



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0097

To AC Environment Solutions Ltd
5A Enterprise Court
Farfield Park
Manvers
Rotherham
S63 5DB

DESCRIPTION Retention of fixed building (saw shed) and erection of extension to existing fixed building (saw shed).
Use of land for stockpiling of finished and unfinished stone products for a temporary period not exceeding 3 years.
Use of land for collection of finished product for a temporary period not exceeding 3 years.
Formalisation of temporary and permanent parking arrangements.
Use of land for soil stockpiling and screening purposes for a temporary period not exceeding 3 years.

LOCATION Hillside Quarry, Cross Lane, Thurlstone, Sheffield, S36 9QJ,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 12 March 2014 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby granted shall be for a limited period as follows unless otherwise set out in conditions below:
 1. The operation of the saw shed and extension of the saw shed granted as part of this permission shall cease and the land shall have been restored in accordance with approved plans and documents for permission 2009/1298 by 9th February 2020.
 2. The use of land for collection of finished product shall be for a limited period of 3 years from the date of this decision and the land restored in accordance with the approved plans and documents for permission 2009/1298.
 3. The use of land for temporary parking shall be for a limited period of 3 years from the date of this permission by which date the use shall revert back to quarry access as approved under permission 2009/1278
 4. The use of land for stockpiling of finished and unfinished stone product and the use of land for stockpiling and screening purposes shall be for a limited period of 3 years from the date of this decision by which date the temporary use shall cease and the soils replaced, and the land shall have been restored to the contours as shown on Topographical Survey 30th July

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.


Signed
Head of Planning, Building Control and Sustainability

Dated 25 June 2014

2013 (Drawing Number RJH/HQ/AUG2013-03 REV C) and planted with a suitable seed mix for agricultural use.

5. Following a period of three years from the date of this decision parking shall be provided to the southeast of the main quarry entrance identified on Block Plan reference number RJH/HQ/AUG2013-02 REV C as Stockpiling Area until 9th February 2020 by which time the use of the land for parking will have ceased and the site shall have been restored in accordance with approved plans and documents for permission 2009/1298.

Reason: To ensure that the development is carried out in an appropriate timescale in the interests of amenity.

- 2 The applicant shall be responsible for ensuring that 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 MPA during normal working hours.

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

- 3 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved below unless required by any other conditions in this permission:

RJH/HQ/AUG2013-01 REV C Location Plan

RJH/HQ/AUG2013-02 REV C Block Plan

RJH/HQ/AUG2013-03 REV C Topographical Survey

RJH/HQ/AUG2013-04 Cross Section of Saw Shed

RGH/HQ/JUNE 2014 03 00 Section of Existing and Proposed Saw Shed

CF/HQ/360/4 Proposals including soil mound

CF/HQ/360/5 Proposals Outline Working Method

Document DA&PS/AC0005901 Design, Access and Planning Statement

Landscape and Visual Impact Appraisal September 2013

Addendum to Landscape and Visual Impact Appraisal February 2014

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

- 4 Working operations within the site including vehicle haulage movements and maintenance shall be limited to the hours between 0830 hours and 1630 hours on Monday to Friday, 0830 hours and 1400 hours on Saturdays, and not at all on Sundays, Bank and Public Holidays.

Reason: In the interests of local amenity.

- 5 The maximum output of the quarry shall not exceed 21,000 tonnes per year. A written record shall be kept by the operator of the quantity of stone extracted in tonnes on a daily basis. This record shall be made available to the MPA for inspection on request and shall be retained for at least 1 year from the date of production.

Reason: To minimise potential impacts arising from the operation of the site and to protect the amenity of nearby occupiers and to accord with CSP 38 and CSP 40.

- 6 The number of vehicles entering the site shall not exceed 15 per day. A record shall be kept by the operator of the number and type of vehicular movements into the site on a daily basis. This record shall be made available to the MPA for inspection on request and shall be retained for at least 1 year from the date of production.

Reason: To minimise potential impacts arising from the operation of the site and to protect the amenity of nearby occupiers and to accord with CSP 38, CSP 40 and CSP 40 and Adopted SPD Parking.

- 7 There shall be no access or egress to any of the site except through the main quarry entrance. There shall be no vehicular access or egress to the soil storage area or stockpile area at any time from Cross Lane or via Bridleway 92.

Reason: For the avoidance of doubt, in the interests of highway safety and to accord with Core Strategy Policies CSP 38 and CSP 40.

