



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2009/0005

To Banks Developments
Inkerman Road
Tow Law
County Durham
DL13 4HG

DESCRIPTION Amendment to Hazlehead Wind Farm 2006/1575 including alteration to existing internal access formation of new access track

LOCATION Land at Hazlehead, Flint Lane, Sheffield

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 January 2009 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 Unless otherwise agreed in writing by the Local Planning Authority, the approval hereby granted shall be for a limited period of 25 years only from the date of the commencement of development, by which date the all material shall be removed from site and the site restored to its original condition.

Reason: In the interests of the local amenity

- 3 The development hereby approved shall be carried out in strict accordance with the plans and specifications received on 15th December 2008, including the statement entitled 'Hazlehead Wind Farm Design and Access Statement' submitted by Banks Developments, the document entitled 'Hazlehead Wind Farm Alternative Access Planning Application', the drawing number HJB/574/PA24 A4 entitled 'Alternative Access Location Plan' dated 10th

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

Signed 
Assistant Director, Planning and Transportation

Dated 02 March 2009

December 2008, the drawing reference HJB/574/PA25 entitled 'Hazlehead Wind Farm Alternative Access' 10th December 2008 and the plan number HJB/574/PA26 entitled 'Cross Section and Detail of Access Tracks' dated 10th December 2008 submitted by Banks Developments.

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

- 4 No development shall take place until the implementation of a programme of archaeological works has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any archaeological remains are recorded or are preserved in accordance with an agreed scheme in accordance with the UDP policies BE3, Archaeological Sites and BE4.

- 5 Construction and delivery activities on site shall be limited to the hours of 8 am to 6 pm Monday to Friday, 8 am to 12 noon on Saturdays and not at all on Sundays, Bank or Public Holidays.

Reason: In the interests of protecting the amenity of residential properties.

- 6 The Local Planning Authority 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 development.

Reason: To enable the Local Planning Authority to monitor compliance with the conditions of the planning permission.

Reason(s) for Granting Permission

- 1 Visual amenity - Policy GS9 The proposal complies with Policy GS9 in that the development does not cause any significant harm to the visual amenity of the Green Belt. It is considered that the proposed development does not significantly impact on the openness of the Green Belt and very special circumstances were demonstrated when Hazlehead wind farm was granted planning permission (2006/1575). These very special circumstances, which included the wider benefits of renewable energy, were considered to outweigh any harm to the Green Belt. Owing to the relatively small scale nature of this additional access track, it is not considered there are significant additional impacts on the Green Belt and it is considered that the proposal satisfies Green Belt policy (PPG 2).

Informative(s)

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| 1 | <p>The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:</p> <ul style="list-style-type: none"> - Collapse of shallow coal mine workings; - Collapse of, or risk of entry into, mine entries (shafts and adits); - Gas emissions from coal mines including methane and carbon dioxide; - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide; - Transmission of gases into adjacent properties from underground sources through ground fractures; - Coal mining subsidence - Water emissions from coal mine workings. |
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cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This 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.