



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2020/0463

To Wardell Armstrong
36 Park Row
Leeds
LS1 5JL

DESCRIPTION Variation of conditions 1 and 3 of application B/02/0358/PR to allow changes to restoration of former quarry site

LOCATION Middlecliffe Quarry, Lee Lane, Crow Edge, Barnsley, S36 9NT

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 08/06/2020 and described above.

The approval is subject on compliance with the following conditions:

1	No winning or working of minerals shall take place at the site and no buildings in connection with these works shall remain or be placed on site. Only work for the restoration of the site shall continue as part of this permission. Reason: For the avoidance of doubt, to comply with Local Plan Policy MIN1, and in order to comply with condition 2 of application B/02/03528/PR which required all working and winning of minerals to cease by 1st January 2018.
2	The restoration works hereby approved shall be implemented within 12 months of the date of this permission and carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission: - Drawing No SH12283-006 titled "Proposed Restoration Landform" - Drawing No. SH12283-008 titled "Restoration Profile Cross Sections" - Drawing No. SH12283-007 titled "Restoration Material Movements" - Drawing No. SH12283-002 titled "Site Plan" - Drawing No. SH12283-009 titled "Landscape Restoration" - Drawing No. SH12283-010 titled "Illustrative Landscape Sections" Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3	The restoration works hereby approved shall be implemented in accordance with the recommended ecological enhancements stated within the Preliminary Ecological appraisal Document carried out by Wardell Armstrong dated August 2019. Details of the three monitoring surveys to be carried out within the first 5 years, as recommended within the report, shall be provided to the Local Planning Authority within 28 days of the completion of the reports. Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.
4	The works to be carried out shall be carried out in adherence to the dust mitigation measures outlined within the Dust Management Plan by Wardell Armstrong dated April 2020. Reason: To prevent dust pollution in accordance with Local Plan Policy POLL1.
5	Access of the site for geology inspections shall be carried out in accordance with the "Access to Geology Management Plan" by Wardell Armstrong dated January 2021. Reason: In the interests if suitable access to the designated feature in accordance with Local Plan Policy BIO1.
6	The works to be carried out shall be carried out in adherence to the noise mitigation measures outlined within the Noise Assessment by Wardell Armstrong dated May 2020. Reason: To prevent noise pollution in accordance with Local plan Policy POLL1.
7	On commencement of the approved restoration works, an aftercare scheme specifying such steps as may be necessary to bring the land to the required standard for agricultural/amenity use shall be submitted for written approval by the Local Planning Authority. The aftercare scheme shall cover a rolling 5 year period following the restoration works and shall include proposals for annual review reports to be submitted to the Local Planning Authority detailing a record of all restoration, aftercare and management works carried out. Reason: To ensure the satisfactory restoration of the land in accordance with Local plan Policy MIN1.
8	No restoration works shall be carried out except between the following times: 07:00 to 18:00 hours Monday to Friday and 07:00 to 1300 hours Saturday with no work taking place on Sundays or Bank Holidays Reason: In the interests of neighbouring amenities in accordance with Local Plan Policies GD1 and POLL1.
9	There shall be no use of explosives at the site Reason: In the interests of neighbouring amenities in accordance with Local plan Policies GD1 and Poll1
10	All machinery and vehicles employed at the site shall be fitted with effective silencers, of a type appropriate to their specification, which shall be effectively maintained to minimise noise emissions. Machinery or plant shall not be left with the engine running when not in use. Reason: In the interests of neighbouring amenities in accordance with Local plan Policies GD1 and Poll1.

11	All working areas and settlement facilities shall be adequately and secured fenced so as to prevent unauthorised access or trespass. The fence to be maintained for the duration of the workings. Reason: In the interests of satisfactory land drainage, stability and to ensure the safe agricultural use of the adjacent land in accordance with Local Plan Policy MIN1.
12	The sole means of vehicular access and egress from the site shall be as indicated on the plans using the internal access road from the B6106, Lees Lane. Reason: In the interests of highway safety in accordance with Local Plan Policy T4.
13	All planting, seeding etc. comprised in the approved details of landscaping shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of restoration works. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales. Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

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.

- 1 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 2 The granting of planning permission does not effect the status of species such as owls and bats which have protection under other legislation. These may be present, and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk
- 3 The applicant should be aware that any changes to the PROWs on the site will require a separate PROW diversion application.

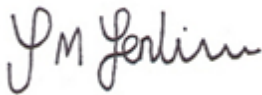
Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- 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.

Signed

Dated 26/02/2021



Joe Jenkinson
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 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.