

Application Reference Number:		2026/0188.	
Application Type:		Full.	
Proposal Description:		Demolition of existing outbuilding and erection of 2no. extensions to the existing cricket clubhouse with associated hard and soft landscaping (Amended Description).	
Location:		Higham Cricket Club, Royd Lane, Higham, Barnsley, S75 1PH.	
Applicant:		Higham Cricket Club.	
Third-party representations:	None.	Parish:	
		Ward:	Dodworth.

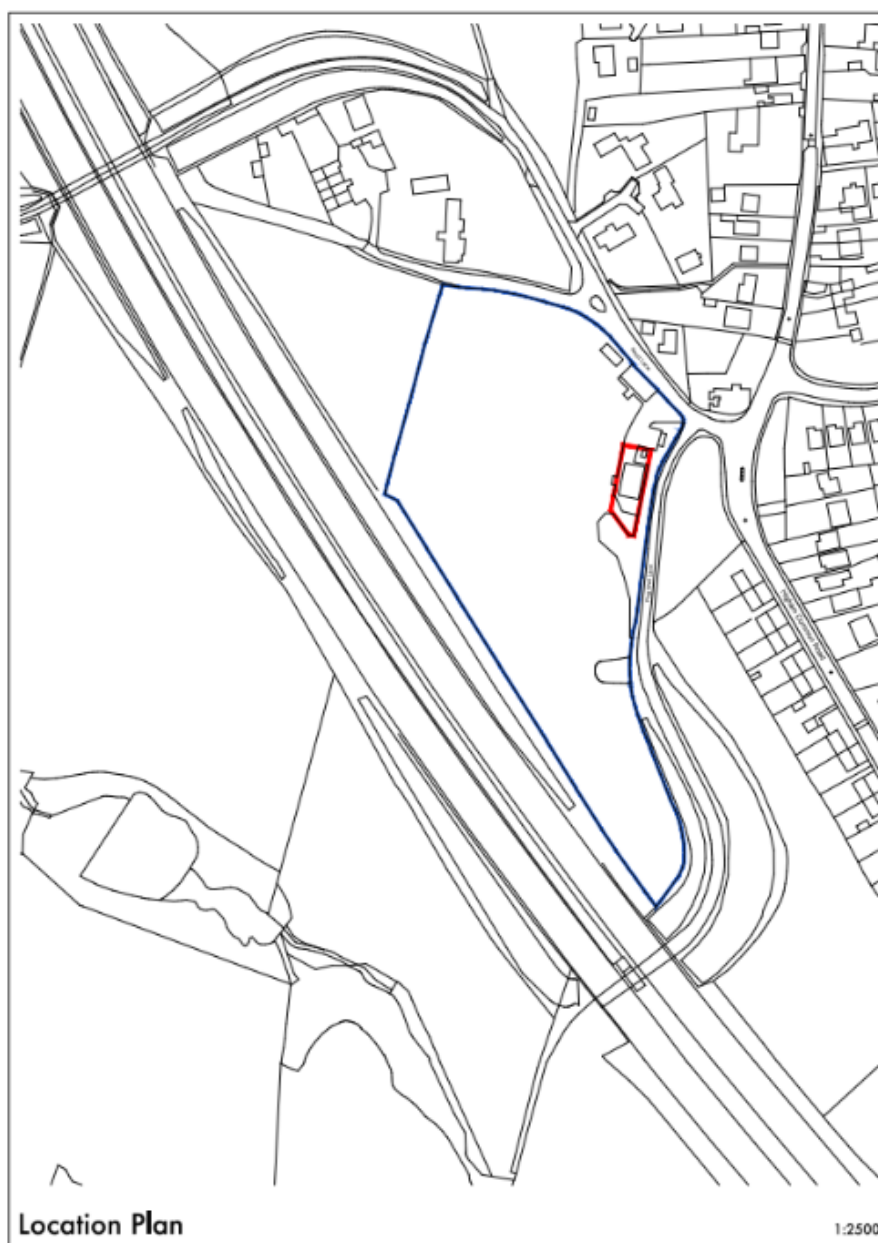
Summary: The applicant is seeking planning permission for the erection of two single storey extensions to the north and south elevations of the existing club house with associated hard and soft landscaping that includes the demolition of a small flat roofed building to the north, the levelling of the ground and the erection of a new retaining wall, and the extension of an existing outdoor terrace area. The principle of development and its potential impact on the Green Belt is considered acceptable in accordance with Paragraphs 154(b) and 154(c) of the NPPF and Local Plan Policies GB1 and GB2 and is attributed significant weight in favour. The proposal to extend an existing club house that serves an existing Cricket ground is considered to constitute small scale facilities supporting or improving the proper function of green space and as such, is considered acceptable and in accordance with Paragraph 104 of the NPPF and Local Plan Policy GS1 and is attributed significant weight in favour. The proposal is also considered acceptable regarding its potential impact on visual amenity, highway safety, residential amenity, health and pollution control, contaminated and unstable land, biodiversity and geodiversity all of which are attributed moderate or modest weight in favour. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024). Recommendation: APPROVE subject to conditions.

