BARNSLEY
Metropolitan Borough Council

# GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2014/0034

**To** The Coal Authority
The Coal Authority - Planning and Local Authority Liaison
200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

**DESCRIPTION** Temporary change of use of land for a 12 month period to facilitate resin trials for research and development purposes

**LOCATION** Land at Strafford Mine Water Treatment Scheme, Gilroyd Lane, Dodworth, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 22 January 2014 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
**Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**

2 The development hereby approved shall be carried out strictly in accordance with the plans CA-RD-001 REV A and Planning Supporting Information report Dated December 2013 and mitigation as set out in Desk Study, Invasive Species and Phase 1 Habitat Survey by Thompson Ecology dated March 2014, and specifications as approved unless required by any other conditions in this permission.
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**

3 Before development commences details of Temporary Amphibian Fencing (TAF) to be erected around the area of the trial pits during the period of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a gate system to allow vehicles to enter the TAF but exclude amphibians. The TAF shall be thereafter be erected in accordance with the approved details and shall be retained for the duration of the development.
**Reason: In the interests of biodiversity and in accordance with CSP 36**

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 14 April 2014

**Development Service** **Telephone: 01226 - 772000**
**PO Box 604, Barnsley, S70 9FE** **Fax: 01226 - 772591**

4 Not less than five working days notice of the date of the approved works commencing shall be given in writing to the Local Planning Authority. The use shall then be limited to a period being 12 months from the date of commencement of works. At the end of this period the use hereby permitted shall cease and the land restored to its condition before the works took place.
**Reason: In the interests of the character and openness of the Green Belt in accordance with CSP34**

**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 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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