



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2021/0852**

**To** Architect Studio Gedye Ltd  
The Studio  
2 Bank View  
Main Road  
Hathersage  
Hope Valley  
S32 1BB

**DESCRIPTION** Demolition of existing bungalow and erection of new single storey dwelling with detached outbuilding and associated works

**LOCATION** Pine Lodge, Stainborough Lane, Hood Green, Barnsley, S75 3EZ

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 12/07/2021 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 plans and specifications as approved unless required by any other conditions in this permission  
Plan References:
  - 20149\_Pine Lodge 105D West and East End Elevations as proposed received 21st March 2022
  - 20149\_Pine Lodge 107D Garage Design as proposed received 21st March 2022
  - 20149\_Pine Lodge 102G Floor Plans as proposed received 21st March 2022
  - 20149\_Pine Lodge 104J North and South Elevations as proposed received 21st March 2022
  - 132-01-01 Rev 04 Proposed Structural Landscape Layout received 18th March 2022
  - 132-01-02 Rev 01 Proposed Structural Landscape Layout – illustrative images received 18th March 2022
  - Arboricultural Report and Impact Assessment Ref AWA4276 dated March 2022 produced by AWA Tree Consultants
  - Arboricultural Method Statement Ref AWA4276AMS dated October 2022 produced by AWA Tree Consultants
  - Ecological Impact Assessment Ref 220640/1 dated 3rd August 2022 produced by Whitcher Wildlife Ltd Ecological Consultants

- Biodiversity Net Gain Feasibility Assessment dated 10th August 2022 produced by Whitcher Wildlife Ltd Ecological Consultants
- Biodiversity Net Gain Matrix produced by Whitcher Wildlife Ltd Ecological Consultants received 10th August 2022
- Coal Mining Risk Assessment dated 11th May 2022 produced by Your Environmental Company Ltd
- Heritage Statement dated January 2021 ref: TJC2021.1 proposed by The Jessop Consultancy

**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.**

- 3 No development shall take place (including vegetation/site clearance) until a Precautionary Working Method Statement (PWMS) for amphibians, bats (including details regarding the soft felling of trees with bat roost potential) and small mammals has been submitted to and approved in writing by the Local Planning Authority. The approved PWMS shall be implemented in full according to the specified timescales and the development shall proceed in strict accordance with the details as approved.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**

- 4 No new build development shall commence until post-demolition intrusive site investigations as recommended in the Coal Mining Risk Assessment dated 11th May 2022 produced by Your Environmental Company Ltd have been carried out on site to establish the exact situation in respect of mining legacy features, including those relating to the exploitation of coal. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance and the development shall proceed in strict accordance with the details as approved.

**Reason: In the interest of Land Stability NPPF paragraph 183.**

- 5 No new build development shall commence until a representative sample of all external materials shall be submitted to, and approved in writing by, the Local Planning Authority, and the development shall proceed in strict accordance with the details as approved

**Reason: In the interest of preserving and enhancing the historic environment in accordance with Local Plan Policy HE1.**

- 6 No new build development shall commence until a representative example showing the face dressing, jointing, and pointing details shall be provided by the construction of a one metre by one metre sample panel. Construction will not commence until this sample panel has been approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with the details as approved and shall be retained on site for the duration of the works.

**Reason: In the interest of preserving and enhancing the historic environment in accordance with Local Plan Policy HE1.**

- 7 All windows and doors used in the construction of the building shall be constructed in either powder coated aluminium or hardwood timber. Full details of their design, construction, and finish (including details of heads and cills, means of opening and glazing pattern) shall be submitted to and approved in writing by the local planning authority before the commencement of the relevant site works. The details shall include an elevation at 1:20 scale of each door or window type and 1:5 scale cross-sections. The development shall proceed in strict accordance with the details as approved  
**Reason: In the interest of preserving and enhancing the historic environment in accordance with Local Plan Policy HE1.**
- 8 No new build development shall commence until, full details of both hard and soft landscaping works, including 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 shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the 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.**
- 9 Prior to commencement a detailed and finalised remediation scheme to protect the development from the effects of mining legacy land instability shall be submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details  
**Reason: In the interest of Land Stability NPPF paragraph 183.**
- 10 Upon commencement of construction works, details of an electric vehicle electric vehicle charge point shall be submitted and approved in writing by the LPA. The EVCP 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.**
- 11 Following implementation and completion of the approved remediation scheme (required by condition 9 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner.  
**Reason: In the interest of Land Stability NPPF paragraph 183.**