Site Description

This application relates to a club house within an existing Cricket ground which also accommodates a sports pavilion and store to the north-east within the site.

The Cricket ground is located west of Higham Common Road and Pog Well Lane and south of Royd Lane. The surrounding area is principally residential with properties to the north, east and south-east of the development site. Open fields and the M1 Motorway are located to the south and west, and the topography of the development site falls north-to-south and east-to-west.

The club house is a single storey detached building constructed of red brick with a pitched concrete tiled roof. There is a timber-framed pergola structure on the south elevation with seating underneath on a patio area and extending onto an adjacent grassed area. The patio extends along the west with further outdoor seating and a stepped access onto the pitches. The west elevation has large, glazed openings with roller shutters. On the north elevation is a glazed entrance with a roller shutter. To the north of the club house is a small, single-storey detached building with a retaining wall beyond. The area to the north of the club house benefits from a tarmacked surface.



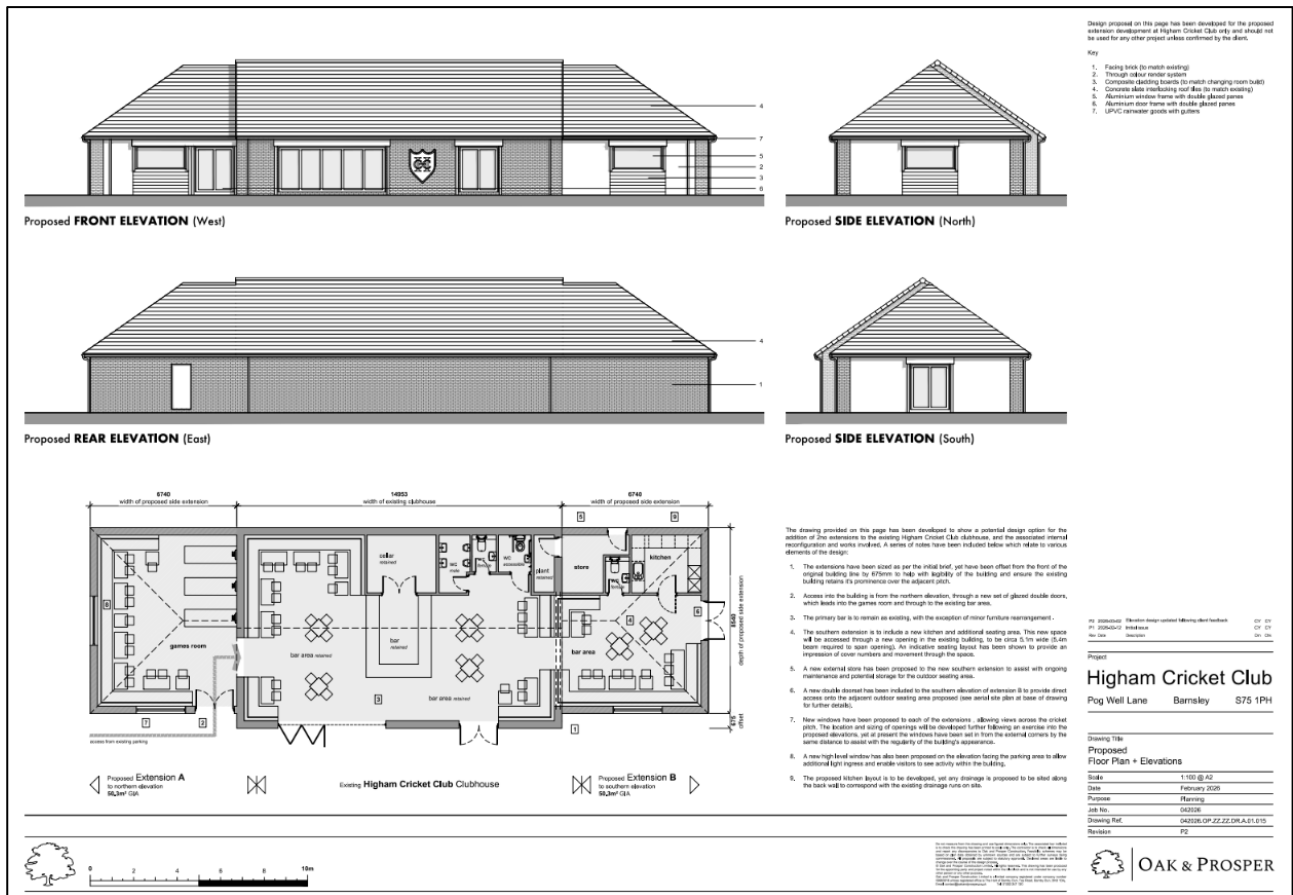
Planning History

2011/1536	Erection of pavilion & formation of car park.	Approved.
2016/0854	Erection of cricket pavilion & formation of car park.	Approved.
2017/0685	Variation of condition 2 of planning permission 2016/0854 - Erection of cricket pavilion and formation of car park to enable amendments to location and cladding material.	Approved.
2019/1392	Removal of existing changing rooms building and storage shed and provision of replacement changing rooms building and new storage shed.	Approved.
2022/1206	Erection of cricket practice nets with 3no wicket lanes and associated 2.4m high weld mesh perimeter security fence.	Approved.

Proposed Development

The applicant is seeking planning permission for the erection of two single storey extensions to the north and south elevations of the existing club house with associated hard and soft landscaping that includes the demolition of a small flat roofed building to the north, the levelling of the ground and the erection of a new retaining wall, and the extension of an existing outdoor terrace area.

