



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0155

To Bradley Stankler Planning
4 Park Court
Park Cross Street
Leeds
LS1 2QH

DESCRIPTION Continuation of waste recycling operations and associated skip hire
LOCATION Edwards Waste Management, Lidget Lane Industrial Estate, Albion Drive,
Thurnscoe, Rotherham, S63 0BA,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 February 2009 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall only be carried out in accordance with the following documents, unless otherwise agreed in writing by the LPA, or where amendments are made pursuant to the other conditions below:
 - a) Drawing number 591/08 - Site Layout Plan - received by the LPA on 29 January 2009;
 - b) The supporting statement entitled 'John Edwards Waste Management Limited' submitted by Bradley Stankler Planning, received on 29th January 2009 (Ref 591/08);
 - c) The e-mail submitted by Bradley Stankler Planning on 12th March 2009;
 - d) The e-mail submitted by Bradley Stankler Planning on 24th March 2009.

Reason: For the avoidance of doubt.

- 2 The applicant shall be responsible for ensuring that, from the commencement of the development, a copy of this permission, including all plans and documents hereby approved and any plans or documents subsequently approved in accordance with the permission, shall always be available at the site for inspection by the LPA during normal working hours.

Reason: To ensure that the development is carried out in accordance with the approved details.

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 08 April 2009

- 3 Unless otherwise agreed in writing by the LPA, the maximum amount of commercial, industrial and domestic non-hazardous waste accepted at the site shall not exceed 26,000 tonnes per annum. A written record shall be kept by the operator of the amounts of waste accepted on a daily basis. These records shall be made available to the LPA for inspection on request and all such records shall be retained for at least 24 months.
Reason: To minimise potential impacts arising from the operation of the site and to protect the amenity of nearby occupiers.
- 4 Unless otherwise agreed in writing by the LPA, working operations within the site including vehicle haulage movements and maintenance shall be limited to the hours between 0700 hours and 1800 hours on Monday to Friday and 0800 hours and 1600 hours on Saturdays, and not at all on Sundays, Bank and Public Holidays.
Reason: In the interests of local amenity.
- 5 The number of HGV vehicles entering the site shall not exceed 30 vehicles per day unless previously agreed in writing by the LPA. A record shall be kept by the operator of the number of HGV movements into the site on a daily basis. These records shall be made available to the LPA for inspection on request and all such records shall be retained for at least 24 months.
Reason: To minimise potential impacts arising from the operation of the site and in order to accord with Policies WD4 and T2 of the Barnsley Unitary Development Plan.
- 6 Within 2 months of this permission, the parking bays shall be permanently marked out in accordance with the approved drawing number 591/08 - Site Layout Plan, and thereafter maintained, and shall be permanently available for use.
Reason: In the interests of highway safety and in order to accord with the Council's Parking standards, in accordance with Policies WD4 and T2 of the Barnsley Unitary Development Plan.
- 7 Within 2 months of this permission, a scheme shall be submitted to, and approved in writing by the LPA, identifying measures to be taken to ensure that all vehicles leaving the site are in such condition as not to leave dust, slurry or mud on the highway. The development shall thereafter be undertaken in accordance with the details of the approved scheme. Notwithstanding such arrangements, should any material nevertheless be accidentally deposited on the public highway, the operator shall immediately remove such material.
Reason: In the interests of highway safety and to accord with Policies WD4 and T2 of the Barnsley Unitary Development Plan.
- 8 Within 2 months of this permission, a dust, litter and noise action plan shall be submitted to and approved in writing by the Local Planning Authority. The report shall set out, but not be limited to, dust suppression and mitigation measures, details of litter mitigation and the proposed means to be used to minimise noise from vehicles and machinery. The approved details shall be carried out in accordance with the approved scheme retained thereafter.
Reason: To protect local amenity, and to safeguard the occupants of nearby premises from the effects of noise, dust and litter and to accord with Policy WD3 of the Barnsley Unitary Development Plan.
- 9 Screening and chipping of waste materials shall only take place within Building 1, or Building 2 as indicated on approved drawing number 591/08 - Site Layout Plan.
Reason: For the avoidance of doubt, to protect local amenity, and to safeguard the occupants of nearby premises from the affects of noise and dust and to accord with Policy WD3 of the Barnsley Unitary Development Plan.

- 10 With the exception of the soil/hardcore bunkers (as shown on plan 591/08 - Site Layout Plan), there shall be no outside loading or unloading of waste vehicles nor shall there be any outside storage of recyclable or other materials with the exception of non inert materials for further recovery stored in covered skips prior to dispatch for processing elsewhere.
Reason: In the interests of amenity.
- 11 No scrap vehicles or component parts of any description shall be stored or displayed on the land.
Reason: In the interests of visual amenity and for the avoidance of doubt.
- 12 Measures shall be employed to ensure that operations associated with the development hereby permitted do not give rise to any malodours. Such measures may include but not necessarily be limited to the following:
a) The removal of any malodourous material from the site; and
b) The application of masking agents to neutralise any malodours.
Reason: In the interests of amenity.
- 13 Within 2 months of the date of this permission, a scheme shall be submitted showing storage bays suitable for the storage of soils and hardcore. The scheme shall include a suitable method of containing the material within suitable bays at a height of no more than 3 metres. The scheme shall receive the written approval of the LPA, and shall be retained thereafter.
Reason: In the interests of amenity and to prevent excess dust from arising from the activities.
- 14 Outside storage of soils and hardcore shall only take place in accordance with the approved plan (591/08 - Site Layout Plan) and shall not exceed a height of 3m.
Reason: In the interests of amenity and to prevent excess dust from arising from the activities.
- 15 All surface water run-off shall be collected and disposed of within the site and shall not be allowed to discharge onto the public highway
Reason: In the interests of highway safety.
- 16 Within 2 months of the date of this permission, a scheme shall be submitted to and approved in writing by the Local Planning Authority, 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. The approved hard landscaping details shall be carried out in accordance with the approved plans and implemented within the timescale specified in condition 17 of this permission.
Reason: In the interests of the visual amenities of the locality
- 17 All planting, seeding or turfing comprised in the approved details of landscaping (condition 16 of this permission) shall be carried out in the first planting and seeding seasons following this permission; and any trees or plants which die within a period of 5 years from the date of this permission, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

Reason(s) for Granting Permission

- 1 Unique The proposed development gives rise to no material harm, is in accordance with the relevant Development Plan policies and that there are no material considerations that indicate that the decision should be made otherwise. The proposal complies with UDP policies WD3, WD4, ES1 of the UDP and Planning Policy Statement 10 and the attached planning conditions would reasonably mitigate any potential harm arising as a result of the proposed development.

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

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.