



Notice of Prior Approval Determination

**TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015
SCHEDULE 2 PART 3 CLASS MA**

Correspondence Address:

Unit 4
Westbrook Court 2 Sharrow Vale Road
Sheffield
S11 8YZ

Decision Date: 07.05.2026

APPLICATION NO: 2026/0266

DESCRIPTION: Application to determine if prior approval is required for the change of use of an office building (Use Class E(g)(i)) to 9 apartments (Use Class C3) via Schedule 2, Part 3, Class MA.

LOCATION: 23 Queens Road, Barnsley, S71 1AN

APPLICANT/AGENT: Davey Stone Associates

Prior approval is hereby **given** for the development described above subject to the following standard conditions:

- 1 The development hereby permitted under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended) shall be completed within a period of 3 years starting with the prior approval date.
Reason: In order to comply with condition MA.2. (5) of Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).
- 2 Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.
Reason: In order to comply with condition MA.2. (6) of Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended).

- 3 The development hereby approved shall be carried out strictly in accordance with the amended plans:

2026-2190 06 Site Levels.

2026-2190 08 Rev. A Proposed GF Plan received 1st May 2026.

2026-2190 09 Rev. A Proposed 1F Plan received 1st May 2026.

2026-2190 10 Proposed Roof Plan.

2026-2190 11 Proposed Elevation N.S.

2026-2190 12 Rev. A Proposed Elevation W.E. received 1st May 2026.

2026-2190 14 Proposed Sections.

2026-2190 16 Site Plan.

Phase 1 Environmental Desk Study Report Ref. C5856/26/E/9093 prepared by RGS and dated 18th March 2026.

and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making.

- 4 Prior to commencement a noise impact assessment shall be submitted to and approved in writing by the local planning authority which shall have been used to inform the layout and design of the scheme such that mitigation is implemented to achieve the following sound levels within all dwellings;

Bedrooms: LAeq (8 hours) - 30dB (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);

Bedrooms: LAFmax - 45dB (2300 to 0700 hours). 10 events.

Where the above noise criteria cannot be achieved with windows partially open, the scheme shall include a system of alternative acoustically treated ventilation to all habitable rooms if appropriate. The assessment shall be accompanied by a plan which clearly identifies the different types of mitigation measures proposed, where each type of mitigation is proposed and a programme of implementation. Thereafter the development shall be carried out in accordance with the approved measures which shall be fully implemented prior to occupation.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

- 5 Prior to occupation, the scheme for the storage of bicycles as shown on the submitted plans [2026-2190 08 Rev. A] shall be fully implemented and retained thereafter.

Reason: In the interests of encouraging the use of sustainable modes of transport in accordance with Local Plan Policy T3: New Development and Sustainable Travel.

- 6 The external materials shall match those used in the existing building.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making.

- 7 Construction or demolition-related activity shall only take place between the hours of 08:00am – 18:00pm Monday to Fridays, 09:00am – 14:00pm Saturdays and at no time on Sundays and Bank Holidays.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

Additional information:

- 1 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

- 2 It is recommended that measures are taken to prevent a nuisance/or affect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke, odour, light or dust. No waste should be burnt. If a Statutory Nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, light, odour, dust or smoke nuisance from being created. The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.

- 3 The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:
Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
What is a permit and how to get one? - GOV.UK (www.gov.uk)

- 4 In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Signed:

Dated: 7 May 2026

A handwritten signature in black ink, consisting of a stylized, circular scribble followed by a horizontal line extending to the right.

Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate