



BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2008/0175

To Nuttall Yarwood & Partners Limited
The Grove
High Street
Dodworth
Barnsley, S75 3RQ

DESCRIPTION Use of land as a composting facility including construction of lagoon and weighbridge.

LOCATION Farm off Bagger Wood Hill, Hood Green, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 11 February 2008 and described above.

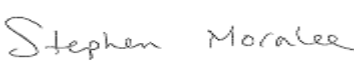
The approval is subject on compliance with the following conditions:

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 permitted shall only be carried out in accordance with the following documents, unless otherwise agreed in writing by the Local Planning Authority, or where amendments are made pursuant to the other conditions below:
a) Drawing number RY1007/1/001 Revision 0 - Existing Site Layout;
b) Drawing number 01 Ref 38/38 Jan 2008 - Location Plan;
c) Drawing number RY1007/1/003 Revision 0 - Proposed Drainage Layout and Details;
d) Drawing number RY1007/1/002 Revision 0 - Proposed Layout and Slab Construction Details;
e) Drawing Number 38/38/03A 200508 - Composting Facility;
f) Statement entitled Eco Green Composter and supporting noise information;
g) Drawing number 38/38/02A - Compost Spreading Revision A Reduced Spreading Areas;
h) Letter reference number 4831/RIG/003 submitted by Sanderson Associates including drawing number 4831/001 and 4831/002;
i) Transport Statement Reference 4831/KS/SAM/001/01 dated January 2008 and;
j) Planning application supporting statement titled, 'Composting Facility to Recycle Green Waste';

Reason: For the avoidance of doubt.

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

Signed 
Assistant Director, Planning and Transportation

Dated 12 February 2009

- 3 Prior to the commencement of development, details of the proposed means to be used to minimise noise from vehicles and machinery shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the fitting of efficient silencers and the approved details shall be implemented before the development is brought into use and retained thereafter.
Reason: In the interests of the residential amenity of occupants of nearby property.
- 4 No development shall take place until a composting management plan has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the operational management of the compost piles and shall include, but not be limited to, odour, dust, litter and pest control measures. The development shall be carried out in accordance with the approved scheme and retained thereafter.
Reason: In the interests of the local environment.
- 5 Prior to the commencement of development a flood contingency plan shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include how the collected run-off will be managed should the drainage lagoon reach capacity. The scheme shall also include the likelihood of such an event occurring detailing how and where excessive run off will be stored or processed. The development shall be carried out in accordance with the approved scheme.
Reason: In order to manage surface water run off without increasing the risk of pollution.
- 6 Prior to the commencement of development details of a drainage system from the concrete pad shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include plans which show the pipework and how this will be protected from damage. The development shall be carried out in accordance with the approved scheme.
Reason: To ensure that the drainage system can be operated and maintained properly to avoid pollution of the water environment.
- 7 Except with the prior written approval of the Local Planning Authority, all site works including deliveries shall be limited to the hours between 0800 hours and 1700 hours on Monday to Friday, 0800 hours and 1300 hours on Saturdays, and not at all on Sundays, Bank Holidays and Public Holidays.
Reason: In the interests of local amenity and in accordance with UDP Policy M9, Environment.
- 8 There shall be no more than 4500 tonnes of organic green waste imported and processed on the site per annum.
Reason: For the avoidance of doubt and in order to control the amount of material composted.
- 9 There shall be no more than 10 Heavy Goods Vehicle movements per day (5 in and 5 out), 4 on Saturdays (2 in and 2 out) associated with the development entering or leaving the site.
Reason: In the interests of highway safety and residential amenity of occupants of nearby property.
- 10 No outside storage of any description shall at any time exceed a height of 4 metres above existing ground level.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.
- 11 There shall be no burning of any material on site at any time.
Reason: In the interest of the local environment and to prevent pollution.

