BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0380

To AC Environment Solutions Ltd
G14 Longfields House
Longfields Court
Middlewoods Way
Wharncliffe Business Park
Carlton
Barnsley
S71 3GN

DESCRIPTION Change of use of existing warehouse to a non ferrous metal recycling facility (Sui Generis) including the construction of an external weighbridge.

LOCATION Metro Trading Centre, Barugh Green Road, Barugh Green, Barnsley, S75 1JT

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 04 April 2011 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 in strict accordance with the plans and specifications received on 28th March 2011 unless prior written consent has been given by the Local Planning Authority to any minor variation. The following plans are hereby approved:

- Design and Access Statement/Planning for Change of Use by AC Environmental Solutions Ltd (Ref - AC/DAPS/PP-01402940);
- Letter by AC Environmental Solutions Ltd dated 21st April 2011 (Ref - AC0013/02/J);
- Letter by AC Environmental Solutions Ltd dated 12th April 2011 (Ref - AC0013/02/J Blackburn and Sons);
- Block Plan by AC Environmental Solutions Ltd dated March 2011;

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

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 10 June 2011

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3 No outside storage or processing, including skip storage, shall at any time take place on the site.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

4 The parking facilities indicated on the approved 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 road safety.

5 No machinery (including mechanical handling equipment, movement of lift trucks and operation of roller shutter doors) shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site at any time on Sundays, Bank or Public Holidays or outside 0800 - 1700 Mondays to Fridays, 0800 to 1200 Saturdays.
Reason: In the interests of the local amenity.

6 No audible reversing alarm to any in-house vehicle, mechanical handling equipment or lift truck shall operate outside the building between 0800 and 0900 on Saturdays, unless the alarm is of the directional (white-noise) type.
Reason: In the interests of the local amenity.

7 There shall be no burning of waste at any time.
Reason: In the interests of the local environment.

Reason(s) for Granting Permission

1	Existing employment policy areas - Policy ED7	The proposal complies with Policy ED7 in that the type of employment use proposed is compatible with adjoining uses; there is no significant impact on residential/visual amenity/highway safety.

Informative(s)

1 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:

- Collapse of shallow coal mine workings;
- Collapse of, or risk of entry into, mine entries (shafts and adits);
- Gas emissions from coal mines including methane and carbon dioxide;
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
- Transmission of gases into adjacent properties from underground sources through ground fractures;
- Coal mining subsidence
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

2 You will require an appropriate exemption, permit or authorisation from the Environment Agency. Please contact the Rotherham office on 08708506506 or visit http://www.environment-agency.gov.uk/subjects/waste.

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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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