The proposed extensions would measure approximately 6.7 metres (W) x 8.5 metres (L) x 6 metres (H) and would be constructed of closely matching external materials.



Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as Green Belt and Higham Recreation Ground green space in the adopted Local Plan. The following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GB1: Protection of Green Belt.*
- *Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt.*
- *Policy GS1: Green Space.*
- *Policy D1: High quality design and place making.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T3: New Development and Sustainable Travel.*
- *Policy T4: New Development and Transport Safety.*
- *Policy BIO1: Biodiversity and Geodiversity.*
- *Policy CL1: Contaminated and Unstable Land.*

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 8: Promoting healthy and safe communities.*
- *Section 9: Promoting sustainable transport.*
- *Section 12: Achieving well designed places.*
- *Section 13: Protecting Green Belt land.*
- *Section 15: Conserving and enhancing the natural environment.*

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take this guidance into account when taking decisions.

Supplementary Planning Guidance

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The following SPDs are relevant in this case:

- *Biodiversity and Geodiversity (Adopted March 2024).*
- *Parking (Adopted November 2019).*
- *Residential amenity and the siting of buildings (Adopted May 2019).*
- *Trees and hedgerows (Adopted May 2019).*
- *Walls and fences (Adopted May 2019).*

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Representations

This planning application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended).

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

A site notice was posted nearby which expired 1st May 2026.

A re-consultation exercise was undertaken for 14-days following an amended description and plans. A site notice was posted nearby which expired 22nd May 2026.

No representations were received.

