



GRANT OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2025/0141

To MBooth Design Ltd
Fairfield House
Berneslai Close
Barnsley
S70 2FL

DESCRIPTION Outline consent (with approval for access) for residential development (up to 5 dwellings) following demolition of existing house and outbuildings

LOCATION 1 Hopton Farm Cottage, Chapel Street, Shafton, Barnsley, S72 8NS

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 22/04/2025 and described above.

The approval is subject on compliance with the following conditions:

- 1 Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

- (a) the layout of the proposed development.
- (b) scale of building(s)
- (c) the design and external appearance of the proposed development.
- (d) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

- 3 The development hereby approved shall be carried out strictly in accordance with the plans:
- Location Plan, Ref: 23.14

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

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

- 4 The vehicular and pedestrian access shall be constructed in accordance with the following plan:

- Site Plan, Drawing No: P01, Rev: C, Received: 11/6/2025

Reason: In the interests of highway safety in accordance with Local Plan Policy T4: New Development and Transport Safety.

- 5 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application: Preliminary Ecological Appraisal by Whitcher Wildlife Ltd reference: 240409/3 and dated 14th May 2025.

Reason: In the interests of clarification and to help deliver a biodiversity net gain on site in accordance with Schedule 7a of the Town and Country Planning Act 1990.

- 6 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with the approved Biodiversity Gain Plan has been submitted to an approved by the Local Planning Authority. The HMMP shall include:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, and approved in writing by, the local planning authority.
- f) A timetable for implementation and completion of creation and enhancement works.
- g) Notice in writing shall be given to the Council within 10 working days of the implementation of the HMMP
- h) Notice in writing shall be given within 10 working days of the completion of the habitat creation and enhancement works as set out in the HMMP and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
- i) Thereafter the created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP] for a period of 30 years following the completion of the development.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Local Plan Policy BIO1 and Schedule 7A of the Town and Country Planning Act 1990.

7 Prior to the commencement of development, a ground contamination and remediation report must be submitted and agreed with the Local Planning Authority. The report shall be endorsed by a competent engineer and amongst other matters, include the following:-

-A survey of the extent, scale and nature of contamination.

-An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.

-An appraisal of remedial options, and proposal of the preferred option(s).

-A remediation statement summarising the works to be undertaken (if required).

The development shall thereafter be undertaken in full accordance with the submitted report.

Reason: To protect the environment and ensure the site is suitable for the proposed use in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

8 Prior to the commencement of development, tree protective barrier details; tree protection plan and an arboricultural method statement shall be submitted to and agreed in writing by the local planning authority. The documents must be in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction.

One agreed, the development shall take place in complete accordance with the approved methodologies.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

9 Prior to the commencement of development, full details of both hard and soft landscaping works shall be submitted to and agreed in writing by the local planning authority. The information 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 landscaping details shall be implemented prior to the occupation any dwelling.

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

10 Prior to the commencement of development, full foul and surface water drainage details shall be submitted to and approved in writing by the Local Planning Authority. The information shall include:

- Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways; and
- 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.

Once agreed, 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 lifetime of the development.

Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3: Flood Risk.

- 11 Prior to the commencement of development, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority.
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;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities, or other measures to prevent debris;
- Details of the provision of an on-site water supply or water storage facility;
- Measures to control the emission of dust and dirt during construction;
- Measures to control noise emissions during construction;
- Measures to prevent mud/debris being deposited on the public highway.

Once agreed, the approved Statement shall be adhered to throughout the period of engineering operations and construction.

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, and in the interests of highway safety in accordance with Local Plan Policy T4: New Development and Transport Safety.

- 12 Prior to the commencement of development, a scheme for the off-site highway improvement works shall be submitted to and approved in writing by the local planning authority. The scheme shall include full details of:

- the provision of a 2.0m wide footway along the full site frontage.

Once agreed the off-site works shall be implemented prior to the occupation of the development.

Reason: In the interest of highway safety, in accordance with Local Plan Policy T4: New Development and Transport Safety.

- 13 Prior to the commencement of development, a scheme for the parking of bicycles (which complies with LTN 1/20 Cycle Infrastructure Design) shall be submitted to and approved in writing by the local planning authority.

The agreed scheme shall be implemented prior to the occupation of the development, and thereafter retained for this purpose.

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

- 14 Prior to the occupation of the development, photographic evidence to demonstrate that the following biodiversity mitigation and enhancement measures have been implemented shall be submitted to and agreed in writing by the local planning authority:

- At least 1 no. integrated bat roosting box and integrated swift box to be installed in suitable locations within each dwelling on site.

Once agreed in writing, the features shall thereafter be permanently retained.

Reason: In the interests of biodiversity in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity, and the adopted Biodiversity and Geodiversity SPD.

