



## PLANNING CONSULTATION RESPONSE

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No</b>             | 2026/0765                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Proposal</b>                   | Discharge of conditions 3 (Fence Height), 5 (Coal Mining), 6 (Highways - Post Completion Management), 7 (Drainage) and 8 (Bird and Bat Boxes) of application 2026/0355:<br>(RETROSPECTIVE) Variation of condition 2 (Approved Plans) and Condition 3 (Biodiversity Net Gain) of application 2024/0699:<br>Demolition of existing buildings and erection of 5no. bungalows, formation of new access and associated works. |
| <b>Address</b>                    | Royston Working Mens Club, 52 Church Street, Royston, Barnsley, S71 4QU                                                                                                                                                                                                                                                                                                                                                  |
| <b>Date of Consultation Reply</b> | 5 <sup>th</sup> October 2026                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Consultee</b>                  | Highways DC                                                                                                                                                                                                                                                                                                                                                                                                              |

### Consultation Assessment and Justification

#### **Condition 6 (Highways - Post Completion Management):**

In response to the applicant/agent's comments regarding this condition, it is acknowledged that given the small scale of the development, a full-blown professional management company is not necessarily needed so long as proof is provided which demonstrates that a legally binding agreement is in place. It is essential that the future maintenance is legally secured via a shared maintenance covenant embedded within the property deeds of all five dwellings, binding the future homeowners to a maintenance schedule in perpetuity.

The maintenance covenant should also include measures to deal with the possibility that a resident may try to refuse to pay for maintenance or repair works to be carried out and in which case the other residents have legal recourse to demand payment.

To satisfy the planning condition, the applicant/agent could submit a copy of the Property Transfer Deeds or a specific legal covenant confirming:

- Joint & Several Liability: All five plots hold a perpetual obligation to jointly maintain, repair, and replace the shared private drive, the shared drainage system and the shared refuse collection point.
- Equal Cost Splitting: Financial liability is split exactly 20% per plot.
- Right of Access: Each property deed grants reciprocal legal rights of access over the private drive for the purpose of maintaining or repairing the drive and the shared underground infrastructure.

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|  | <b>Defer for amends/further information</b> |  |
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#### **Consultation Suggested Conditions:**

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#### **Consultation Informative(s):**

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#### **Planning Obligations required:**

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