Consultations

Biodiversity Officer	<i>No objection(s) subject to condition(s).</i>
Local Ward Councillors	<i>No comments received.</i>
Highway Drainage	<i>No objection(s).</i>
Highways Development Control	<i>No objection(s) subject to condition(s).</i>
Mining Remediation Authority	<i>No objection(s) subject to condition(s).</i>
Parks Supervisor	<i>No objection(s).</i>
Pollution Control	<i>No objection(s) subject to condition(s).</i>
South Yorkshire Mining Advisory Service	<i>No objection(s) subject to condition(s).</i>
Sport England	<i>No objection(s).</i>
Yorkshire Water Services Limited	<i>No comment(s).</i>

Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development and Green Belt Assessment

Extensions and alterations to existing buildings are acceptable in principle if the development would remain subservient and be of a scale and design which would be appropriate to the host property and would not be detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety.

Paragraph 153 of the NPPF states when considering planning applications, local planning authorities should ensure that substantial weight is attributed to any harm to the Green Belt, including any harm to its openness. Inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm that results from the proposal, is clearly outweighed by other considerations.

Paragraph 154(b) establishes that development in the Green Belt is not inappropriate if it comprises the provision of appropriate facilities (in connection with an existing use of land or a change of use), including buildings, for outdoor sport and for outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Paragraph 154(c) establishes that development in the Green Belt is not inappropriate if it comprises the extension or alteration of a building provided that it would not result in disproportionate additions over and above the size of the original building.

Local Plan Policy GB1 establishes the Green Belt will be protected from inappropriate development in accordance with national planning policy.

Local Plan Policy GB2 reflects paragraph 154(c) of the NPPF and establishes that development in the Green Belt is not inappropriate if it comprises the extension or alteration of an existing building provided that it would not result in disproportionate additions over and above the size of the original building.

Original means as existed in 1948 or, in relation to a building constructed later, as it was built.

Floorspace is calculated by external measurement of the building and floorspace within roof spaces will not be considered and outbuildings will only be considered in calculating the cumulative additions to the original building.

Original building – 137.89sqm.

Existing additions – 0sqm.

Proposed additions – 115.06sqm.

Demolition of existing outbuilding – 5.77sqm.

Total existing and proposed – 109.29sqm.

In this instance, the total cumulative additions would not exceed the size of the original building by not amounting to more than the doubling of its floorspace (measured externally) and the increase in size would also be offset by the demolition of an existing outbuilding, in accordance with Local Plan Policy GB2 and paragraph 154(c) of the NPPF.

The proposal is also for extensions to an existing club house serving an existing Cricket ground and as such, the proposal would provide and support appropriate facilities in connection with the existing use of land in accordance with Paragraph 154(b) of the NPPF.

A separate assessment in relation to any potential impacts on the permanence and openness of the Green Belt will still be undertaken in relation to visual amenity.

Considering the above, the principle of development is considered acceptable subject to assessment of the following matters. The principle of development is attributed significant weight in favour of the proposal.

Impact on Green Space

Paragraph 104 of the NPPF establishes that existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Local Plan Policy GS1: Green Space establishes that proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

An assessment shows that there is too much of that green space in the area which it serves, and its loss would not affect the existing and potential green space needs of the borough; or

The proposal relates to small scale facilities needed to support or improve the proper function of the green space; or

An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

In this instance, the proposal is for extensions to an existing club house serving the existing Cricket ground and therefore, it is considered that the proposal relates to small scale facilities supporting or improving the proper function of the green space in accordance with Local Plan Policy GS1; the level of development proposed is also proportionate to the size of the green space and would support its primary use.

Park Services were consulted; and no objections were received.

Sport England were consulted; and no objections were received because it was considered to accord with exemption 2 of their Playing Fields Policy and Paragraph 104 of the NPPF.

Considering the above, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with Paragraph 104 of the NPPF and Local Plan Policy GS1: Green Space and is considered acceptable.

Impact on Openness of Green Belt and Visual Amenity

The proposed extensions would be attached to an existing building within an existing Cricket ground and as such, the proposal would not affect the permanence and openness of the Green Belt despite a minor extension of the existing terrace area to the south covering an area already used for outdoor seating.

