BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0171

To Mr Dale Fox
The Lodge
287 Doncaster Road
Barnsley
Barnsley
S70 3HA

DESCRIPTION Change of use from general industry (Class B2) to a mixed use of general industry (Class B2) and waste transfer station.

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

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 04 March 2011 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun within 3 years from the date of this permission.
Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2 The Waste Planning Authority (WPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development.
Reason: To enable the WPA to monitor compliance with the conditions of the planning permission.

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.

Stephen Moralee

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 04 August 2011

Planning and Transportation Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

4 The development hereby permitted shall only be carried out in accordance with the following documents except where amendments are made pursuant to the other conditions below:
a) Site Location Plan (Ordnance Map) at 1:1250 scale showing application boundary:
b) Site Location Plan (Ordnance Map) at 1:500 scale showing site layout;
c) Planning Statement on behalf of Allwayste Recycling Ltd dated March 2011, ref AL/12;
d) Document titled 'Environmental Management System Ref AL01/Feb 11', received by the WPA on 3/3/2011;
e) Document titled 'Risk Assessment including H1 Assessment Ref AL/03, February 2011';
f) Drawing entitled 'elevation and plans' dated July 2011 (Drawing number - Fox-0711-01).
Reason: For the avoidance of doubt and in the interests of local amenity.

5 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.

6 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 and to accord with PPS10 and PPG24 and policies ED4, ES1, T2, WD3 and WD4 of the Barnsley Unitary Development Plan (UDP).

7 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 and to accord with PPS10 and PPG24, and policies ED4, ES1, T2, WD3 and WD4 of the UDP.

8 No development shall commence until a scheme has been submitted to, and approved in writing by, the WPA, identifying 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. The development shall thereafter be undertaken in accordance with the details of the approved scheme. 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 and to accord with PPS10 and policy WD4 of the UDP.

9 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 and to accord with PPS10 and policies ED4 and WD3 of the UDP.

10 No development shall commence unless and until full foul and surface water drainage details have been submitted to, and approved in writing by, the WPA. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development.
Reason: To ensure the proper drainage of the area and to accord with policy ES1 of the UDP.

11 There shall be no screening or crushing of waste materials at the site.
Reason: To protect local amenity, and safeguard the occupants of nearby premises from the effects of potential noise and dust and to accord with policies ED4 and WD3 of the UDP and CSP40 of the Core Strategy (submission version) (CS).

12 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 and to accord with policy WD3 of the UDP and policy CSP40 of the CS.

13 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 and to accord with policy WD3 of the UDP and policy CSP40 of the CS.

14 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 and to accord with policy WD3 of the UDP and policy CSP40 of the CS.

15 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 and to accord with policy WD3 of the UDP and policy CSP40 of the CS.

16 No development shall commence until the details of the monoflex to be attached to the perimeter fencing have been submitted to, and approved in writing by, the WPA. The development shall thereafter be undertaken in accordance with the approved details.
Reason: To inhibit/prevent the escape of wind blown waste materials from the site in the interests of adjacent businesses and nearby residential areas and to accord with policy WD3 of the UDP and policy CSP40 of the CS.

17 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.

Reason(s) for Granting Permission

1 Unique The proposed development gives rise to no material harm, is in accordance with the relevant Development Plan policies and there are no other material considerations that indicate that the decision should be made otherwise. The proposal complies with the Waste Strategy for England 2007, Planning Policy Statement 10 (Planning for Sustainable Waste Management) and Planning Policy Guidance 24 (Planning and Noise), Barnsley Unitary Development Plan policies ED4, ED7, ES1, T2, WD2, WD3 and WD4, and the Local Development Framework Core Strategy (September 2010 submission version) policies CSP26 and CSP40. The attached planning conditions would reasonably mitigate any potential harm arising as a result of the proposed development.

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 Waste Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.

2 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.

3 The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.
It should be noted that this site may also lie within an area where a current licence exists for underground coal mining. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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.

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