similar internal equipment shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the equipment shall be installed in accordance with the approved details and shall be maintained and operated in accordance with the manufacturer's specifications thereafter.
**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.**

4 The Class E(b) use hereby permitted shall be carried on only between the hours of 07:00 to 17:00 Mondays to Sundays including 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.**

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no change of use to Classes, E(c), E(d), E(e), E(f) and E(g) which would otherwise be permitted by Part 3 of Schedule 2 to that Order shall be carried out.
**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.**

**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 Hot food takeaways and drinking establishment do not fall within Class E and are sui generis.

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 19/11/2021



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.