- 12 A Biodiversity Enhancement Management Plan (BEMP), completed by a suitably qualified ecologist will be provided within three months of the commencement of works on site. The BEMP will include the following:
- A recent landscape plan detailing the location of mitigation works;
  - A plan of the areas to be maintained, enhanced and/or created;
  - A schedule of actions to create or enhance and maintain each habitat at the required quality for a period of 30 years;
  - A schedule of ecological monitoring for the 30-year period, identifying when key indicators of habitat maturity should be achieved. Monitoring would be required within years 1, 2, 5, 10, 20 and 30 and monitoring reports should be submitted to the Local Planning Authority on the specified years;
  - A schedule of actions to be undertaken in case signs of failing are identified; and
  - The schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the Council.
- The development shall proceed in strict accordance with the details as approved.
- Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**
- 13 Prior to first occupation of the dwelling a detailed lighting scheme including the location, orientation, angle and luminance of the lighting and a horizontal illuminance contour plan will be provided. No lighting will be directed onto the site boundaries, and dark corridors should be maintained along these features to ensure species such as bats are not negatively impacted by the scheme. The lighting scheme should be produced in line with the following guidance: Bat Conservation Trust publications 'Artificial Lighting and Wildlife' (2014); Bats and Artificial Lighting in the UK' (2018) and Emma L Stone (2015). The development shall proceed in strict accordance with the details as approved
- Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**
- 14 Prior to first occupation of the dwelling the measures listed below shall be implemented in full and full details including photographic evidence provided to the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority; the features shall thereafter be permanently retained.
- At least 2 no. integrated bat roosting boxes to be installed in suitable locations on the new building or mature trees on site;
  - At least 2 no. swift bricks to be installed in suitable locations on the new building; and
  - The arisings from felled trees to be left in suitable locations in wooded areas on site to provide refuge habitat for hedgehog.
- The development shall proceed in strict accordance with the details as approved
- Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**
- 15 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, and no garages or other outbuildings shall be erected.
- Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1 Protection of Green Belt.**

- 16 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 Policy Poll1 Pollution Control and Protection.**
- 17 The roof shall be covered by natural sandstone roofing slate.  
**Reason: In the interest of preserving and enhancing the historic environment in accordance with Local Plan Policy HE1.**
- 18 The pointing shall be a pure lime mix of one part NHL 3.5 to three parts well graded aggregate or river sand. The detail of the mortar joints shall be agreed in writing on the approval of a sample panel subject to condition 5 above.  
**Reason: In the interest of preserving and enhancing the historic environment in accordance with Local Plan Policy HE1.**
- 19 Windows and doors (not including the gable windows) shall be mounted a minimum of 100mm from the front face of the stone in the reveal.  
**Reason: In the interest of preserving and enhancing the historic environment in accordance with Local Plan Policy HE1.**
- 20 Rooflights shall be low profile, flush mounted and shall not extend above the surface of the roof  
**Reason: In the interest if preserving and enhancing the historic environment in accordance with Local Plan Policy HE1.**
- 21 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.**
- 22 The development shall be completed in strict accordance with the recommendations in Section 4 and 5 of the Ecological Impact Assessment (document reference 220640/1.), BNG Report Pine Lodge and BNG Pine Lodge Revised Metric, all dated 15th August 2022. All the recommendations shall be implemented in full according to the timescales laid out, and thereafter permanently maintained for the stated purposes of biodiversity conservation.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**
- 23 The works should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible a suitably qualified ecologist should undertake a nesting bird check prior to the start of works, 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.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**

- 24 Any fencing on site will be sympathetic to allow the passage of small mammals, particularly hedgehog through the site. Holes should be cut in boundary fencing to allow this and the holes marked to prevent occupiers from blocking the holes.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**
- 25 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e., not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 26 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.  
**Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.**
- 27 The new gate shall be positioned as shown on the layout plan ref 132-01-01 Rev 04 and be designed to only open inwards and permanently retained as such for the lifetime of the development.  
**Reason to ensure vehicles are able to pull clear of the adopted highway in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 28 The approved garage, store, gym and games room outbuilding hereby approved shall be used for the purposes described within the application and shall not be used for any trade or commercial purposes, nor shall it be used, sold or rented as an independent dwelling and shall not be severed at a later date to create a separate planning unit.  
**Reason: In the interest of residential amenity, in accordance with Local Plan Policy GD1 General Development.**

## 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 It is an offence under the Highways Act 1980 for anyone to deposit anything on the highway which may cause a nuisance or possible danger to road users.
- 2 The development hereby approved includes the carrying out of work on or abutting the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email [HighwaysDC@barnsley.gov.uk](mailto:HighwaysDC@barnsley.gov.uk) or call to 01226 773555.

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 28/10/2022



Joe Jenkinson  
Head of Planning, Policy and Building Control

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.