



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/1315

To Baker Barnett Limited
Unit 10
Markham Vale Environment Centre
Markham Lane
Chesterfield
S44 5HY

DESCRIPTION The retention of the natural gas meter cabinet, the installation of a containerised back-up power generator, cooling radiator, associated pipework and transformer outside of the existing generation building and a 5m high acoustic screen, also existing generator stack heights increased by 3m. (Amended Plans and description)

LOCATION Hickleton Energy Park, Barrowfield Road, Thurnscoe, Rotherham, S63 0BH.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 October 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: Proposed Elevations 12-2401-04revB, Proposed Site Plan 12-2401-03revC and the Air Quality Assessment carried out by ADM Ltd dated 4th December 2017 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 LDF Core Strategy Policy CSP 29, Design.
- 3 The installation (the existing four mines gas engines and the proposed natural gas engine) shall not operate for a period greater than 1000 hours per annum, except in the event of a National Emergency as deemed and instructed by the Secretary of State. The number of hours of operation for each of the first five operational years shall be reported to the local planning authority, including any additional use due to National Emergency events.
Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Core Strategy policy CSP 40

- 4 The natural gas engine shall be a single 2.5 MWe unit fuelled by natural gas.
Reason: In order to meet the requirements of the Medium Combustion Plant Directive and in the interests of minimising the impact of the proposal on local air quality in accordance with Core Strategy policy CSP 40
- 5 Noise from all sources (generator, exhaust and chiller) should not exceed Leq 60 dBA at any height 10 metres directly north of the generator when measured at any time.
Reason: In the interests of the living conditions of nearby residential occupiers in accordance with Core Strategy policy CSP 40
- 6 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: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.
- 7 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
 - Measures to control the deposit of mud and debris being deposited on the public highway.
- 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.**

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.

- 1 The proposed Installation will also be required to comply with the obligations of the Medium Combustion Plant Directive, and will have to apply for an appropriate permit.

Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 04 January 2018

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.