

<b>Application Reference Number:</b>	2025/0305
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<b>Application Type:</b>	Outline
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<b>Proposal Description:</b>	Outline permission sought for 4 dwellings and associated development seeking approval for access, appearance, layout and scale
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<b>Location:</b>	Land off Hunningley Close, Stairfoot, Barnsley, S70 3PH
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<b>Applicant:</b>	Mr Dave Gill
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<b>Third-party representations:</b>	Two	<b>Parish:</b>	None
		<b>Ward:</b>	Stairfoot

**Summary:**

This planning application seeks outline planning permission for the erection of 4 dwellings and associated development seeking approval for access, appearance, layout and scale.

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising the erection of a new dwelling is considered acceptable in principle if proposals would not significantly adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved.

The proposal is outline with access, appearance, layout and scale being considered at this stage and it is deemed the proposal would have no adverse impact on residential amenity, visual amenity nor highway safety and is considered acceptable in policy terms. 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).

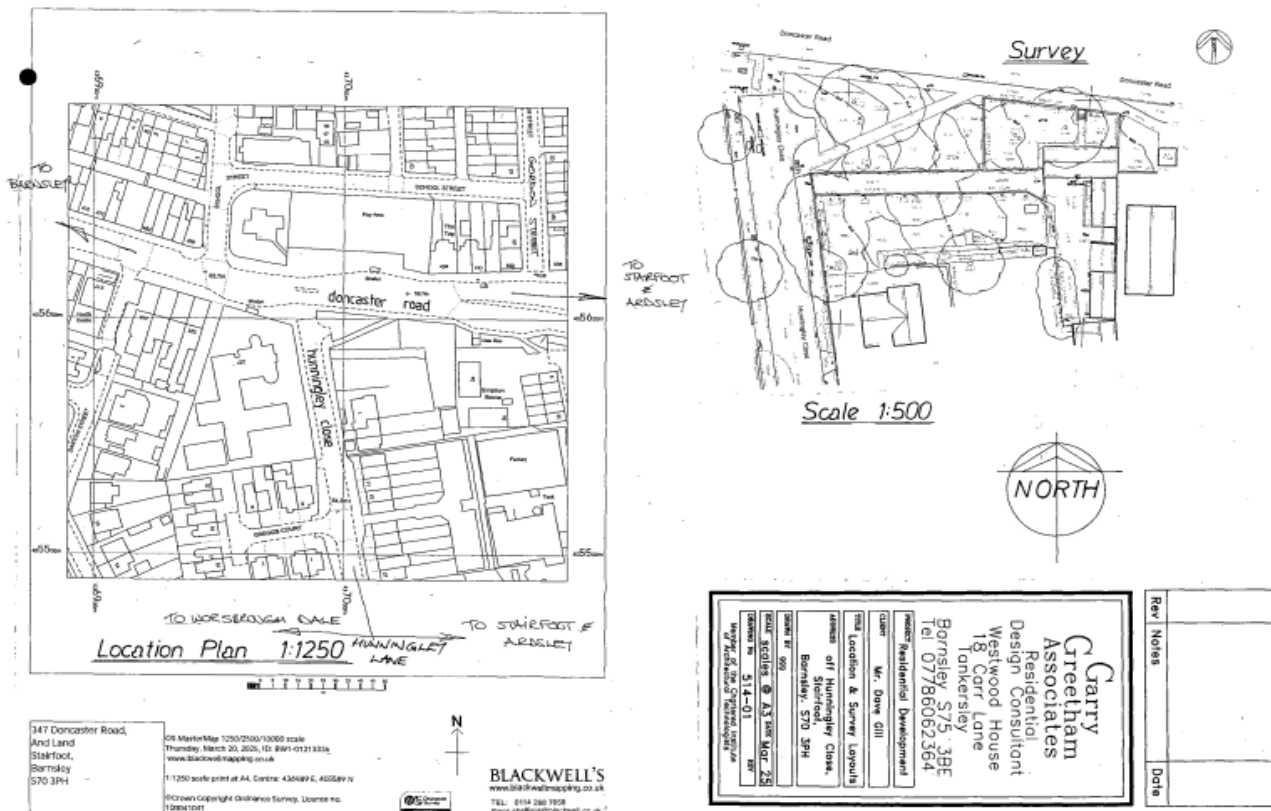
**Recommendation:**

Approve subject to conditions

## Site Description

The application relates to a 'T' shaped piece of land located to the south of Doncaster Road and east of Hunningley Close. There is a vehicular access leading into the site from Hunningley Close to the west and a number of mature trees to the north and south of the site. To the northwest of the site is an area of open space on the corner of Hunningley Close and Doncaster Road which contains a grassed area and more trees.

