



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2024/0952**

**To** Mr Adam Butterfield  
Gleeson Homes  
3 Europa Court  
Sheffield Business Park  
Sheffield  
S9 1XE

**DESCRIPTION** Variation of condition 2 of application 2020/1439 (Erection of 68no. 2,3, and 4 bed dwellings with associated access and landscaping) to allow introduction of substation, changes to parking provision, installation of air source heat pumps and EV-C points, and some plot handings and garage position tweaks on-plot with some garage omissions

**LOCATION** Land Bmbc Asset Id E00061, Barnburgh Lane, Goldthorpe, Rotherham, S63 9FL

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 05/12/2024 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before the 30th March 2026.  
**Reason: In order to comply with the associated planning permission 2020/1439 and 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 amended plans and specifications as approved:

- Proposed Site Layout 3128-004 Rev Z
- 254 House Type 21-254-U-0001 Rev C01
- 250 House Type 21-250-U-0001 Rev C01
- 339 House Type 21-339-U-001 Rev C02
- 350 House Type 21-350-U-0001 Rev C01
- 351 House Type 21-351-U-0001 Rev C01
- 353 House Type 21-353-U-0001 Rev C01
- 357 House Type 21-357-U-0001 Rev C01
- 358/9 House Type 21-358/9-U-0001 Rev C01
- 360 House Type 21-360-U-0001 Rev C01
- 435 House Type 21-435-U-0001 Rev C03
- 436 House Type 21-436-U-0001 C02
- 202 Dwelling Type 202/1F
- 401 Dwelling Type 401/1G
- Detached Garage Details SD701 Rev C
- Detached Garage Details SD700 Rev B
- Detailed Landscape Proposals (1 of 2) 3627/2 Rev C
- Detailed Landscape Proposals (2 of 2) 3627/3 Rev C
- Drainage Layout 20/729/9790A
- Flood Risk Assessment (20/022.01 Rev 02)
- Tree Survey (Rosetta 3627/1)
- Air Quality Assessment (410.03044.00169 Rev 2)
- Geotechnical and Geo-Environmental Site Investigation (39657-003)
- Further Supplementary Ecological Information Including Revised Biodiversity Net Gain assessment of land within New Park Springs (ref:424.03044.00237 Version 1, September 2022) unless required by any other conditions in this permission.
- Substation Plans and Elevations C01 Rev C00

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

3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.

**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D, High Quality Design and Place Making.**

4 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**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.**

- 5 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling to which the boundary treatment is associated is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.  
**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.**
- 6 No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.  
**Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety in accordance with Local Plan Policy T4.**
- 7 Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at West Moor Croft in accordance with details of a phasing and completion plan to be submitted and approved in writing by the LPA.  
**Reason: To ensure streets are completed prior to occupation and satisfactory development of the site in accordance with Local Plan Policy T4.**
- 8 No dwelling shall be occupied until pedestrian visibility splays of 2m x 2m to the back edge of the footway have been provided at the proposed accesses/driveways. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6m to the rear of the footway/verge which would obstruct the visibility splay. The visibility splay shall be maintained free of obstruction at all times thereafter for the lifetime of the development  
**Reason: To ensure drivers have clear and unrestricted views of approaching pedestrians when pulling out onto the public highway, in the interest of highway safety in accordance with Local Plan Policy T4.**
- 9 Prior to the first occupation of each dwelling hereby permitted, the proposed accesses, driveways, on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Driveways and vehicle parking areas accessed from the approved streets must be properly consolidated and hard surfaced and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.  
**Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard in accordance with Local Plan Policy T4.**
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order), the garages/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the LPA.  
**Reason: To retain the garages/car parking spaces for parking purposes in accordance with Local Plan Policy T4.**

11 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Measures to prevent mud/debris being deposited on the public highway

**Reason: In the interests of highway safety, in accordance with Local Plan Policy T4.**

12 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- A plan to a scale of 1:1250 showing the location of all defects identified
- A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development but prior to occupation of the 65th dwelling, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.

**Reason: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety in accordance with Local Plan Policy T4.**

13 No works shall commence on site until a scheme for the parking of bicycles has been submitted to and approved in writing by the LPA. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

**Reason: In interests of encouraging use of sustainable modes of transport in accordance with Local Plan Policy T3.**

14 The development shall be carried out in accordance with the details shown within the submitted report, "Flood Risk Assessment prepared by JOC Consultants Ltd (Report dated 10/12/2020)"

**Reason: In the interest of satisfactory and sustainable drainage, in accordance with Local Plan Policies CC3 and CC4.**

15 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

- Tree protective barrier details
- Tree protection plan
- Arboricultural method statement

No development or other operations shall take place except in complete accordance with the approved methodologies.

**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**

16 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason: In order to ensure compliance with Local Plan Policy I1.**

17 Upon commencement of construction works, details of electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.

18 Prior to commencement of foundations or any above ground works, remediation works and mitigation measures necessary to address land instability arising from coal mining legacy shall have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance.

