BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2024/0187

To Eight_One Two Architects
Studio A2
Brookes Mill
Huddersfield
HD4 7NR

DESCRIPTION Demolition of the existing dwelling and erection of 2no detached dwellings with basements and integrated garages
LOCATION Sorrel Bank, Park Avenue, Wortley, Barnsley, S35 7DR

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 17/05/2024 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 development hereby approved shall be carried out strictly in accordance with the amended plans:

23_824 101 Rev. B
23_824 102 Rev. C
23_824 103 Rev. B
23_824 104 Rev. B
23_824 105 Rev. C
23_824 106 Rev. B
23_824 107 Rev. B

and specifications as approved unless required by any other conditions in this permission.
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 Upon commencement of the works, samples of all external materials shall be submitted and approved in writing, and the development shall proceed in accordance with he approved details.

- The windows and door frames of the development shall be mounted in the reveal a minimum of 100mm.

- The stonework shall be natural coursed sandstone similar in appearance to other buildings in the immediate vicinity in terms of type, grain size, colour, face dressing and method of coursing.

- Pointing shall be recessed to a very slightly concave joint of 2-3mm and shall either use or emulate the appearance of lime mortar. * Joints shall be finished once a green set has occurred by brushing, to reveal the arises but not expose any significant horizontal ledging.

- Upon commencement, a sample panel of 1m x 1m shall be constructed and approved and retained on site for the duration of the works. The development shall proceed in accordance with this.

Reason: To conserve and enhance the significance of the conservation area in accordance with Local Plan policy HE1.

4 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.

5 Not withstanding the submitted details, upon commencement of development, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall be implemented prior to the occupation of the dwelling.
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.

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

7 The development shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures, for which a scheme shall be submitted to and approved in writing by the local planning authority, prior to commencement of the development. The scheme will include the measures listed below and shall be implemented prior to first occupation. The features shall thereafter be permanently retained.

- A sensitive lighting scheme to ensure impacts to foraging and commuting bats are minimal;
- Four Integrated bat and bird boxes to be installed in suitable locations within each dwelling on site;
- Invertebrate boxes to be installed on suitable trees on site, and
- Hedgehog highways to be installed in boundary fencing. The hedgehog highways will be signposted to prevent the blocking of gaps.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

8 Bat safe roofing membranes shall be installed within the roof of each dwelling to prevent the injury and/or killing of roosting bats.
Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

9 A copy of the licence from Natural England shall be submitted to the local planning authority prior to the commencement of works.
Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

10 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 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.

11 No development shall take place unless and until.

(a) Full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways.

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways are all approved in writing by the Local Planning Authority.

Reason: To ensure the proper drainage of the area.

12 The dwellings hereby permitted shall not be occupied until pedestrian visibility splays of 2m x 2m to the back edge of the adjacent Bridleway have been provided at the proposed accesses. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6m along the site boundary which would obstruct the visibility splays. The visibility splays 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 users of the Bridleway when pulling out onto the Public Right of Way, in the interests of the safety of all users of the Public Right of Way in accordance with Local Plan Policy T4 New Development and Transport Safety.

13 The parking facilities, indicated on the submitted plans, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times. Adequate measures shall be so designed into the proposed vehicular areas to avoid the discharge of surface water from the site on to the adjacent Bridleway.
Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard; to ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the Public Right of Way and to prevent the migration of loose material on to the Public Right of Way in the interests of the safety of all users of the Public Right of Way in accordance with Local Plan Policy T4 New Development and Transport Safety.

14 The driveway length in front of the garages shall be at least 6m (or 5.5m with the use of a roller shutter type door) measured from the garage door to the site boundary.
Reason: To ensure parked vehicles do not overhang the adjacent Bridleway, ensuring that the safe and unobstructed use of the Public Right of Way is maintained in accordance with Local Plan Policy T4 New Development and Transport Safety.

15 The gradient of the vehicular accesses/driveways shall not exceed 1 in 12 as measured from the edge of the adjacent Bridleway.
Reason: In the interests of the safety of persons using the access and users of the Bridleway in accordance with Local Plan Policy T4 New Development and Transport Safety.

16 Any redundant vehicular accesses shall be permanently closed prior to the development being brought into use.
Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

17 During works, construction or demolition related activity shall only take place onsite 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: To reduce or remove adverse impacts on health and quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

18 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 enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

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.

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 The development abuts a Public Right of Way, (Bridleway) namely Wortley Path No.17. You are advised that before undertaking any work you must contact the PRoW team to discuss requirements, including the need for any Temporary Traffic Regulation Order to close or divert the PRoW for the duration or part of the works on grounds of public safety. For more information, please call on 01226 773555.

3 The contractor shall ensure that no vehicle leaving the development hereby permitted enters the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the public highway is an offence under provisions of the Highways Act 1980.

4 During the construction period advance warning signs be placed on Park Avenue/The Flats so as to alert all users of the Bridleway, particularly horse riders, that construction work is taking place. In the event that a temporary closure of the PRoW/TPT is deemed necessary, the applicant/developer would be required to provide an alternative route suitable for all users.

5 Any vegetation clearance should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible then a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to the start of works. Should active nests be found, works should cease until the nests are no longer active and the chicks have fledged and the ecologist has deemed the area to be free of nesting birds.

6 If a protected species (such as any bat, great crested newt, badger, reptile or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.

7 If a bat or evidence of the presence of bats is discovered on site prior to or during development all work should stop immediately. A licensed bat consultant or Natural England must be contacted and works implemented only in accordance with methods advised by them. This advice note should be provided to any persons/contractors carrying out the development along with the contact details of a relevant ecological consultant. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017.

8 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.

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: 28 August 2025



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 12th February 2024 and to all non-major applications submitted after 2nd April 2024, unless exempt. The onus is on the applicant/agent to notify the Local Planning Authority at 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