BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2010/1503

To NPS Barnsley
Unit 2 Industry Road
Carlton Industrial Estate
Carlton
Barnsley
S71 3PQ

DESCRIPTION Erection of 1 no. 15m high vertical axis wind turbine.
LOCATION Dearne Carrfield Primary, Highgate Lane, Bolton upon Dearne, Rotherham, S63 8AL

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 20 December 2010 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 and specifications as approved (Drawing No: AL(0)01 Rev. D) unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of visual and residential amenity, in accordance with Barnsley UDP Policy ES12, Wind Energy Generation.

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

Stephen Moralee
Signed
Assistant Director, Planning and Transportation

Dated 16 March 2011

Planning and Transportation Service **Telephone: 01226 - 772000**
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3 Development shall not commence until a management plan for the operation and maintenance of the turbine hereby approved has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include, but not be limited to, providing details of mitigation arising from the potential effects of turbine operation on sports pitch users, details of routine maintenance operations of the turbines including possible vehicle movements required for such operations, and associated mitigation to protect play pitches. The development shall be carried out in accordance with the approved management plan and be maintained throughout the duration of the development.
Reason: In the interests of the amenities of sports pitch users and to protect the condition of playing pitches.

4 Development shall not commence until details of the external colour finishes of the turbine have been submitted to, and approved in writing by, the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.
Reason: In the interest of local amenity and to comply with Policy ES12A of the Barnsley Unitary Development Plan.

5 All cables from the turbine shall be underground. All excavated ground in connection with cable laying shall be reinstated to its former condition within 1 month of the date of commissioning.
Reason: To minimise the visual impact of the development.

6 Unless otherwise agreed in writing by the Local Planning Authority, construction and dismantling activities including vehicle haulage movements, and deliveries to the site and maintenance shall be limited to the hours between 0800 hours and 1800 hours on Monday to Friday and 0800 hours and 1300 hours on Saturdays, and not at all on Sundays, Bank and Public Holidays.
Reason: In the interest of residential amenity.

7 If the wind turbine hereby permitted ceases to be operational for the purposes of generating electricity for a continuous period of 6 months it shall, unless otherwise agreed in writing by the Local Planning Authority, be dismantled and removed from the site within a period of 2 months. The site shall thereafter be restored to its original condition including the associated concrete base and cabling.
Reason: In the interests of visual amenity.

Reason(s) for Granting Permission

1 Unique The proposal complies with UDP Policy ES12 in that it would have no significant impact on the amenities of the occupiers of the adjoining dwellings or the visual amenity of the area. Furthermore the proposal will not adversely affect the functioning of the surrounding playing fields, in accordance with UDP Policy GS35 and PPG17.

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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