BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2012/0578

To Mr Euan Brown
Greenpark Energy Ltd
First Floor
Norham House
15 Walkergate
Berwick-Upon-Tweed
Northumberland
TD15 1DS

DESCRIPTION Variation of condition 1 of application B/05/1144/HR to allow the supplementary use of mains gas.

LOCATION Land forming part of the former Houghton Main Colliery, west of Park Spring Road, Little Houghton

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 19 June 2012 and described above.

The approval is subject on compliance with the following conditions:

1 The development is hereby permitted until 19th August 2030, by which date all operations shall have ceased and all land shall have been restored in accordance with the scheme approved in accordance with condition 2.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2 By 19th February 2030, or the cessation of the use, whichever is sooner, a restoration scheme shall be submitted for the approval in writing of the Local Planning Authority. Such a scheme shall include details of the restoration of the site on the cessation of the use for electricity generation and be carried out and completed within 6 months of the cessation of such use or by 19th August 2030, whichever is sooner.
Reason: In the interests of proper restoration of the site.

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
Assistant Director, Planning and Regulatory Services

Dated 10 August 2012

Planning and Regulatory Services **Telephone: 01226 - 772000**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772591**

3 The development hereby approved shall be carried out strictly in accordance with the plans approved under planning permission B/05/1144/HR and specifications as approved under this consent unless required by any other conditions in this permission. The development hereby permitted includes the provision of mains gas as a supplement to mine gas.
Reason: For the avoidance of doubt and in the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

Reason(s) for Granting Permission

1 Unique The proposal complies with CSP40 of the Core Strategy in that the Development is unlikely to result in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other
pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

Informative(s)

1 The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and the implementation of site investigations or other works. Property specific summary information on any past, current or proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.

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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