BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0845

To Tor and Co.
3 Edmund Gardens
117 Edmund Street
Birmingham
B3 2HJ

DESCRIPTION Installation of a solar farm of up to 2MW generating capacity, substation and associated infrastructure together with erection of 2.4m high perimeter fencing and CCTV posts. Amended documentation Jan 2024

LOCATION Premier Foods Bakery, Fish Dam Lane, Carlton, Barnsley, S71 3HF

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 25/09/2023 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.
Existing Block Plan drawing number I2010-000-04
Proposed Elevations drawing number I2010-00-02
Site Location Plan drawing number 277101/001
Amended planting plan
Arboricultural Impact Assessment REF 230817 1532 AIA V3 dated 5/09/2023
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.

CUSTOMER SERVICE EXCELLENCE CSE LABC

3 A Biodiversity Enhancement Management Plan (BEMP), completed by a suitably qualified ecologist shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works on site. The BEMP will include the following:
1. A recent landscape plan detailing the location of mitigation works and the size of each habitat area to be enhanced and/or created;
2. Management aims and prescriptions detailing the methods required to create and/or enhance each habitat at the required quality for a period of 30 years;
3. A timetable of delivery for each habitat created and/or enhanced;
4. A schedule of ecological monitoring for a minimum 30 year period, identifying when key indicators of habitat maturity should be achieved;
5. Details on the monitoring of habitats and the provision of a report, which shall be provided to the LPA on the 1st November of each year of monitoring (years one-three after creation, years five, and ten and every ten years thereafter), which will assess the condition of all habitats created and/or enhanced and any necessary management or replacement/remediation measures required to deliver the Net Gain values set out in the BEMP for each habitat;
6. A schedule of actions to be undertaken in case signs of failing are identified; the schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.
7. The BEMP should also include other measures to enhance biodiversity on-site, including the provision of bat and bird boxes, giving details on types and locations of boxes proposed
The development shall thereafter be completed in accordance with the agreed BEMP.
Reason: In the interests of securing adequate biodiversity net gain on the site in accordance with Local Plan Policy BIO Biodiversity and Geodiversity, the Biodiversity and Geodiversity SPD and the Carlton Masterplan Framework.

4 Before any development commences on site, including before any machinery or materials are brought onto the site, the tree protection measures set out in the approved Arboricultural Impact Assessment shall be fully implemented and retained on site for the duration of the construction and until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To safeguard existing trees, in the interest of visual amenity.

5 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and agreed in writing by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.

6 Decommissioning of the development and restoration of the site shall commence not later than 40 years from the first date on which the site first generates electricity. Written confirmation of the commencement of electricity generation (not including initial testing and commissioning of the development) shall be provided to the local planning authority no later than 30 days after commencement of generation. Thereafter a decommissioning and restoration plan shall be submitted to and approved by the local planning authority not later than 6 months before the 40-year anniversary of the date of first commissioning of the development or 6 months after the cessation of electricity generation from the site, if before. No decommissioning may take place unless the decommissioning and restoration plan has been approved by the local planning authority and the decommissioning and restoration plan shall be implemented in full as approved.
Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when granting planning permission and to secure the removal of development at the end of the operational life of the solar farm.

7 Site clearance and construction works shall be undertaken as set out within the Construction Environmental Management Plan (CEMP), January 2024.
Reason: In the interests of protecting the biodiversity and habitat value of the site, and in the interests of highway safety, in accordance with Local Plan Policies BIO Biodiversity and Geodiversity, T3 New development and Sustainable Travel and T4 New development and Transport Safety

8 Any sound from plant, when considering the cumulative impact of all sources, shall not exceed 38 dB LA,r at the closest receptors so as not to exceed the typical background sound level, after accounting for any acoustic feature corrections.
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

9 During construction or demolition works, activity shall only take place onsite 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: 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 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 first phase of the development, whichever is the sooner; 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 others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy GD1 General Development.

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.

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: 8 April 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 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.