There is no vehicular connection between the two roads but there is a pedestrian footpath link. To the east of the site is a courtyard containing offices and commercial uses with two storey buildings in close proximity of the application site. To the west of the site, beyond Hunningley Close is a care home and to the south are residential properties.



## Planning History

There are various planning applications associated with the site, including 2019/0381 which this application is a re-submission of as that decision has expired.

Application Reference	Description	Status
B/84/1400/BA	Erection of dwelling and garage (outline)	Refused
B/91/0654/BA	Outline planning permission granted by the Secretary of State for the Department of the Environment on appeal for one dwelling	Refused
2019/0381	Demolition of existing dwelling and outbuildings and development of 5no dwellings including alterations to existing private drive and provision of associated parking and landscaping (Outline seeking approval over means of access and layout)	Approved with Conditions

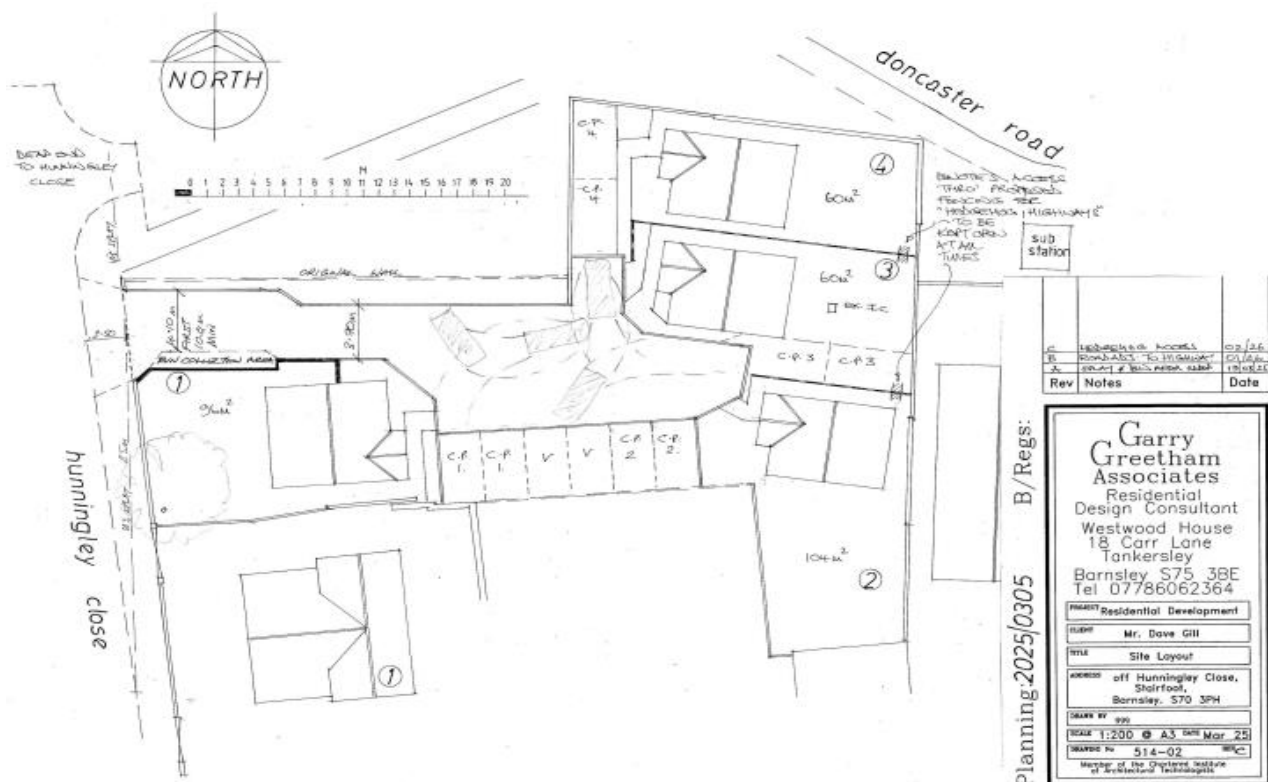
## Proposed Development

The applicant seeks outline permission (for access, appearance, layout and scale) and erect 4 no. dwellings. The layout proposed shows all the dwellings to be detached with plot 3 and 4 being identical and the dwellings served from Hunningley Close. Each property would have dedicated off street parking and private amenity spaces. The proposed materials are red brick and grey roof tiles.

Plot one has a length of 8.4 metres and a width of 7 metres. The dwelling will feature a pitched roof with a ridge height of 10 metres and eaves heights of 5.2 metres. The dwelling accommodates a combined living/dining room and a kitchen on the ground floor and two bedrooms and a bathroom on the first floor. Another bedroom is proposed in the roof space.

Plot two has a length of 8.4 metres and a width of 5.6 metres. The dwelling will feature a pitched roof with a ridge height of 10 metres and eaves heights of 5.2 metres. The dwelling accommodates a combined living/dining room and a kitchen on the ground floor and two bedrooms and a bathroom on the first floor. Another bedroom is proposed in the roof space.

Plots three and four have a length of 8.4 metres and a width of 5.7 metres. The dwellings will feature a pitched roof with a ridge height of 10 metres and eaves heights of 5.2 metres. The dwellings accommodate a combined living/dining room and a kitchen on the ground floor and two bedrooms and a bathroom on the first floor. Another bedroom is proposed in the roof space.



## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires 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 the full Council meeting on 24th November 2022.

The review determined that the Local Plan remains fit for purpose and is adequately delivering 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. The next review is due to take place in 2027 or earlier if circumstances, require.

### **Local Plan Allocation – Urban Fabric**

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

