



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/0117

**To** Jake Stentiford  
Surface Planning  
17 Church Hill  
Royston  
Barnsley  
S71 4NQ

**DESCRIPTION** Erection of battery storage facility.  
**LOCATION** Land West of Hopewell Street, Stairfoot, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 01 February 2017 and described above.

**THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT/UNILATERAL UNDERTAKING MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).**

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun within 3 years from the date of this permission.  
**Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.**
- 2 The development hereby permitted shall only be carried out in accordance with the following documents:
  - a) Drawing titled 'Location Plan', numbered P16-0851 01 and dated 15 March 2016;
  - b) Drawing titled 'Existing Site Plan', numbered P16-0851 02 and dated 15 March 2016;
  - c) Drawing titled 'Proposed Site Plan', numbered P16-0851 03 and dated 15 March 2016;
  - d) Drawing titled 'Battery Container and HVAC Cooling Systems', numbered P16-0851 04 and dated 15 March 2016;
  - e) Drawing titled 'Components', numbered P16-0851 05 and dated 15 March 2016;
  - f) Ecological Impact Assessment (EclA) of proposed battery storage facility, SLR reference 424.06749.00001 version 2, dated December 2016; and
  - g) Updated Noise Statement produced by Environmental Noise Solutions Limited, for Proposed Battery Facility, Hopewell Street, Barnsley, and dated 28 October 2016.**Reason: For the avoidance of doubt and in the interests of residential and visual amenity in accordance with CS policies CSP29 and CSP40 and the relevant planning policy statements in the NPPF.**

- 3 All on-site vehicular areas indicated on the approved 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 are provided, in the interests of highway safety and free and safe flow of traffic, and in accordance with CS policy CSP26.**
- 4 No development shall commence, 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:  
a) The parking of vehicles of site operatives and visitors;  
b) Means of access for construction traffic;  
c) Loading and unloading of plant and materials;  
d) Storage of plant and materials used in constructing the development;  
e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;  
f) Measures to prevent mud/debris being deposited on the public highway;  
g) Wheel washing facilities; and  
h) Measures to control noise levels during construction.  
**Reason: In the interest of highway safety, residential and visual amenity, and in accordance with CS policies CSP26, CSP29 and CSP40.**
- 5 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be submitted to, and approved in writing by, the Local Planning Authority, and shall assess the existing state of the highway. On completion of the development, a second condition survey shall be carried out and shall be submitted to, and approved in writing by, the Local Planning Authority, and shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be submitted to, and agreed in writing by, the Local Planning Authority.  
**Reason: In the interest of highway safety and to accord with CS policy CSP26.**
- 6 Construction of the development hereby permitted shall only be carried out between the hours of 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays, and at no time on Sundays and Bank/Public Holidays.  
**Reason: In the interests of residential amenity and to accord with CS policy CSP40.**
- 7 No development shall commence until a landscaping scheme incorporating the recommendations set out within the approved Ecological Impact Assessment report has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall provide details (plant species, size, planting distance, numbers and planting method) of tree and shrub planting to be carried out. All tree and shrub planting as approved in the scheme shall be carried out in the first planting season following the completion of the development. Any trees or shrubs planted as part of the scheme which are removed, or in the opinion of the Local Planning Authority become severely damaged or are found to be dying or seriously diseased within five years of planting shall be replaced within the next available planting season with trees or shrubs of a similar size and species to the satisfaction of the Local Planning Authority.  
**Reason: To ensure that a landscaping/planting scheme is submitted and implemented in the interests of visual amenity and biodiversity, and to accord with CS policies CSP29 and CSP36, and the relevant planning policy statements in the NPPF.**

- 8 The development shall not be brought into use until two willow tit nest boxes and three bat boxes have been erected on posts within the site or on the inside of the perimeter fencing. The willow tit nest boxes shall be placed 2m above ground level, facing east, and shall be filled with sawdust or wood shavings. The bat boxes shall be installed 3m or more above ground level and be of a design which is self-cleaning. Photographic evidence of the installation of the willow tit nest boxes and bat boxes shall be submitted to the Local Planning Authority within 2 weeks of their installation and the facilities shall be maintained for the life of the development.

**Reason: In the interests of biodiversity in accordance with CS policy CSP36.**

- 9 No development shall commence until the colour of the proposed battery containers and the palisade fence have been submitted to, and agreed in writing by, the Local Planning Authority.

**Reason: In the interests of the visual amenities of the locality in accordance with CS policy CSP29 and the relevant planning policy statements in the NPPF relating to requiring good 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 development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.
- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

- 3 The approved Ecological Impact Assessment (EcIA), SLR reference 424.06749.00001 version 2, dated December 2016, contains reference to proposed cut and fill operations over an area of 30m x 30m immediately to the east of the proposed battery storage facility. The developer is advised that this planning permission does not permit such engineering works as they were not included in the description of development and no information/details were submitted with the application.

Signed   
Joe Jenkinson

Dated 02 August 2017

Head of Planning and Building Control

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.