- 15 Prior to the occupation of any dwelling, the access indicated on the approved site plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the access of motor vehicles. The surfaces shall be retained for said purposes for the lifetime of the development.

Reason: To ensure that the access is 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 highway and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policy T4: New Development and Transport Safety.

- 16 Prior to the occupation of the development, details of the piped discharge of surface water from the development shall be submitted to and approved in writing by the Local Planning Authority. If discharge to the public sewer is proposed, the information shall include (but not be exclusive to):

- evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- evidence of existing positive drainage to public sewer and the current points of connection; and
- the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

- 17 Prior to the occupation of the development, the pedestrian visibility splays of 2m x 2m to the back edge of the footway shall be provided at the proposed access. 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 which would obstruct the visibility splays, and the visibility 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 and in accordance with Local Plan Policy T4: New Development and Transport Safety.

- 18 Prior to the occupation of the development, any redundant vehicular accesses shall be reinstated as kerb (and footway).

Reason: In the interests of highway safety in accordance with Local Plan Policy T4: New Development and Transport Safety.

- 19 Prior to the occupation of the development, arrangements for the future management and maintenance of proposed carriageways, footways, hard margins and landscaped areas (not put forward for adoption), shall be submitted to and approved in writing by the local planning authority.

Upon occupation, the areas shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained in the interests of the safety of persons using the site and users of the highway in accordance with Local Plan Policy T4: New Development and Transport Safety.

- 20 During construction or demolition works, activity 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: 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.

- 21 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.
Reason: In the interest of satisfactory and sustainable drainage.
- 22 Throughout the lifetime of the development, sight lines (as shown on the submitted site plan) shall be provided at the access junction with Chapel Street, and there shall be no obstruction to visibility. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m which would obstruct the sight lines, and they 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 when pulling out onto the public highway, in the interest of highway safety and in accordance with Local Plan Policy T4: New Development and Transport Safety.
- 23 The driveway length in front of garage(s) shall be at least 6m (or 5.5m with the use of a roller shutter type door) measured from the garage door to the highway boundary.
Reason: To ensure parked vehicles do not overhang the highway, ensuring that the safe and unobstructed use of the adopted highway is maintained in accordance with Local Plan Policy T4: New Development and Transport Safety.
- 24 Vehicular and pedestrian areas within the site shall not exceed a gradient of 1:12.
Reason: In the interests of the safety of persons using the site access and individual accesses/driveways, and users of the highway in accordance with Local Plan Policy T4: New Development and Transport Safety.
- 25 The development shall be carried out in accordance with Section 6 - Recommendations of the submitted Preliminary Ecological Appraisal (ref: 240409/3, dated: 14th May 2025).
Reason: In the interests of biodiversity in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity, and the adopted Biodiversity and Geodiversity SPD.
- 26 If demolition works are not completed within 12 months of this decision, updated bat surveys will be required. In this event, updated survey results will need to be submitted to and agreed in writing to the Local Planning Authority prior to demolition works commencing.
Reason: In the interests of biodiversity in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity, and the adopted Biodiversity and Geodiversity SPD.

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 Town and Country Planning Act has been amended to make every grant of planning permission deemed to have been granted subject to the following General Biodiversity Gain Condition:

The development may not be begun unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority; and
- (b) the planning authority has approved the plan.

The purpose of the General Biodiversity Gain Condition is to secure the 'Biodiversity Objective', which requires the post-development biodiversity value to exceed the pre-development biodiversity value of the on-site habitat by at least 10%.

Biodiversity net gain can be achieved through habitat creation or enhancement on-site or off-site; the purchase of biodiversity units from a habitat bank; or as a last resort through the purchase of statutory credits; or a mixture of these.

- 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.
- 3 HMMP template and other information can be found at this link:
<https://publications.naturalengland.org.uk/publication/5813530037846016>
- 4 The development hereby approved includes the carrying out of work on 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 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 or call to 01226 773555
- 5 Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 13. They should be constructed to withstand a minimum carrying capacity of 26 Tonnes without deflection. Street lighting design and installation is undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with the authorities Street Lighting Team, Tel 01226 770770. Email. Streetlightingdesign@barnsley.gov.uk as soon as possible.

- 6 No hoarding shall be erected on or within the extent of the public highway without the prior approval of the Local Highway Authority and the necessary licencing being obtained. Applications for licences can be made via: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/roadlicences/licences-for-scaffolding-and-hoardings/>
- 7 The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.
- 8 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.
- 9 The works 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.
- 10 If a protected species (such as any bat, great crested newt, badger, reptile, barn owl 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.
- 11 It is advised that the siting/layout of the proposed dwellings broadly follows the indicative layout indicated on the submitted site plan, in order to achieve the acceptable separation distances and not impact existing residential amenity.

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: 18 June 2025

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

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>