- 12 Unless otherwise agreed in writing by the Local Planning Authority, only green waste supplied by Local Authority collections under the control of Barnsley Metropolitan Borough Council Waste Management Services shall be accepted onto the site. No waste from any other source will be accepted unless any written variation is received and approved in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and in order to control the amount and source of material composted.
- 13 The development hereby approved permits the importation of green organic garden waste only. Green waste includes grass cuttings, leaves, weeds, garden prunings, bark and wood shavings, hedge clippings, twigs and small branches and thin cardboard. No kitchen/food waste or any other waste material shall be imported onto the site at any time
Reason: For the avoidance of doubt and in order to protect human health.
- 14 The windrows/compost heaps shall be monitored daily and written records shall be maintained of each inspection, which shall provide the following information:
- the amount of material on the compost pile
 - the date the compost windrow/heap was constructed
 - the approximate dimensions of the compost windrow/heap upon formation
 - the dates on which the compost windrow/heap is turned
 - the temperature of the compost windrow/heap
 - an assessment of the moisture content of the windrow/heap including dates when additional water is added to the windrow/heap
 - the date when compost is transferred to agricultural land for spreading
- Within 1 week of a written request from the Local Planning Authority, the operator shall make available to the Local Planning Authority a copy of the monitoring records requested for inspection.
Reason: To ensure satisfactory green waste management.
- 15 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no more than 125 tonnes of unprocessed green waste material stored on the site and the storing of such material shall be limited to a period of 7 days at any one time.
Reason: In order to prevent excessive odour and in the interest of the local amenity.
- 16 In the event that the importation and composting of green waste should cease for a period of 12 months, the operator shall, within 3 months of a written request of the Local Planning Authority, submit a scheme for the restoration of the site, including the removal of waste materials, compost and plant and machinery associated with the development. The restoration scheme shall be implemented within 6 months of the approval by the Local Planning Authority.
Reason: In the interest of the visual amenity of the local area.
- 17 Prior to the commencement of development, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority which shows the method for engineering and exact depth of the proposed drainage lagoon. Such details shall include any remedial works considered necessary in order to stabilise mine entries beneath the site. The development shall be carried out in accordance with the approved scheme and retained thereafter.
Reason: In order to ensure that the development does not harm mine shafts and adits

- 18 Sight lines, having the dimensions 2.4m x 90m, shall be safeguarded at the drive entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.05m above the nearside channel level of the adjacent highway.
Reason: In the interests of highway safety.
- 19 Prior to the commencement of development, a plan showing the fields where the composted material is to be finally spread, including depths and frequency of spreading, shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In order to protect the natural environment.
- 20 Prior to the commencement of development, details of landscaping works, including details of seeding and the species, numbers, positions, mix and size of all proposed trees and shrubs, shall be submitted to, and approved in writing by the Local Planning Authority. All planting or seeding as approved shall be carried out in the first planting and seeding season following the commencement of development. Any trees or shrubs planted as part of the scheme which are removed or, in the opinion of the Waste Planning Authority, become severely damaged or are found to be dying or seriously diseased within five years of planting shall be replaced within the next available planting season with trees or shrubs of a similar size and species to the satisfaction of the Waste Planning Authority.
Reason: To ensure that the details of a landscape/planting scheme are submitted and implemented in the interests of visual amenity.

Reason(s) for Granting Permission

- 1 Unique The proposal complies with Planning Policy Guidance 2 in that the proposal does not impact on the openness of the Green Belt or conflict with the purposes of including land in the Green Belt. It also adheres to Policies GS7 and GS9 of the Barnsley Unitary Development Plan. Special circumstances have been highlighted which warrant departure from Green Belt policies, these include the sustainable method of green waste processing which is supported through PPS10.

The proposal adheres to Policy ED13 of the Barnsley Unitary Development Plan, in that it leads to diversification of the rural economy and is a wholly sustainable method of reducing waste and providing material for use as a soil improver on the applicants farmland. The proposal is supported through National Planning Policy Statement 10 (sustainable waste management).

The proposal helps the Council achieve the maximum re-use and recycling of waste materials and adheres to Policy WD2 of the Barnsley Unitary Development Plan.

The proposal adheres to Policy ES1 of the Barnsley Unitary Development Plan as the composting is for green organic garden waste only, excluding any kitchen or food waste. There will be no harm to the environment.

The proposal will not result in excessive vehicular movements and does not compromise highway safety. The proposal adheres to policies WD4 and T2 of the Barnsley Unitary Development Plan

Informative(s)

- 1 The development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.
- 2 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:
 - Collapse of shallow coal mine workings;
 - Collapse of, or risk of entry into, mine entries (shafts and adits);
 - Gas emissions from coal mines including methane and carbon dioxide;
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
 - Transmission of gases into adjacent properties from underground sources through ground fractures;
 - Coal mining subsidence
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 3 The applicant is advised that condition 4 requires a specific management plan which should odour, dust, litter and pest control measures and general arrangements for managing the compost windrows. The applicant is advised to contact Regulatory Services on 01226 772453 for further guidance.
- 4 This activity will require an exemption or waste management license depending on the quantities of waste. A waste exemption license may also be required for the associated spreading activities. Please contact the Environment Agency for more information, or visit the following website:

www.environment-agency.gov.uk

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.