



BARNSLEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/1575

To White Young Green
Arndale Court
Headingley
Leeds
LS6 2UJ

DESCRIPTION Erection of three turbine wind farm (Environmental Impact Assessment)
LOCATION Land at Hazlehead/Crow Edge, Flint Lane, Sheffield

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 September 2006 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 permission shall expire no later than 25 years from the date that electricity from the development is first exported to the grid. Within 12 months of the expiration of the permission all elements of the development above ground level, excluding the access tracks, shall be removed and the land restored in accordance with the Decommissioning Method Statement required by Condition 3 below
Reason: In the interests of the amenity of the area
- 3 The development hereby approved shall be carried out strictly in accordance with the Environmental Statement dated August 2006 and the drawings and specifications contained therein, except where stated otherwise in conditions attached below which shall in all cases take precedence.
Reason: For the avoidance of doubt.
- 4 Prior to the commencement of the development hereby permitted a Stability Report, including foundation details and a completion report containing full information on the investigation and treatment of the site, including, where relevant, arrangements for longer-term monitoring and

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 20 June 2007

maintenance, in accordance with the guidance in Annex 2E of PPG 14 shall be submitted for the written approval of the local planning authority. The development shall be carried out in accordance with the approved Stability Report.

Reason: To ensure the safe siting of the turbines

- 5 Prior to the commencement of any development on site, information regarding the assessment of risk to controlled waters must be submitted to and approved in writing by the Local Planning Authority

Reason: The prevention of pollution of the water environment

- 6 Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority which provides details of off site highways works on the A616/B106 junction at Bents Road to accommodate the abnormal load trailers that will deliver the turbine blades. Thereafter the works identified by the approved scheme shall be implemented in their entirety prior to the commencement of development.

Reason: In the interests of highway safety.

- 7 Prior to the commencement of development a scheme for monitoring shadow flicker and potential mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of residential amenity

- 8 No development shall take place until a bat monitoring scheme, including a programme for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme of bat monitoring and any necessary mitigation methods including compensatory tree planting if any of the pine plantation is removed.

Reason: In the interest of protecting bat populations within the vicinity of the turbines.

- 9 No development shall take place until the implementation of a programme of archaeological work 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 and in accordance with UDP Policies BE3, Archaeological Sites and BE4.

- 10 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of:-

- A) The provision of Whams Road/Bents Road junction radii improvement during the construction period
- B) Measurements for the reinstatement of the junction post construction
- C) Provision of a footway at Whams Road/Bents Road Junction
- D) Provision of any necessary guard railing or similar
- E) Provision of signing at Bents Road/Whams Road Junction for all four legs of the junction.
- F) Provision of signing at the Flouch mini roundabout
- G) Any necessary surfacing
- H) Any necessary alterations to street lighting
- I) Any necessary alterations to drainage
- J) Any necessary signing/lining

Reason: In the interests of highway safety

- 11 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority, and as such measure shall be retained for the entire construction period.
Reason: In the interests of highway safety
- 12 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and to and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period, in the interest of road safety.
Reason: In the interests of highway safety
- 13 Prior to any works commencing on site, a condition survey (including the structural integrity) of Bents Road shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Plan Authority and shall assess the existing state of the highway. After delivery of the three wind turbines and associated equipment a second condition survey shall be carried and shall be submitted for the written approval of the Local Planning Authority which shall identify any defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developers expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interest of road safety
- 14 Within a period of at least 12 months preceding the expiration of this permission, a Decommissioning Method Statement, including details of site restoration, soil replacement, landscaping, creative conservation and a timetable for its implementation and maintenance, shall be submitted to the Local Planning Authority. The approved scheme shall be implemented and maintained in accordance with the approved details.
Reason: In the interests of the amenity of the area
- 15 If any turbine ceases to be operational for a continuous period of 12 months it shall, unless otherwise agreed in writing by the relevant local planning authority, be dismantled and removed from the site. That part of the site shall be restored in accordance with a scheme, including a timetable for its implementation, to be submitted to the local planning authority within 2 months after the said 12 month period. The site shall be dismantled in accordance with the approved scheme.
Reason: In the interests of the amenity of the area
- 16 Unless otherwise agreed in writing by the Local Planning Authority before development commences, details of mitigation measure to protect the raw water main shall be submitted for the written approval of the Local Planning Authority. Construction shall then be undertaken in accordance with the approved details.
Reason: To ensure the structural integrity of the main is protected at all times
- 17 Unless otherwise agreed in writing by the Local Planning Authority, no building or structure shall be placed or erected within 6 metres of either side of the centre of the raw water main which crosses the site
Reason: To allow sufficient access for maintenance and repair work at all times
- 18 Noise monitoring shall be undertaken at the frequency set out in Hazlehead Wind Farm Environmental Management Plan as submitted.

The rated noise of the operational wind turbine measured and corrected for tonal contributions in accordance with the procedures set out in ETSU/DTI publication ETSU-R-97 'The Assessment and Rating of Noise from Wind Turbines' (1997) at any dwellings existing at the date of this condition shall comply with the following:

Location	Maximum noise level permitted (DbA L90 10mins)
Bents Farm	Night 43 Day 40
Bents Road	Night 43 Day 40
Brook Hill Lane	Night 43 Day 40
Riddlepit	Night 43 Day 40
Green Acres	Night 43 Day 40

Day-time is defined as 07.00 - 23.00hrs;

Reason: In the interests of residential amenity.

- 19 Except with prior written approval of the Local Planning Authority, construction and delivery activities on site shall be limited to the hours of 8 am to 6pm Monday to Friday, 8 am to 12 noon on Saturdays and not at all on Sundays or Bank Holidays.
Reason: In the interests of protecting the amenity of nearby residential properties.
- 20 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use, to prevent mud/debris from being deposited on the public highway to the detriment of road safety.
Reason: In the interests of highway safety
- 21 The parking manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all time, in the interest of road safety.
Reason: In the interests of highway safety
- 22 Sight lines, having the dimensions 2.4m x 120m, shall be safeguarded at the drive entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.05m
Reason: In the interests of highway safety
- 23 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. 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 developers expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety

- 24 No wind turbines shall be erected until the applicant has agreed with the Local Planning Authority an operational procedure for the resolution of complaints regarding interference resulting from the operation of the turbines, and has completed a survey of television reception and household electrical appliances at residential properties which could be subject to interference. Any subsequent complaints regarding television reception and household electrical appliances shall be decided in accordance with the agreed procedure, and if the complaint is found to be justified the applicant shall take those necessary measures to rectify the problem at their cost.

Reason: In the interests of residential amenity

Reason(s) for Granting Permission

- 1 The proposal complies with Policy GS13 in that:

The development does not cause the loss of any valuable landscape feature.

- 2 It is considered that very special circumstances exist to justify departure from this green belt policy. PPS22 states that such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

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.