



BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0190

To Hylo Design
Red Gables
50 Church Street
Brierley
Barnsley
S72 9HT

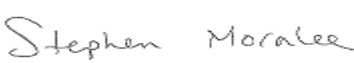
DESCRIPTION Change of use and extension of industrial building to a non-ferrous metal recycling centre (sui generis) (Resubmission of application 2011/1303)
LOCATION 95A High Street, Grimethorpe, S72 7BD,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 23 February 2012 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 (No's: 1/A; 3/A; 4/1A) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.
- 3 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interest of highway safety and in accordance with Barnsley LDF Core Strategy Policy CSP 26, New Development and Highway Improvement.

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 Regulatory Services

Dated 30 May 2012

- 4 The use hereby permitted shall be carried on only between the hours of 8.30am to 5pm Mondays to Fridays, 8.30am to 12pm on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.
- 5 No outside storage shall take place at any time on the site.
Reason: In the interests of visual and residential amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.
- 6 There shall be no burning of any material/waste on the site at any time.
Reason: In the interests of residential amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.
- 7 Prior to the commencement of the use, full details of security lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to the commencement of the use and retained as such thereafter.
Reason: In the interest of residential amenity and in accordance with Barnsley LDF Core Strategy Policy CSP 40, Pollution Control and Protection.
- 8 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions of any proposed trees and shrubs. The approved hard landscaping details shall be implemented prior to the commencement of the use.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.
- 9 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 commencement of the use 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 other of similar size and species.
Reason: In the interests of the visual amenities of the locality and in accordance with Barnsley LDF Core Strategy Policy CSP 29, Design.
- 10 The maximum amount of waste accepted at the site shall not exceed 150 tonnes per annum. A written record shall be kept by the operator of the amount of waste accepted at the site in tonnes on a monthly basis. This record shall be made available to the Waste Planning Authority 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, in accordance with Policy WCS6 of the Joint Waste Plan, Policy ED4, Economic Development and Residential Amenity of the Saved Barnsley UDP and Policy CSP 40, Pollution Control and Protection of the Barnsley LDF Core Strategy.
- 11 No development shall take place unless and until full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. 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 unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure the proper drainage of the site.

Reason(s) for Granting Permission

- 1 Unique The proposal complies with the NPPF Paragraph 28, the Joint Waste Plan, Barnsley LDF Core Strategy Policy CSP 40 Pollution Control and Protection and Barnsley Saved Policy ED4, Economic Development and Residential in that it will help reduce the amount of waste going to landfill and will not harm the amenities of any adjoining occupiers or adversely affect highway safety.

Informative(s)

- 1 This development 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 Barnsley and Doncaster Environment Management team on 01709 312777 to discuss the issues likely to be raised.
- 2 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.
- 3 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.

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.