**Policy SD1: Presumption in favour of Sustainable Development** – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

**Policy GD1: General Development** – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

**Policy D1: High quality design and place making** – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

**Policy H4: Residential Development on Small Non-Allocated Sites** – Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies.

**Policy H6: Housing Mix and Efficient use of land** – Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

**Policy BIO1: Biodiversity and Geodiversity** – Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

**Policy Poll1: Pollution Control and Protection** – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

**Policy T3: New Development and Sustainable Travel** – New Development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

**Policy T4: New Development and Transport Safety** – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

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

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It 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. This 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 which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent.

The most relevant sections are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places

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 it into account when taking decisions.

### Supplementary Planning Documents:

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 most pertinent SPD's in this case are:

- Biodiversity
- Design of Housing Development
- Parking
- Sustainable Travel

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

### Other Guidance

- South Yorkshire Residential Design Guide

## **Consultations**

Biodiversity Officer - No objections subject to conditions

Forestry Officer - No objections subject to conditions

Highways Development Control - No objections subject to conditions

Highways Drainage - No objections

Pollution Control - No objections subject to conditions

Stairfoot Ward Councillors - No objections

Yorkshire Water - No objections subject to conditions

## **Representations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015. Neighbour notification letters were sent to surrounding properties, and a site notice erected at the site.

Two comments were received and in relation to viewing the proposed plans online as well as the plans being the same as the plans approved under 2019/0381. Upon receiving these a check was done confirming that the proposed plans were available to view. The plans are not the same as 2019/0381 as that application included an extra dwelling, as well as different dwelling types, dwelling layout and tree retention.

## **Assessment**

The main issues for consideration are as follows:

- Principle of residential development
- Design, scale and impact on visual amenity
- The impact on residential amenity
- The impact on highway safety
- The impact on biodiversity

Other Matters to be reserved or dealt with via conditions but still accounted for below are

- Drainage
- Landscaping
- Trees

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

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

## Principle of Residential Development

The site is located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' and H4 'Residential Development on Small Non-allocated Sites' apply. These require that development should be compatible with its surroundings and in this case the street scene is largely residential, as such the use of this site for residential use would be in keeping with the locality. A previous permission (2019/0381) has demonstrated that the site is appropriate for residential development and therefore the principle of residential development is established.