- 8 The measures previously undertaken as outlined in the 2009/1278 approved document 'Supporting Statement for continuation of quarrying works, for Grenoside Rock Developments Ltd, prepared by Fennell, Green & Bates, dated September 2009' to ensure that all vehicles leaving the site as a result of this permission are in such condition as not to leave mud and other debris on the public highway, shall be retained and used for the duration of the development. Notwithstanding such measures 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 Core Strategy Policies CSP 38 and CSP 40.
- 9 Any above ground oil/chemical storage tank/container and associated pipework shall be located within a bund having a capacity of at least 110% volume of the largest tank within the bund. The bund shall be impervious and have no associated drainage.
Reason: In order to prevent pollution of the water environment.
- 10 Notwithstanding the provision of Part 19 of the Town and Country Planning (General Permitted Development) Order 1995 as amended, no fixed buildings, plant or machinery, or structure in the nature of plant and machinery shall be erected on the site, except with the prior written approval of the MPA.
Reason: For the avoidance of doubt.
- 11 Topsoil and subsoil bunds shall be constructed as set out in Section 3.18 to 3.25 of Design, Access and Planning Statement Ref DA&PS/AC00059/01 dated February 2014. They shall remain seeded with a low maintenance grass seed mixture and the sward shall continue to be managed throughout the period of storage.
Reason: In the interests of the proper soil storage and restoration of the site and to accord with Core Strategy Policy CSP 37, CSP 29 and CSP 38.
- 12 Measures shall be employed to ensure that dust emissions from the site are controlled and fugitive dust prevented from leaving the site. These measures shall include but not necessarily be limited to the following:
- a) The use of adequate and working water suppression (hoses/sprinklers/water bowsers etc.) which shall be available for use, and utilised at all times when dust generating materials are being handled on site. Any materials likely to cause dust shall be effectively dampened prior to being handled;
 - b) All vehicles transporting stone products which are likely to emit dust leaving the site shall be securely sheeted;
 - c) The effective maintenance of the access road;
 - d) The enforcement of a speed restriction of 15 mph on all vehicles moving on site and on the haul road;
 - e) Any vehicles permanently stationed at the site shall be equipped with upward pointing exhausts; and
 - f) The suspension of the movement of materials during adverse dry windy conditions.
- Reason: To protect local amenity, and to safeguard the occupants of nearby dwellings from the effects of dust and to accord with Core Strategy 38 and CSP 40.**
- 13 Operations associated with the development, excluding topsoil and subsoil stripping, shall be controlled such that the free field equivalent continuous noise level (L_{aeq} 1hr) shall not exceed 55dB(A) or 10dB(A) (L_{aeq} 1hr) above the background noise levels whichever is lower, as recorded at the boundary of any inhabited property.
Reason: To protect the amenity of the area with regard to noise and to accord with Core Strategy policy CSP 38 and CSP 40.

- 14 Any topsoil and subsoil stripping shall not exceed 70dB(A) (L_{aeq} 1hr) as recorded at the boundary of any inhabited property, and be limited to a period not exceeding 8 weeks in any one year at any property.
Reason: To protect the amenity of the area with regard to noise and to accord with Core Strategy Policy CSP 38 and CSP 40.
- 15 Noise monitoring shall be undertaken by the operator every six months at the locations identified in the approved documents for permission 2009/1298 'Noise from Quarrying Operations at Hillside Quarry, prepared by the Noise Consultancy, report reference B/AMS/137a/09, dated 11 March 2009' and 'Report of Noise Impact Assessment, prepared by S & D Garritt Ltd for Fennell, Green & Bates, dated 17 March 2006'. Records of noise monitoring shall be made available to the MPA for inspection on request and all such records shall be retained for at least 12 months from the date of production. Should the limits imposed by conditions 14 and 15 above be breached, the operator shall provide a statement of explanation and action to remedy the situation together with a timescale for implementation, to the MPA within one week of the date of the breach. Thereafter, the development shall be carried out in accordance with the approved remedial measures.
Reason: To protect the amenity of the area with regard to noise and to accord with Core Strategy Policy CSP 40.
- 16 Prior to the re-spreading of subsoil, in the soil storage area and the stockpile area for finalised and unfinished products, overburden shall be graded and profiled to match current topographical contours as detailed in approved Topographical Survey plan RJH/HQ/AUG2013-03 REV C and where appropriate shall be cross ripped to a minimum depth of 300mm to relieve compaction. Stones at the surface of the ripped overburden that exceed 300mm in size and any other unsuitable materials shall be removed off site or utilised in the scree slopes.
Reason: In the interests of the proper restoration of the site and to accord with CSP 29, CSP 38 and CSP 40.
- 17 Temporary screening operations hereby approved shall be limited to the northwest corner of the field to be used for temporary soil storage for a period of 3 years from the date of this decision by which time the field shall have been restored to contours as set out in approved plan RJH/HQ/AUG2013-03-REV C and seeded appropriate for agricultural use.
Reason: In the interests of local amenity.
- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.
Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.

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 proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place. It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.decc.gov.uk Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.gov.uk		
2	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.		
3	If any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility. The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.		
<table><tr><td>Development Service PO Box 604, Barnsley, S70 9FE</td><td>Telephone: 01226 - 772600 Fax: 01226 - 772599</td></tr></table>		Development Service PO Box 604, Barnsley, S70 9FE	Telephone: 01226 - 772600 Fax: 01226 - 772599
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	If any waste is to be used onsite, the applicant will be required to obtain the appropriate waste exemption or permit from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided. Excavated material arising from site remediation or land development works can sometimes be classified as waste. For further guidance on how waste is classified, and best practice for it's handling, transport, treatment and disposal please see our waste pages at http://www.environment-agency.gov.uk/business/topics/waste/default.aspx The applicant is advised to contact the Environment Management team at on 03708 506 506 or refer to guidance on our website http://www.environment-agency.gov.uk/subjects/waste for further information.
4	Yorkshire Water Informative - Company records indicate a live 4" water main crosses part of the red line site boundary, as shown on the enclosed plan. The presence of the main may affect the layout of the site and therefore I consider it to be a material consideration in the determination of this application. It is recommended that no obstruction encroaches within 3 metres on either side of the main i.e. a protected strip width of 6 metres. * Yorkshire Water have the benefit a legal document (deed no. 7252) which protects the pipe from such development. The exact line of the main will have to be determined on site under Yorkshire Water Services supervision. It may be possible for the main to be diverted under s.185 of the Water Industry Act 1991. These works would be carried out at the developer's expense. The cost of these works may be prohibitive.

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.