BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2013/1395

To Tyler and Co Architects
Craycombe House
73A Bold Street
Altrincham
Cheshire
WA14 2ES

DESCRIPTION Installation of a container incorporating a biomass boiler.
LOCATION Tankersley Manor Hotel, Upper Tankersley, Barnsley, S75 3DQ

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 03 January 2014 and described above.

The approval is subject on compliance with the following conditions:

1 The development hereby permitted shall be begun within 3 years from the date of this permission.
Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2 The development hereby permitted shall only be carried out in accordance with the following documents unless amended by the conditions below which shall take precedence:
a) Drawing titled 'Proposed Location Plan', numbered 1029-01 Rev D and dated 4 December 2013;
b) Drawing titled 'Proposed Site Area', numbered 1029-03 Rev C and dated 4 December 2013;
c) Drawing titled 'Proposed Plan, Elevations and Sections', numbered 1029-04 Rev C and dated 12 December 2013; and
d) E-mail from Mr Toby Tyler dated 1 October 2014 clarifying the dimensions of the proposed biomass boiler.
Reason: For the avoidance of doubt and in the interests of the visual amenity of the locality and the Green Belt in accordance with CS policies CSP6, CSP29 and CSP34, UDP policy ED4, DSAP (Consultation Draft 2012) policy GD1 and the relevant planning policy statements in the NPPF relating to requiring good design and protecting Green Belt land.

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
Head of Planning, Building Control and Sustainability

Dated 06 October 2014

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

3 No development shall commence until a landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall provide for (but not be limited to) the replacement of the two trees lost as a result of the proposed development and the 'gapping up' of the adjacent hedgerow down to the access track to the west. The scheme shall provide details (plant species, size, planting distance, numbers and planting method) of tree and shrub planting to be carried out. All tree and shrub planting as approved in the scheme shall be carried out in the first planting season following the completion of the development. Any trees or shrubs planted as part of the scheme which are removed, or in the opinion of the Local Planning Authority become severely damaged or are found to be dying or seriously diseased within five years of planting shall be replaced within the next available planting season with trees or shrubs of a similar size and species to the satisfaction of the Local Planning Authority.

Reason: To ensure that a landscaping/planting scheme is submitted and implemented in the interests of the visual amenity of the locality and the Green Belt in accordance with CS policies CSP6, CSP29 and CSP34, UDP policy ED4, DSAP (Consultation Draft 2012) policy GD1 and the relevant planning policy statements in the NPPF relating to requiring good design and protecting Green Belt land.

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 development hereby permitted must be carried out in accordance with the Conditions attached to this planning permission and any approved plans and details. Failure to implement the permission in accordance with the planning conditions and approved details may render the development unlawful and could lead to enforcement action and prosecution. If at any stage, it becomes necessary to vary any of the approved plans or details you should contact the Local Planning Authority in advance of implementing any changes to ascertain whether the proposed changes require any further planning approval.

2 The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.decc.gov.uk

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

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

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.gov.uk

3 It is requested that consideration be given to allowing the hedgerow adjacent to the site to grow higher than at present to improve its screening effect in the interests of local residents.

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.

Development Service **Telephone: 01226 - 772600**
PO Box 604, Barnsley, S70 9FE **Fax: 01226 - 772599**