All new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems.

Given the application is an outline permission it must be noted that the only reserved matter is landscaping, therefore a full assessment of the proposal shall be done below.

## Design, scale and Visual Amenity

The street scene consists of a mix of dwelling types primarily consisting of semi-detached and terraced two storey dwellings as such development on this site should relate to these adjacent properties. The proposal involves the erection of four detached two and a half storey dwellings with pitched roofs. In terms of materials the street scene features a mix of brick-built and white rendered dwellings with the adjacent care home being stone-built. The proposed materials will harmonize with the appearance of the adjacent dwellings due to them being brick-built which is the predominant material in the locality. This weighs significantly in favour of the proposal.

The site has been undeveloped for a number of years now and is inaccessible unlike the green space adjacent Doncaster Road therefore, it adds little to the visual amenity of the street scene. The adjacent dwellings are two storeys. The adjacent dwellings to be set in line with to the south on Hunningley Close are terraced dwellings however this change is not deemed to be significantly detrimental to the visual amenities of the street scene. As such, the proposed dwellings would not be contrary to the development pattern of the area or appear as an overly anomalous feature in the street scene. This weighs significantly in favour of the proposal.

The scale of the dwellings is intended to be two and a half stories, with roof heights of 10 metres to accommodate a bedroom in the roof space. This is acceptable due to the established heights in the street scene namely Hunningley Grange Care Home and adjacent on Doncaster Road. The heights being greater than that of the closest dwellings is not harmful due to the distances maintained (as discussed below) and the orientation of the dwellings.

The design of the dwellings is straightforward which harmonises with that of the adjacent dwellings. The proposed design and materials are deemed sympathetic to the street scene and will not have a negative impact in terms of creating anomalous features. Landscaping will be dealt with at the reserved matters stage. On the whole the development is acceptable in terms of visual amenity and impact upon the street scene in accordance with the SPD Design of Housing Development and Policy D1 of the Local Plan.

## Residential Amenity

The proposal involves the erection of four new detached dwellings. Other residential properties are adjacent and most notably to the south (1, 3 & 5 Hunningley Close) and southwest (2, 4, 6 & 8 Greggs Court). Therefore, the impact upon the residential amenity of these properties is an important consideration. The site was previously undeveloped which is surrounded by residential dwellings therefore the use of the site for residential purposes is in keeping with the adjacent uses.

In terms of external spacing standards and overlooking, the SPD Design of Housing Development states that a minimum of 21 metres should be achieved between facing habitable room windows, and 12 metres should be maintained between habitable room windows and a blank side elevation.

No first-floor habitable room windows will face the adjacent dwellings to south as the habitable room windows are located on the front and rear elevations. The dwellings to the south are two storey and will be side by side with plot one. The rear gardens of these dwellings are over 21 metres long therefore allowing separation from plots three and four.

The dwellings to the southwest are two storey the rear elevations of these properties are over 40 metres away from the boundary of the site. The proposal should not cause any significant overbearing or overshadowing to any neighbouring dwelling. The dwellings are not set to the south of any dwellings. This weighs significantly in favour of the proposal.

To the north is a mix of retail and dwellings which are separated by Doncaster Road and set a minimum of 21 metres away from the northern boundary of the site. To the east is Simpson House which is a two-storey commercial office building. It is noted that the rear elevation of plot 2 is located close to the rear elevation of Simpson House; to mitigate this only two windows are located on the rear elevation with the main windows and garden area to the side of the dwelling. To the west is Hunningley Grange Care Home this is over 30 metres away from the closet proposed dwelling.

The proposed dwellings have been designed with adequate room sizes in relation to bedrooms and bathrooms and external amenity space of over 60sqm per dwelling which is in compliance with the standards set within the SPD and the SYRDG. There is a discrepancy regarding the kitchen sizes for all the dwellings and the living dining rooms on plot two, three and four. These discrepancies could be addressed by using an open plan kitchen living and dining room as the space is available for this. The discrepancies are not deemed to cause significant harm to the future occupiers of the dwellings. This has limited weight against the proposal.

