



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2018/1437

**To** Enzygo  
The Byre  
Woodend Lane  
Cromhall  
Gloucestershire  
GL12 8AA

**DESCRIPTION** Variation of conditions (4,17,18,19 and 20) of application 2015/0137 Erection of a Renewable Energy Park to allow for Refuse Derived Fuel (RDF) and waste wood to be used for energy recovery, to increase the capacity limit and daily traffic movements along with amended routing of delivery vehicles and to extend construction hours.

**LOCATION** Land off Houghton Main Colliery Roundabout, Park Spring Road, Barnsley,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 20 November 2018 and described above.

The approval is subject on compliance with the following conditions:



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

PL 001 Site Analysis 1302\_PL001  
PL 002 Site Location Plan 1302\_PL002  
PL 003 Proposed Site Layout 1302\_PL003  
PL 004 Proposed Roof Plan 1302\_PL004  
PL 005 Proposed Site Elevations 1302\_PL005  
PL 006 Proposed TRRC Process Building Elevations 1 1302\_PL006  
PL 007 Proposed TRRC Process Building Elevations 2 1302\_PL007  
PL 008 Proposed TRRC Process Building Elevations 3 1302\_PL008  
PL 009 Proposed AD Process Building Elevations 1302\_PL009  
PL 010 Proposed ACC Elevations 1 1302\_PL010  
PL 011 Proposed ACC Elevations 2 1302\_PL011  
PL 012 Proposed AD Weighbridge Kiosk Elevations 1302\_PL012  
PL 013 Site Sections 1302\_PL013  
CRM.066.006.D.107 P03 Finished Levels  
CRM.066.006.D.108 P01 Finished Levels  
Schedule of Facing Materials (03 October 2017)  
CRM.066.006.EC.R.001 Construction Environmental Management Plan  
CRM.066.006.L.D.004.C Planting Details (Sheet 1 of 2) Rev C  
CRM.066.006.L.D.005.C Planting Details (Sheet 2 of 2) Rev C  
CRM.066.006.L.R.002 Landscape Management Plan  
Approved lighting details (LIAS Design Notes and Luminaire Schedule 0400061921 DWG 00 and DWG01).

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1, Design.**

- 2 The development hereby approved shall be carried out strictly in accordance with the recommendations of the following reports in the Environmental Statement (CRM.066.004 and CRM.066.007.PL.R.002.I3(updated)) and Planning Application as approved unless required by any other conditions in this permission

**Reason: In order to define the permission for the avoidance of doubt.**

- 3 The approved Timber/Waste Resource Recovery Centre (TRRC) plant shall only be used for the reception, handling, recycling, treatment and transfer of waste up to a maximum of 260,000 tonnes per annum.

**Reason: To enable the Local Planning Authority to exercise control over any development within the site which could be detrimental to the amenities of the area and in the interests of road safety in accordance with Local Plan Policy Poll1**

- 4 The parking/manoeuvring facilities, indicated on the submitted 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: In the interest of highway safety, in accordance with Local Plan Policy T4.**

- 5 The approved Construction Method Statement (CRM.66.006.GE.R.001, CRM.066.006.PL.R.002 and CRM.066.006.R.TR.002) shall be adhered to throughout the construction period.

**Reason: In the interest of highway safety, in accordance with Local Plan Policy T4.**

- 6 On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which 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 agreed in writing by the Local Planning Authority.

**Reason: In the interest of highway safety, in accordance with Local Plan Policy T4.**

- 7 Prior to the occupation of the development a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.  
**Reason: In the interest of promoting use of public transport, in accordance with Local Plan Policy T3.**
- 8 No part of the development shall be brought into use until the approved drainage scheme (CRM.066.006 104 P02 - Drainage Layout) has been fully implemented and the scheme shall be retained throughout the life of the development.  
**Reason: To ensure proper drainage of the area, in accordance with Local Plan Policy CC4.**
- 9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy D1.**
- 10 No development or other operations shall take place except in complete accordance with the approved Arboricultural Impact Assessment and tree protection plan (CRM.066.006.AR.R.001.A)  
**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy D1.**
- 11 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials which are audible at the monitoring locations M01 to M07 detailed in the noise report supporting Application No. 2015/0137 shall only take place between the hours of 0800 to 1800 Monday to Friday and 0800 to 1600 on Saturdays and at no time on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Pol1.**
- 12 Once operational, the level of noise emitted from the site shall not exceed the existing background noise levels (LA0 +0db) as measured at the monitoring locations M01 to M07 detailed in the noise report supporting this application. Once the plant is fully commissioned and operational the applicant shall submit a report demonstrating that the site facility is operational within the limits defined within this condition. In the event that the noise level from the development is above the stated levels then the applicant shall submit a mitigation scheme for the written approval of the Local Planning Authority in order to identify measures to reduce the noise of the development to within acceptable levels. The approved scheme shall then be implemented. In the event that the noise level from the development cannot be brought to within acceptable levels, as defined above, the development shall not continue to operate without the written consent of the Local Authority.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.**
- 13 Deliveries with the transfer of waste to and from the site shall only take place between the hours of 07:00 to 19:00 Monday to Friday, and between 08:00 to 18:00 on Saturday and Sunday. All deliveries are to take place in accordance with the details of the submitted lorry routing and management plan.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy Poll1.**

- 14 Delivery movements associated with the transfer of waste to and from the site shall not exceed 78 per day (39 in and 39 out) between Monday to Friday and shall not exceed 66 per day (33 in and 33 out) on Saturday and Sunday.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Poll1.**
- 15 There shall be no outdoor storage of waste.  
**Reason: In the interest of visual and residential amenity in accordance with Local Plan Policy Poll1.**
- 16 All waste transported to and from the site shall be transported to the site in vehicles that are fully enclosed.  
**Reason: In the interest of visual and residential amenity in accordance with Local Plan Policy Poll1.**
- 17 An updated great-crested newt survey shall be carried out and the results of this further surveying along with any additional mitigation required is to be submitted to and approved in writing by the LPA before any further construction work is carried out in relation to the approved development.  
**Reason: In accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**


### **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.*

Signed   
Joe Jenkinson  
Head of Planning and Building Control

Dated 17 April 2019

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.