BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1444

To Axis P.E.D. Ltd
Unit 11 Well House Barns
Chester Road
Bretton
Chester
Flintshire
CH4 0DH

DESCRIPTION Erection of single storey boiler house and installation of 2 no. oil tanks
LOCATION Kingswood Learning and Leisure Group Ltd., Huddersfield Road, Penistone, Sheffield, S36 7GF

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 07 December 2010 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 under drawing numbers 1114-01-03, 1114-01-04 and 1114-01-05 as approved unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

3 The old boiler room and related paraphernalia shall be demolished and removed from the site restoring the land to its original state within 6 months of the new boiler room becoming fully functional.
Reason: In the interests of the openness and visual amenity of the Green belt.

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 18 January 2011

Planning and Transportation Service **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

4 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme for surface water run-off limitation and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

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 proper drainage of the area

Reason(s) for Granting Permission

1 Visual amenity - Policy GS9 — The proposal complies with Policy GS9 in that the development does not cause any significant harm to the visual amenity of the Green Belt.

Informative(s)

1 The proposed development must fully comply with the Oil Storage Regulations 2001.

In England, above ground oil storage is regulated by the Control of Pollution (Oil Storage) (England) Regulations 2001. The regulations apply to most industrial, commercial and institutional sites storing oil in containers over 200 litres.

This application has two oil tanks being stored within a closed boarded fence, each tank holds 2500 litres of oil meaning that it must comply with the Oil Storage Regulations. Currently this proposal is not in compliance with the oil storage regulations for the following reasons:

i) the tanks that have been chosen are double skinned, if you choose a double skinned tank, it will not be compliant with the Regulations unless it is installed in a constructed secondary containment system (a bund).

ii) the closed fencing will not act as a secondary containment. Secondary containment is an area around a tank and its ancillary equipment designed to contain any loss of oil and to prevent it from escaping to the environment. It can be manufactured as part of an integrally bunded tank system or built on site ready for the tank to be put into it. Your tank may need to have secondary containment by law depending on where it is and what it's used for. But to protect the environment we recommend that all tanks are bunded as it is good environmental practice.
Secondary containment must hold at least 110% of the volume of oil the tank is designed to contain.

Please be aware that we are responsible for enforcing the Oil Storage Regulations and may serve an Anti Pollution Works Notice requiring inadequate facilities to be brought up to standard. Further information can be found on our website www.environment-agency.gov.uk or alternatively, please contact our National Customer Contact Centre on 08708 506506.

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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