Overall, the proposal is considered to be acceptable in terms of residential amenity. This weighs significantly in favour of the proposal. The proposal is considered to be in accordance with the SPD Design of Housing Development and Local Plan Policy GD1.

### Highways Safety

There will be no impact upon highway safety. The site plan shows the required parking allocation as set out in the SPD. Visibility splays are maintained and unobstructed for pedestrians at the access and that there have been amendments throughout the application concerning the internal layout so that it can accommodate larger delivery vehicles. The proposal is deemed acceptable regarding highways safety. This weighs significantly in favour of the proposal.

### Impact upon Biodiversity

A Biodiversity Net Gain (BNG) report, statutory metric and condition assessments have been provided to support the outline application. The metric currently shows a 95.12% loss in biodiversity on site. However, detailed post development habitats have not been included within the metric. When the reserved matters application is submitted additional details regarding the retention of habitats, specifically the veteran horse chestnut tree should be provided.

Due to the constrained nature of the site, it is unlikely that a 10% net gain will be achievable. Therefore, the applicant should look to provide mitigation at a site within proximity to the proposal site, or there is the option to purchase units from a habitat bank.

Please note at the time of writing there are two habitat banks within the borough. Ideally any unit required would be purchased from local habitat banks to ensure mitigation is as close as possible to the development site.

As habitat degradation has taken place, a retrospective baseline assessment based on aerial images has been undertaken. Habitats included within the metric for the assessment comprises mixed scrub in moderate condition, urban trees (good and moderate condition) and developed land. One of the trees, a horse chestnut has been assessed as a veteran tree based on the features present. As this is an irreplaceable habitat, plans for the site should include for the retention of this feature. The proposed site plans and arboricultural report indicate that this feature will be retained, this is welcomed. As the tree is to be retained detailed bat surveys as advised within the ecology report are not required.

Specific mitigation will be required to ensure the tree and its root protection area are not damaged during site clearance and construction. Furthermore, the tree should be located outside the boundaries of the residential curtilages to ensure it is not negatively impacted by residents. An up-to-date BNG assessment and condition assessments should also be provided at the reserved matters application stage.

Plans highlighting the location of bat and bird boxes and hedgehog highways have been provided to avoid the need for a separate condition. These plans should be adhered to ensure all dwellings comprise integrated bat and bird boxes and hedgehog highways. This weighs significantly in favour of the proposal.

#### Drainage

The application is in outline form at this stage. However, the Council's Drainage Section were consulted and raised no objections to the principle of a dwelling at this site and were happy for the details to be checked by building control. This weighs significantly in favour of the proposal.

#### Impact on Trees

An outline application for this site was previously approved in early 2020 which retained more trees on the site than is currently proposed, however as seen on site only T10 (of the trees of any significance) is retained within the site which is a real shame given when first put forward the site itself contained approximately 16 trees and some groups. The site itself has been significantly diminished in arboricultural terms and now has no real value apart from T10. The offsite trees do still remain and do offer significant screening value as a whole. These comprise of Council owned trees adjacent to Doncaster Road and those within 1 Hunningley Close.

The removal of T10 was agreed as part of the previous scheme to enable the retention of more trees within the site, however as the other trees have been removed it is now imperative that this tree be safely retained as part of this scheme. The proposals show that the dwelling will impinge slightly on the rooting area of this tree, however it will be well clear of the canopy which has been pollarded in the past resulting in several minor cavities at the pollard points.

The dwelling could be constructed without detriment through the use of specialist construction techniques as noted in section 4 of the Arboricultural Impact Assessment (AIA). New hard surfacing is proposed in the rooting areas of T1 and T6, however both these trees are located off site and can be adequately protected through the use of no-dig, porous hard surfacing again as noted in section 4 of the AIA.

Given the history of incremental tree removals, it is prudent to condition the retention of the Horse Chestnut tree T10 tree as part of the scheme to prevent its removal without permission. Where possible a TPO would be the best option to ensure long term retention but given the issues with the tree as a result of poor past management it is deemed that fully protecting this tree is the most sensible option at this point. A condition relating to the retention of existing and proposed trees would also be beneficial longer term for the new tree planting which will be required to mitigate for the heavy loss of trees from the site.