In respect of visual amenity, the proposed extensions would adopt a modest scale and sympathetic appearance with a set back from the west elevation of the existing building and a set down from the existing ridge. The proposal would adopt sympathetic external materials that would reflect those

used in the external construction of the existing building and the existing sports pavilion building that is located to the north-east within the Cricket ground. The proposal would achieve a subordinate appearance while maintaining some sense of symmetry.

The existing club house is set down from Higham Common Road and Pog Well Lane and separated by a grassed embankment with shrubs, hedges and trees beyond providing a good level of screening from these streets. The existing club house is not a prominent or dominant building within the street scene of nearby streets and nor would the proposed extensions to it. The proposal is considered to be entirely visually appropriate for its contextual setting within an existing Cricket ground.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Paragraph 154(b) of the NPPF and Local Plan Policies GB1: Protection of Green Belt and Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding impact on the openness of the Green Belt and impact on visual amenity.

Impact on Highways

Paragraph 116 of the NPPF states development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe following mitigation and considering all other reasonable future scenarios.

The existing club house was approved under planning applications 2016/0854 and 2017/ 0685 and included the provision of two dedicated disabled parking spaces and additional tarmacked areas for car parking.

The proposal would include the demolition of the existing small, single-storey, flat-roofed, detached building elevated above the adjacent car parking area and retaining wall. The banked area would be removed and levelled to allow the northern extension with a new retaining wall structure provided.

Highways Development Control were consulted; and colleagues stated that the previously approved spaces would be retained, and while the off-street parking provisions is likely to be significantly below potential demand on match days or when functions occur, it is considered that this application is not likely to exacerbate the issue. Notwithstanding this, a site visit found the existing spaces being used for storage. Given the lack of off-street parking, it is important that these spaces are retained for car parking and therefore, a condition to secure this is recommended.

Highways Development Control colleagues raised no objections subject to recommended conditions to secure details of measures for preventing mud/debris from being deposited on the public highway; controlling construction hours; securing appropriate surfacing materials; and retaining off-street car parking spaces for such purposes.

The Local Planning Authority has no reason to disagree with the professional opinions of Highways Development Control colleagues in this instance, and the proposal is not considered to be prejudicial to highway safety, nor is there sufficient ground to warrant refusal under Paragraph 116 of the NPPF.

Considering the above, this is considered to weigh moderately in favour of the proposal subject to suggested conditions.

The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.

Impact on Residential Amenity, Health and Pollution Control

It is not considered that the proposed extensions would contribute to significant increased levels of overshadowing, overlooking and loss of privacy, or reduced levels of outlook because of the existing distance from nearby residential properties, existing topography differences, and existing vegetation screening. The proposed extensions would be attached to the existing club house within the existing Cricket ground and therefore, it is anticipated that any potential impact would be sufficiently mitigated and limited to the curtilage of the Cricket ground.

It is acknowledged that there could be some disruption and nuisance caused to people in the locality during construction works. However, any impact is anticipated to only be temporary and construction hours will be controlled by condition.

Environmental Health (Pollution Control) colleagues were consulted on this proposal. No objections were received subject to suggested condition to control demolition and construction hours and to not permit the burning of materials.

Considering the above, this is considered to weigh modestly in favour of the proposal subject to the suggested conditions.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This proposal falls within the de minimis exemption and is therefore not subject to BNG in this instance.

The Council's Planning Ecologist (Biodiversity Officer) was consulted. No objections were received, but it was recommended that a condition be included to secure integral bat and bird boxes within the new structures to provide biodiversity enhancement, in accordance with the Council's adopted SPD guidance.

Considering the above, this is considered to weigh modestly in favour of the proposal subject to the suggested conditions.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.

Impact on Contaminated and Unstable Land

Paragraph 196(a) of the NPPF states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination, including risks that arise from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).

Paragraph 196(c) of the NPPF establishes that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Paragraph 197 of the NPPF states where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The development site is within a development high risk area as identified by the Mining Remediation (Coal) Authority.

This application is therefore supported by a Coal Mining Risk Assessment (CMRA), and the Mining Remediation Authority (MRA) and the South Yorkshire Mining Advisory Service (SYMAS) were both consulted on this application.

