



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0632

To Andrew Bailey Architects
85 Lundhill Road
Wombwell
Barnsley
South Yorkshire
S73 0RL

DESCRIPTION Variation of condition 11 of app 2011/0171 - to allow the screening and crushing of waste on site.

LOCATION Unit 1-3 Carlton Industrial Estate, Shawfield Road, Barnsley, South Yorkshire, S71 3HS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 18 June 2014 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, documents and specifications as approved under application 2011/0171 & 2014/0632 unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 3 The applicant shall be responsible for ensuring that, from the commencement of the development, a copy of this permission, including all plans and documents hereby approved and any plans or documents subsequently approved in accordance with the permission, shall always be available at the site for inspection by the WPA during normal working hours.
Reason: To ensure that the development is carried out in accordance with the approved details.

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*
Head of Planning, Building Control and Sustainability

Dated 21 August 2014

- 4 Working operations within the site, including vehicle haulage movements and maintenance, shall be limited to between 0800 hours and 1700 hours on Monday to Friday, 0800 and 1300 hours on Saturdays and not at all on Sundays, Bank and Public Holidays.
Reason: In the interests of local amenity.
- 5 The maximum amount of household waste accepted at the site shall not exceed 5000 tonnes per annum. A written record shall be kept by the operator of the amount and type of waste accepted at the site in tonnes on a daily basis. This record shall be made available to the WPA for inspection on request and shall be retained for at least 24 months.
Reason: To minimise potential impacts arising from the operation of the site and to protect the amenity of nearby occupiers
- 6 The number of HGVs entering the site shall not exceed 10 per day. A record shall be kept by the operator of the number of HGVs entering the site on a daily basis. This record shall be made available to the WPA for inspection on request and shall be retained for at least 24 months.
Reason: To minimise potential impacts arising from the operation of the site and to protect the amenity of nearby occupiers
- 7 The previously approved measures to be taken to ensure that all vehicles leaving the site are in such condition as not to leave dust, slurry or mud on the highway under application 2011/0632 shall be maintained. notwithstanding such arrangements, should any material nevertheless be accidentally deposited on the public highway, the operator shall immediately remove such material.
Reason: In the interests of highway safety
- 8 All outside storage of any description shall only take place in accordance with the approved plan [Site Location Plan (Ordnance Map) at 1:500 scale showing site layout] and shall not at any time exceed a height of 2m above existing ground level.
Reason: In the interest of the visual amenity of the area
- 9 Measures shall be employed to ensure that dust emissions from the site are controlled and fugitive dust and litter prevented from leaving the site. These measures shall include but not necessarily be limited to the following:
a) The use of adequate and working water suppression (hoses/sprinklers etc.) which shall be available for use, and utilised, at all times when dust generating materials are being handled on site. Any materials likely to cause dust shall be effectively dampened prior to being handled;
b) All vehicles transporting waste materials entering and leaving the site shall be securely sheeted;
c) Any vehicles permanently stationed at the site shall be equipped with upward pointing exhausts; and
d) The carrying out of daily litter inspections and the collection of any litter within the site.
Reason: To protect local amenity, and to safeguard the occupants of nearby dwellings and premises from the effects of dust and litter
- 10 All mobile plant used on site shall comply with BS 5228 Noise on Construction and Open Sites Part 1 1984, and shall be fitted with white noise vehicle reversing alarms.
Reason: To ensure that the noise impact of the site is minimised

11 Any external lighting system shall be designed in such a manner and be sufficiently shielded to ensure that light shines directly on the site and that properties beyond the boundary of the development are not subject to glare. Any external lighting shall comply with the ILE guidance notes for the 'Reduction of Light Pollution'.

Reason: To protect the amenity of the locality and the amenities of occupiers of adjoining and nearby properties

12 Measures shall be employed to ensure that operations associated with the development hereby permitted do not give rise to any malodours. Such measures may include but not necessarily be limited to the following:

- a) The removal of any malodorous material from the site; and
- b) The application of masking agents to neutralise any malodours.

Reason: In the interests of amenity

13 In the event that the use of the site for the importation of waste should cease for a period in excess of three months then, within one month of a written request from the WPA, the site shall be cleared of all stored waste and recycled materials.

Reason: To provide for the beneficial use and appearance of the land after the additional waste transfer use hereby permitted has ceased.

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 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 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 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.

- 3 The decision to grant planning permission has been taken having regard to the saved policies and proposals in the Barnsley Unitary Development Plan, the policies and proposals in the Core Strategy and to all relevant material considerations, including Supplementary Planning Guidance:

Barnsley LDF Core Strategy

The Barnsley LDF Core Strategy was adopted in September 2011 and now forms part of the Development Plan for the Borough alongside the remaining Saved policies of the Unitary Development Plan.

Policy CSP19 states that land last used for employment purposes should be retained for that purpose in order to safeguard existing or potential jobs.

Policy CSP 26 states that new development should have a suitable access and sufficient on site parking. Further the local highway network should have sufficient capacity to accommodate the traffic which is generated by the development.

Policy CSP40 states that new development will be expected to demonstrate that it is not likely to result in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

It should be noted that the Core Strategy does not contain policies or text directly related to waste and recycling as these issues are covered in the Barnsley, Doncaster and Rotherham Joint Waste Plan which was adopted in April 2012.

Barnsley, Doncaster and Rotherham Joint Waste Plan

The plan states that by 2026, Barnsley, Doncaster and Rotherham boroughs will be leading exponents of environmentally friendly and innovative waste management solutions to support a diverse local economy and future growth. The overall aims of the Councils are to:

- manage the majority of our waste within our boundaries and divert it from landfill;
- meet and exceed our recycling, composting and recovery targets;
- develop a range of high quality, state-of-the-art and in

- 4 Any storage/treatment or disposal of waste will require an Environmental Permit under the Environmental Permitting Regulations 2007 from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environmental Management Team at Rotherham on 08708 506506 to discuss the issues likely to be raised or refer to the website at <http://www.environmentagency.gov.uk/business/topics/waste/32156.aspx>. It is an offence to store, treat or dispose of waste without a relevant environmental permit or exemption.

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.