BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/1211

To Mr Jason Helliwell
Gillot Alloys
Station Road Industrial Estate
Valley Road
Wombwell
Barnsley
S73 0BS

DESCRIPTION Use of site and building for a materials recycling facility including scrap metals.
LOCATION Station Road Industrial Estate, Valley Road, Wombwell, Barnsley, S73 0BS

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 30 November 2012 and described above.

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 Waste Planning Authority (WPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development.
Reason: To enable the WPA to monitor compliance with the conditions of the planning permission.

3 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 WPA during normal working hours.
Reason: To ensure that the development is carried out in accordance with the approved details.

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
Head of Planning, Building Control and Sustainability

Dated 26 June 2013

Development Service
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4 The development hereby permitted shall only be carried out in accordance with the following documents, unless amendments are made pursuant to the other conditions below:
a) Drawing number GAL/0809/02 dated August 2009 and hand marked GA1, titled 'Site Location Plan' showing the red line planning application boundary and blue line boundary;
b) Drawing number GAL/0809/02 dated August 2009 and hand marked GA2, titled 'Site Location Plan' showing the arrangement of activities within the site;
c) Planning Statement as amended and attached to a note from Malcolm Quinn of Gillot Alloys; and
d) Letter (undated) from Gillot Alloys received by the Council on 29 October 2012 (date stamped).
Reason: For the avoidance of doubt and in the interests of local amenity.

5 Working operations within the site including maintenance shall be limited to the hours between 0800 hours and 1700 hours on Monday to Friday and 0800 hours and 1200 hours on Saturdays, and not at all on Sundays, Bank and Public Holidays. Vehicle haulage movements shall be limited to the hours between 0800 hours and 1700 hours on Monday to Friday and not at all on Saturdays, Sundays, Bank and Public Holidays.
Reason: In the interests of local amenity and to accord with CS policy CSP40, JWP policies WCS4 and WCS6, UDP policy ED4, the relevant statements in the NPPF, and PPS10.

6 The maximum amount of waste accepted at the site for sorting and bulking up shall not exceed 5,000 tonnes per annum. A written record shall be kept by the operator of the quantity (in tonnes) and type of waste accepted at the site on a daily basis as well as the number of vehicles bringing waste to and from the site. These records shall be made available to the WPA 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 in accordance with CS policy CSP40, JWP policies WCS4 and WCS6, UDP policy ED4, the relevant statements in the NPPF, and PPS10.

7 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety and to accord with CS policy CSP26 and JWP policy WCS6.

8 The parking/manoeuvring facilities indicated on the approved plan shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interests of road safety and to accord with CS policy CSP26, JWP policy WCS6 and the relevant statements in the NPPF.

9 Sorting and bulking up of waste materials shall only take place within the building marked 'A' shown on the approved drawing, GAL/0809/02 hand marked GA2. The adjacent yard marked 'D' on the approved drawing shall be used solely for the delivery and export of waste materials and the purposes indicated.
Reason: In the interests of local amenity and to accord with CS policy CSP40, JWP policies WCS4 and WCS6, UDP policy ED4, the relevant statements in the NPPF, and PPS10.

10 Notwithstanding the submitted plans, within one month of the date of this decision, a detailed plan showing the layout of the storage yard, including provision of skips and storage facilities shall have been submitted to, and approved in writing by, the WPA. The scheme shall then proceed in accordance with the approved details and the skip and metal storage shall not exceed the height of the perimeter fence.
Reason: In the interests of local amenity and to accord with CS policy CSP40, JWP policies WCS4 and WCS6, UDP policy ED4, the relevant statements in the NPPF, and PPS10.

11 In the event that the use of the site for the importation, sorting and bulking up of waste materials should cease for a period in excess of three months, then, within one month of a written request from the WPA, the site shall be cleared of all stored waste materials.
Reason: To provide for the beneficial use and appearance of the land after the use hereby permitted has ceased.

Reason(s) for Granting Permission

1 The proposed development gives rise to no material harm and is in accordance with the Barnsley Local Development Framework Core Strategy (CS), the Barnsley, Doncaster and Rotherham Joint Waste Plan (JWP), the relevant (saved) policies in the Barnsley Unitary Development Plan (UDP), the Development Sites and Places DPD (consultation draft 2012) (DSP), the National Planning Policy Framework (NPPF), Planning Policy Statement 10 (PPS 10) and the Waste Strategy for England 2007 as set out below:

CS
CSP1: Climate Change; CSP3: Sustainable Drainage Systems; CSP8: The Location of Growth; CSP19: Protecting Existing Employment Land; CSP25: New Development and Sustainable Travel; CSP26: New Development and Highway Improvement; CSP40: Pollution Control and Protection

JWP
WCS1: Overall strategy; WCS4: Waste management proposals; WCS6: General considerations

UDP
ED4: Proposals for economic development; ED7: Employment Policy Areas

DSP
SD1: Presumption in Favour of Sustainable Development; GD1: General Development Policy; EMP1: Uses on Employment Land

NPPF
Building a strong, competitive economy;
Promoting sustainable transport;
Conserving and enhancing the natural environment

Planning Policy Statement 10: Planning for Sustainable Waste Management

Waste Strategy for England 2007

Having considered all planning matters raised, there are no other material considerations that indicate that the decision should be made otherwise and the use of the site for a materials recycling facility including scrap metal, on the scale and in the location proposed is therefore considered acceptable. It is also considered that any potential harm to the living conditions of neighbouring residents would reasonably be mitigated by the imposition of the attached conditions.

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 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 Waste Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.

2 The proposed development requires an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency.

3 The Environmental Protection (Duty of Care) Regulations 1991 are applicable for any off-site movement 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.

4 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 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

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

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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