The protection of the retained on and offsite trees will be required as part of an arboricultural method statement. This document will need to detail the protection required for the trees as well as full details of the methodologies to be employed such as the specialist foundations and no-dig hard surfacing etc. Given the significant tree removals which have taken place on the site a substantial level of new tree planting will be required in order to mitigate for this. It is expected that replacement planting at a minimum of a one for one ratio be provided as part of the landscaping for this site.

### Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

### **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 has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Alterations to site access
- Bat and bird boxes and hedgehog highways
- Biodiversity alterations
- Highways alterations
- Tree retention discussions

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 objections, 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**

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.**

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) 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.**

The access, appearance, layout and scale of the site hereby approved shall be carried out strictly in accordance with that shown on the following plans:

514-02 Rev. C  
514-03  
514-04 Rev. A  
514-05  
514-06  
514-07  
514-08 Rev. A  
514-09  
514-10  
514-11  
514-12 Rev. A  
514-13  
514-14  
514-15  
7.5Ton Van Tracking  
Fire Appliance Access

and specifications as approved unless required by any other conditions in this permission. The access into the site is the only aspect on this plan that is approved at this stage.

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

The development shall be completed in line with the Biodiversity Net Gain Report, the site layout plan detailing the location of bat and bird boxes and hedgehog highways and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

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

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:

- a) Tree protective barrier details
- b) Tree protection plan
- c) 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.**

Prior to any work commencing a noise impact assessment shall be submitted and agreed by the local planning authority which shall have been used to inform the layout and design of the scheme such that mitigation is implemented to achieve the following sound levels within all dwellings;

- Bedrooms: LAeq (8 hours) - 30dB (2300 to 0700 hours);
- Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
- Bedrooms: LAFmax - 45dB (2300 to 0700 hours). 10 events
- Rear Gardens: Laeq (16 hours) – 50dB – 55dB (0700 to 2300 hours)

Where the above noise criteria cannot be achieved with windows partially open, the scheme shall include a system of alternative acoustically treated ventilation to all habitable rooms if appropriate. The assessment shall be accompanied by a plan which clearly identifies the different types of mitigation measures proposed, where each type of mitigation is proposed and a programme of implementation. Thereafter the development shall be carried out in accordance with the approved measures.

**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.**

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

- i) The parking of vehicles of site operatives and visitors;
- ii) Means of access for construction traffic;
- iii) Loading and unloading of plant and materials;
- iv) Storage of plant and materials used in constructing the development;
- v) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi) Wheel washing facilities, or other measures to prevent debris;
- vii) Details of the provision of an on-site water supply or water storage facility;
- viii) Measures to control the emission of dust and dirt during construction; and
- ix) Measures to control noise emissions during 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.**

Notwithstanding 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.**

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

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

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.**

Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced in a bound, solid material and adequate measures shall be so designed into the proposed access to avoid the discharge of surface water from the site on to the highway.

**Reason: 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.**

There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a rate not to exceed 3.5 litres per second.

**Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.**

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.**

No trees on the site either existing or proposed (except those shown to be removed on the approved plan) or their branches or roots, shall be lopped, topped, felled, or severed. If any retained tree is removed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

**Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality.**

The veteran horse chestnut tree will be retained as part of the proposals. During site clearance and construction protective fencing shall be erected around the tree to prevent any negative impacts.

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

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.**

During construction or demolition works, 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 the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**

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.**

## **Informatives**

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.

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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.

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If a protected species (such as any bat, great crested newt, badger 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.

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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.

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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.

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The development hereby approved includes the creation of/carrying out of alterations to vehicular access (es). You are advised that before undertaking work on the adopted highway you will require a Section 184 licence from the Highway Authority. The works shall be to the specification and

constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the BMBC website at <https://www.barnsley.gov.uk/services/roads-travel-andparking/parking/dropped-kerbs/> or please contact at email [Streetworks@barnsley.gov.uk](mailto:Streetworks@barnsley.gov.uk) or call to 01226 773555.

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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, 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.