**Reason: In accordance with Local Plan Policy CL1 Contaminated and Unstable Land.**

19 Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

**Reason: In accordance with Local Plan Policy CL1 Contaminated and Unstable Land.**

20 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

**Reason: To comply with policies HS45 and HE6 and to ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.**

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.

**Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Local Plan Policy POLL1 Pollution Control and Protection.**

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any sewer or culverted watercourse.

**Reason: To prevent damage to the existing [sewer, watercourse or culverted watercourse] in accordance with Local Plan Policy POLL1 Pollution Control and Protection.**

23 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**Reason: In accordance with Local Plan Policy CL1.**

- 24 No development (including construction, land raising and demolition if required) shall be carried out until a Construction Environment Management Plan (CEMP), detailing protection measures in accordance with the approved Further Supplementary Ecological Information Including Revised Biodiversity Net Gain assessment of land within New Park Springs (ref:424.03044.00237 Version 1, September 2022), is first submitted to and approved in writing by local planning authority. The development shall be carried out in accordance with the agreed details.  
**Reason: To ensure measures are in place to protect species or habitats in accordance with Local Plan Policy BIO1 and the accompanying Biodiversity and Geodiversity SPD.**
- 25 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (Detailed Landscape Proposals (1 of 2) 3627/2 Rev C and (2 of 2) 3627/3 Rev C) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.**
- 26 All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping (Detailed Landscape Proposals (1 of 2) 3627/2 Rev C and (2 of 2) 3627/3 Rev C) shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.  
**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.**
- 27 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**
- 28 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**

29 All air source heat pumps must comply with the MCS planning standards. Which are:

- The air source heat pump product shall be certificated in accordance with MCS 0073;
- The air source heat pump shall be installed by an installation company certificated in accordance with MIS 30054; and
- The installation shall be carried out in compliance with the calculation procedure contained in Table 2 within MCS020. Installers must complete the „results/notes" column in Table 2 for each step of the calculation procedure to show how it has been followed.

There should be no wind turbine or existing air source heat pump installed at the property prior to the air source heat pump installation, unless this is a replacement. Any additional air source heat pumps at the same property will require planning permission.

The unit must be more than 1m from the property boundary.

The noise level from the installation must not exceed 42dB LAeq(5min) at 1 metre from the window of a habitable room in the facade of any neighbouring residential property.

The unit will not be installed on a pitched roof or near the edge of a flat roof.

**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.**

## **Informative(s)**

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 30 May 2025

A handwritten signature in black ink, consisting of a stylized, cursive script that appears to read 'Garry Hildersley'. The signature is written over a horizontal line.

**Garry Hildersley**

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

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

## **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.

# STATUTORY BIODIVERSITY NET GAIN CONDITION

## DEEMED CONDITION

(As required Schedule 7a of the Town and Country Planning Act 1990 (as amended) and inserted by the Environment Act 2021)

Development may not be begun unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority; and
2. The Local Planning Authority has approved the plan.

The Biodiversity Gain Plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development; and
- f) any such other matters as the Secretary of State may by regulations specify.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- g) name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- h) a description of the development and planning permission reference number (to which the plan relates);
- i) the [relevant date](#), for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- j) [the completed biodiversity metric calculation tool\(s\)](#), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the [relevant date](#), and post-development biodiversity value;
- k) a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- l) (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- m) pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the [relevant date](#), and drawn to an identified scale and showing the direction of North;
- n) a description of any [irreplaceable habitat](#) on the land to which the plan relates which exist on the [relevant date](#), and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and
- o) if [habitat degradation](#) has taken place:
  - i. a statement to this effect,
  - ii. the date immediately before the degradation activity,

- iii. the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
- iv. any available supporting evidence for the value.

#### **INFORMATIVE 1**

When calculating the post-development biodiversity value of a habitat, the Local Planning Authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation, or conservation covenant

#### **INFORMATIVE 2**

The General Biodiversity Gain Condition has a separate legal basis in contrast to other planning conditions and will apply to all planning permissions, unless exempt. The General Biodiversity Gain Condition will therefore not appear on the decision notice along with the list of planning conditions imposed on the application, rather it will be referenced separately.

The General Biodiversity Gain Condition cannot be varied or removed by an application under section 73 of the Town and Country Planning Act. It also cannot be discharged as part of the grant of planning permission.

#### **INFORMATIVE 3**

A Biodiversity Net Gain Template can be found here:

<https://www.gov.uk/government/publications/biodiversity-gain-plan>

#### **INFORMATIVE 4**

The statutory deemed condition above is relevant to all major applications submitted since 12<sup>th</sup> February 2024 and to all non-major applications submitted after 2<sup>nd</sup> April 2024, unless exempt. The onus is on the applicant/agent to notify the Local Planning Authority at

[developmentmanagement@barnsley.gov.uk](mailto:developmentmanagement@barnsley.gov.uk) if the application was exempt and provide the reasons for the exemption. Exemptions can be found at this link <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>