



BARNSELEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0354

To Mrs Beverley Honeyman
Livingstone House
Chadwick Street
Leeds
West Yorkshire
LS10 1LJ

DESCRIPTION Formation of new waste water treatment works
LOCATION Ingbirchworth Sewage Treatment Works, Huddersfield Road, Ingbirchworth,
Sheffield, S36 7GQ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 April 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.

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 11 July 2011

- 4 The development hereby permitted shall only be carried out in accordance with the following documents, unless otherwise agreed in writing by the WPA, or where amendments are made pursuant to the other conditions below:
- a) Drawing number N 5018 - 2300 Rev A1, Location Plan showing the red and blue line application boundaries;
 - b) Drawing number N 5018 - 2301 Rev A1, Existing Site Layout;
 - c) Drawing number N 5018 - 2302 Rev A1, Proposed Site Layout;
 - d) Drawing number N 5018 - 2303 Rev A1, Proposed Site Plan;
 - e) Drawing number N 5018 - 2304 Rev A1, Proposed Elevations Sheet 1 of 2;
 - f) Drawing number N 5018 - 2305 Rev A1, Proposed Elevations Sheet 2 of 2;
 - g) Drawing number N 5018 - 2000 Rev A2, Proposed Site Access and Road Safety Plan;
 - h) Planning application Design and Access Statement prepared by ETM and dated 21 March 2011;
 - i) Planning application Flood Risk Assessment prepared by ETM and dated 21 March 2011;
 - j) Phase 1 Habitat and Protected Fauna Survey, ref. 100826, prepared by Whitcher Wildlife Ltd and dated 28 September 2010;
 - k) Document titled 'Ingbirchworth WWTW - Noise Assessment' prepared by AECOM Ltd, dated May 2011 and received by the WPA on 6 June 2011;
 - l) Document titled 'Arboricultural Method Statement to BS 5837:2005 at A629 Ingbirchworth WWTW Penistone, South Yorkshire' prepared by JCA Limited Ref: 10156/AB, dated 3 June 2011 and received by the WPA on 6 June 2011; and
 - m) E-mail from ETM dated 13 April 2011 to the WPA relating to the importation of materials for the site entrance and access road.
- Reason: For the avoidance of doubt and in the interests of local amenity.**
- 5 Except in an emergency, working operations within the site including vehicle haulage movements and maintenance shall be limited to the hours between 0730 hours and 1800 hours on Monday to Friday, 0900 and 1300 hours on Saturdays and not at all on Sundays, Bank and Public Holidays.
- Reason: In the interests of local amenity.**
- 6 All on-site vehicular areas shall be hard surfaced and drained in a manner to be approved in writing by the WPA prior to the development being brought into use.
- Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety.**
- 7 The parking and manoeuvring facilities shown on the approved drawing (number N 5018 - 2303 Rev A1, Proposed Site Plan), shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
- Reason: In the interests of highway safety.**
- 8 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway.
- Reason: In the interests of highway safety.**
- 9 No development shall commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of 'Carry out agreed works as detailed on drawing number N 5018 - 2000 Rev A2, Proposed Site Access and Road Safety Plan, to the A629 Huddersfield Road, relocating of 40 mph signs and proposed gateway detail'.
- Reason: In the interests of highway safety and to accord with CS policy CSP26.**

- 10 Within 3 months of the date of commencement of development, a landscaping scheme shall be submitted to, and approved in writing by, the WPA. The scheme shall provide details (plant species, size, planting distance, numbers and planting method) of tree planting to be carried out along the northern and western boundaries of the site. All tree planting as approved in the scheme shall be carried out in the first planting season following the completion of the development. Any trees or shrubs planted as part of the scheme which are removed or, in the opinion of the WPA, 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 WPA.
Reason: To ensure that a landscaping/planting scheme is submitted and implemented in the interests of visual amenity and to accord with PPG2 and PPS9, UDP policies GS4 and GS9, and CS policies CSP34 and CSP36.
- 11 No hedges or trees on the site or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the WPA.
Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and to accord with PPG2 and PPS9, UDP policies GS4 and GS9, and CS policies CSP34 and CSP36.
- 12 In the event that the use of the site as an operational WWTW should cease for a period in excess of six months then, within one month of a written request from the WPA, the site shall be cleared of all redundant plant, equipment and structures and restored to grassland.
Reason: To provide for the beneficial use and appearance of the land after the use hereby permitted has ceased.

Reason(s) for Granting Permission

- 1 Unique The Borough Council is of the opinion that the formation of a new Waste Water Treatment Works (WWTW) gives rise to no material harm and is in accordance with Government policy and guidance, and the policies in the Barnsley Unitary Development Plan and the Local Development Framework Core Strategy (September 2010 submission version) as set out below:

Government Policy and Guidance
PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPS9: Biodiversity and Geological Conservation
PPG24: Planning and Noise

Barnsley Unitary Development Plan
GS4: Public Bodies
GS7: Green Belt
GS8: Green Belt
GS9: Green Belt
GS15: Habitats and Species
GS16: Habitats and Species
BE6: Design
ES1: Pollution
T2: Highways
UTL1: Utilities Infrastructure

Furthermore, having considered all planning matters raised by consultees, there are no other material considerations that indicate that the decision should be made otherwise and the proposed WWTW is therefore considered acceptable. It is further considered that potential harm to the living conditions of neighbouring residents presented by potential noise and odour nuisance would be highly unlikely.

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 The developer must contact Barnsley MBC Highways, Engineering & Waste (telephone 01226 773555) prior to any work commencing on site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.
- 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.
- 4 The developer should ensure that any soils imported to the site are tested to show that they are not contaminated and suitable for use.
- 5 The entire site provides a suitable habitat for a variety of nesting birds. If the works are required to be carried out during the nesting bird season, the works should be preceded by a nesting bird survey undertaken by a suitably qualified person. If any reptiles are identified on the site, they should be allowed to move away of their own accord and advice should be sought from a suitably qualified person.

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.