



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2023/0959**

**To** JRB Designs Ltd.  
1 Saville Street  
Cudworth  
Barnsley  
S72 8LT

**DESCRIPTION** Change of use of first floor to Shisha Bar/restaurant and associated external alterations including first floor balcony to front, roof terrace above second floor, fire escape staircase to side, glass parapet means of enclosure, second floor extension to side for storage purposes and lift shaft to side. (re-submission of 2022/0555)

**LOCATION** The Mill, 10 Lower Castlereagh Street, Barnsley, S70 1AR

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 21/12/2023 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 (Nos) and specifications as approved unless required by any other conditions in this permission.  
Amended existing plans drawing number 008  
Existing elevations 1 drawing number 002  
Existing elevations 2 drawing number 0010  
Location and site plan drawing number 001  
Proposed Elevations 1 drawing number 003 Rev B  
Proposed Elevations 2 drawing number 009 Rev B  
Proposed Plans Rev A drawing number 004 Rev A  
Proposed Plans drawing number 004 Rev B  
**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 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority which should include but not be restricted to:
- 1 Site working hours and delivery hours which should avoid peak hours
  - 2 Parking of vehicle of site operatives and visitors
  - 3 Advisory routes for construction traffic;
  - 4 Any temporary access to the site;
  - 5 Locations for loading/unloading and storage of plant, waste and construction materials
  - 6 Method of preventing mud and dust being carried onto the highway
  - o Arrangements for turning vehicles;
  - 7 Arrangements to receive abnormal loads or unusually large vehicles;
  - 8 Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The approved statement shall be adhered to throughout the construction period

**Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Local Plan Policies T4 and Poll 1.**

- 4 The bricks to be used in the development hereby permitted, including the construction of the proposed lift shaft, shall be Forterra Cotswold London or as may be submitted to and agreed in writing by the Local Planning Authority before development commences and thereafter 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 proposed flue shall be given a matt black finish before the use hereby permitted first commences and shall thereafter be retained.

**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.**

- 6 Prior to the commencement of development, plans to show full details of the materials and finish of the doors, windows and balcony shall be submitted to and agreed in writing by the Local Planning Authority and only the agreed details shall be implemented.

**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.**

- 7 Prior to the commencement of development, plans to show full details of the method by which prison weldmesh will be attached to the external stairwells shall be submitted to and agreed in writing by the Local Planning Authority and the agreed details shall be implemented in full before any use of the first or second floor of the building.

**Reason: In the interests of the safety and security of the completed development and of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

- 8 Prior to the commencement of development, plans to show full details of a fire exit door to prevent access to the external stairwell from the ground floor shall be submitted to and agreed in writing by the Local Planning Authority and the agreed details shall be implemented in full before any use of the first or second floor of the building.

**Reason: In the interests of the safety and security of the completed development and of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

- 9 Before to the commencement of the use hereby permitted, details of any new fixed building services plant associated with the proposed development shall be submitted to and agreed by the Local Planning Authority and shall not be audible from the site boundary. The approved details shall be implemented prior to commencement of the use and retained as such 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**
- 10 The use hereby permitted shall be carried on only between the hours of 10:00 to 24:00 Mondays to Fridays and 10:00 to 02:00 on Saturdays and Sundays.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1, Pollution Control and Protection.**
- 11 No tables or other structures shall be placed outside the building unless full details have previously been submitted to and approved in writing by the Local Planning Authority.  
**Reason: to ensure that the development takes the form envisaged by the Local Planning Authority and in the interests of residential amenity and provision of adequate car parking spaces in accordance with Local Plan Policies Poll1, Pollution Control and Protection and T3 New Development and Sustainable Travel**
- 12 The restaurant use hereby permitted is limited to the first floor and there shall be no restaurant use of the roof terrace hereby permitted.  
**Reason: So the use takes the form envisaged by the local planning authority when granting permission, in the interests of the satisfactory use of the premises and amenities of nearby properties and to provide certainty regarding the number of people using the sites and in the interests of the proper planning of the site.**
- 13 Amplified music shall not be played outside at any time. Windows and doors shall be closed when amplified music is played inside the premises.  
**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**
- 14 Before the use hereby permitted first commences, a scheme for the provision of bicycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to commencement of the use and retained as such thereafter.  
**Reason: In the interests of sustainable travel, in accordance with Local Plan Policy T3**

## 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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

- 2 The developer is advised that the Parking SPD indicates that cycle parking should be provided for the proposed use at a rate of 1 long stay space per 20 staff and 1 short stay space per 40m<sup>2</sup> for visitors.

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: 14 March 2024



**Garry Hildersley**

Head of Planning, Policy & Building Control  
Growth & Sustainability Directorate

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.