



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/0957

To Clive Fagg
Radcliffe House
Blenheim Court
Lode Lane
Solihull
B91 2AA

DESCRIPTION Erection of build to house battery storage facility
LOCATION Land North of Twibell Street, Barnsley, S71 1JE

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 14 July 2017 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 and specifications as approved unless required by any other conditions in this permission:
17284.101 REV 1 Location Plan
17284.102.1 REV 1 Proposed site plan
17284.103REV 1 Elevations and Block Plan
Noise Assessment by SLR dated July 2017
Planning Statement dated July 2017
Coal Mining Risk Assessment Report - Geo-Environmental Group dated 17th August 2017
Ecological Impact Assessment - SLR dated July 2017
Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.
- 3 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

- 4 The development site is located in a Coal Authority coal mining referral area due to the possible presence of shallow coal and coal mine workings. The site could therefore be at risk from ground instability and associated mining legacy health and safety risks. An intrusive site investigation must therefore be undertaken by a suitably qualified person to evaluate the ground conditions and the potential mining legacy risks. The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication 32 "Construction over abandoned mine workings" where applicable. A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe development rests with the developer and/or landowner.

Reason : In the interests of CSP 39 and NPPF Para 120/121 Land Stability.

- 5 Prior to construction starting on the site details shall be submitted to the LPA for approval which demonstrates that the proposed building envelope shall provide a minimum sound reduction of 24dB and the full specification of the building, including all ventilation details. Thereafter the scheme shall be implemented in accordance with the approved details.

Reason: For the protection of residential amenity and the avoidance of noise pollution in accordance with CSP 40.

- 6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.

- 7 Prior to the commencement of the operational phase, the Biodiversity enhancements set out in Paragraph 6.6 of the Ecological Impact Assessment by SLR dated July 2017 shall be implemented in full and maintained for the duration of the development. Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.

Reason: In the interests of Biodiversity in accordance with CSP36 Biodiversity

- 8 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.

- 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 occupation of the buildings or the completion 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 other of similar size and species.
Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.
- 10 No development shall take place until details of the proposed means of disposal of surface water drainage, including but not exclusive to :-
a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical ;
b) evidence of existing positive drainage to public sewer and the current points of connection; and
c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change, have been submitted to and approved by the Local Planning Authority . Furthermore, unless otherwise approved in writing by the local planning authority , there shall be noped discharge of surface water from the development prior to the completion of the approved surface water drainage works .
Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage
- 11 The development shall be for a temporary period of no more than 20 years from the date of this permission by which time all buildings and plant shall be removed and the site restored.
Reason: In the interests of certainty and in the interests of the visual amenity of the locality in accordance with CSP 29.

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.

Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 29 September 2017

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 given 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.