The MRA concluded that they concurred with the recommendations of the submitted CMRA in that coal mining legacy poses a potential risk the proposed development and intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. The MRA therefore raised no objections subject to suggested conditions.

SYMAS raised no objections subject to suggested conditions that secure intrusive site investigation works in line with the recommendations of the submitted CMRA.

Considering the above, this is considered to weigh moderately in favour of the proposal subject to suggested conditions.

The proposal is therefore considered to comply with Paragraph 196 of the NPPF and Local Plan Policy CL1: Contaminated and Unstable Land and is considered acceptable.

Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development.

The principle of development and its potential impact on the Green Belt is considered acceptable in accordance with Paragraphs 154(b) and 154(c) of the NPPF and Local Plan Policies GB1 and GB2 and is attributed significant weight in favour.

The proposal to extend an existing club house that serves an existing Cricket ground is considered to constitute small scale facilities supporting or improving the proper function of green space and as such, is considered acceptable and in accordance with Paragraph 104 of the NPPF and Local Plan Policy GS1 and is attributed significant weight in favour.

The proposal is also considered acceptable regarding its potential impact on visual amenity, highway safety, residential amenity, health and pollution control, contaminated and unstable land, biodiversity and geodiversity all of which are attributed moderate or modest weight in favour.

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant local and national planning policies and guidance. Therefore, planning permission should be granted subject to necessary conditions.

RECOMMENDATION: Approve subject to conditions.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

In dealing with the application, the Local Planning Authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- *Amend the development description to include the demolition of an existing outbuilding.*
- *Amend the proposed site plan to show the demolition of the existing outbuilding.*

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

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:

042026-OP-ZZ-ZZ-DR-A-01010-S2-P2-Proposed Site Plan received 7th May 2026.

042026-OP-ZZ-ZZ-DR-A-01015-S2-P2-Proposed Plans and Elevations.

042026-OP-ZZ-ZZ-DR-A-01020-S2-P1-Design and Access Statement.

25343-DCE-XX-XX-D-C-100-P01-Drainage Strategy.

Coal Mining Risk Assessment produced by EnviroSolution Ltd ref. ES04084 version. 1 and dated 26th 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.

3. No development shall commence until;
 - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of land stability and in accordance with paragraphs 187(e), 187(f), 196(a), 196(b), 196 (c) and 197 of the NPPF and in accordance with Local Plan Policy CL1: Contaminated and Unstable Land.

4. No development shall commence until details of measures to prevent mud/debris from being deposited on to the public highway have been submitted to and approved in writing by the local planning authority. The approved measures shall be retained for the entire construction period.

Reason: 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.

5. No above ground works shall commence until a scheme of additional biodiversity mitigation and enhancement measures, such as the incorporation of permanent bat roosting feature(s), and nesting opportunities for birds, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to the development being brought into use and shall be retained thereafter. The scheme shall include, but not limited to, the following details:
 - a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
 - b) Materials and construction to ensure long lifespan of the feature/measure;
 - c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken;

- d) When the features or measures will be installed within the construction, occupation, or phase of the development.
Reason: In the interests of biodiversity mitigation and enhancement and in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.
6. 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 and approved in writing by the local planning authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial work and/or mitigation necessary to address the risks posed by past coal mining activity.
Reason: In the interests of land stability and in accordance with paragraphs 187(e), 187(f), 196(a), 196(b), 196 (c) and 197 of the NPPF and in accordance with Local Plan Policy CL1: Contaminated and Unstable Land.
7. The external materials shall match those used in the existing building and specified by the approved documents listed above.
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.
8. 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.
9. There shall be no burning of any material on the development site during the demolition and construction phases.
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: Pollution Control and Protection.
10. 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 always be retained for that sole purpose.
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.

Informative(s):

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 effect 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 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, dust or smoke nuisance from being created.

3. Please note that planning permission does not override or preclude the requirement to comply with protected species legislation. Bats and their roosts and nesting birds are fully protected by law. Should bats, or evidence of bats be found (or be suspected to be present) and/or nesting birds noted at any time during construction, work must cease immediately and Natural England and/or a suitably qualified professional ecologist must be contacted for advice.

4. Ground Investigations –

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).

5. Shallow coal seams –

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