



**GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/0134

**To** Mr Jason Gallagher  
Rossington Hall Gardens  
Great North Road  
Rossington  
Doncaster  
DN11 0HR

**DESCRIPTION** Change of use of land for the storage of wood chip and the chipping of round wood timber and erection of a single storey building for the storage of wood chip and chipping of round wood timber (Part Retrospective)

**LOCATION** Ringstone Hill Farm, South Moor Road, Brierley Common, Barnsley, S72 9HF

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 19 April 2010 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 (including the 'Location Plan and Red Line Plan'; 'Base Plan Plan 1'; 'Site Plan Plan 2; OS Sitemap Entitled ' Proposed New Wood Chip Storage Barn at Ringstone Hill Farm, Barnsley'; 'Proposed Section' and DWG NO. WB1854) unless prior written consent has been given by the Local Planning Authority to any variation.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley UDP Policy GS9, Visual Amenity.**
- 3 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley UDP Policy GS9, Visual Amenity.**

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed *Stephen Moralee*  
Assistant Director, Planning and Transportation

Dated 08 September 2010

- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: In the interest of highway safety.**
- 5 Unless otherwise agreed in writing by the Local Planning Authority, deliveries of wood chip from the site, by any vehicles, shall not exceed 8 per day.  
**Reason: In the interests of highway safety.**
- 6 Unless otherwise agreed in writing with the Local Planning Authority, deliveries of round wood to the site, by any vehicles, shall not exceed 5 per week.  
**Reason: In the interest of highway safety.**
- 7 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- " The parking of vehicles of site operatives
  - " Storage of plant and materials used in constructing the development
  - " Means of access for construction traffic
  - " Measures to control the emission of dust and dirt during construction
  - " Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity.**
- 8 Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 6.0 (six) metres either side of the centre line of the water main, which crosses the site.  
**Reason: In order to allow sufficient access for maintenance and repair work at all times.**
- 9 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority:
- Root protection areas (RPA)
  - Tree protection plan (TPP)
  - Arboricultural method statement (AMS)
- No development or other operations shall take place except in complete accordance with the approved methodologies.  
**Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.**
- 10 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the completion of the development.  
**Reason: In the interests of the visual amenities of the locality.**

- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.

**Reason: In the interests of the visual amenities of the locality.**

- 12 The wood chip business shall only operate between the hours of 8am to 6pm Monday to Friday, the hours of 9am to 12pm Saturdays and not at all on either Sundays or Bank Holidays.

**Reason: In the interest of residential amenity.**

- 13 Unless otherwise agreed in writing by the Local Planning Authority, the height of the pile of wood chip, stored externally, shall not exceed more than 5m.

**Reason: In the interests of the visual amenities of the Green Belt, and in accordance with Barnsley UDP Policy GS9, Visual Amenity.**

### **Reason(s) for Granting Permission**

- 1 Unique The proposed development is acceptable to the Local Planning Authority as it is considered that very special circumstances exist to justify departure from current Government Guidance on Green Belts in the form of PPG2 and adopted Unitary Development Plan Policy GS8. These circumstances comprise:

- The fact that the development will contribute towards meeting local and national renewable energy and CO2 emission reduction targets;
- The fact that the use is a positive from of farm diversification, provides local, stable employment opportunities, supports several local farming and forestry businesses and ensures that local woodlands are managed, which improves biodiversity.

In addition, the development would not affect the amenities of any local residents or highway safety, in accordance with PPS7.

### **Informative(s)**

- 1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at [www.coal.gov.uk](http://www.coal.gov.uk).
- 2 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

## **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.