

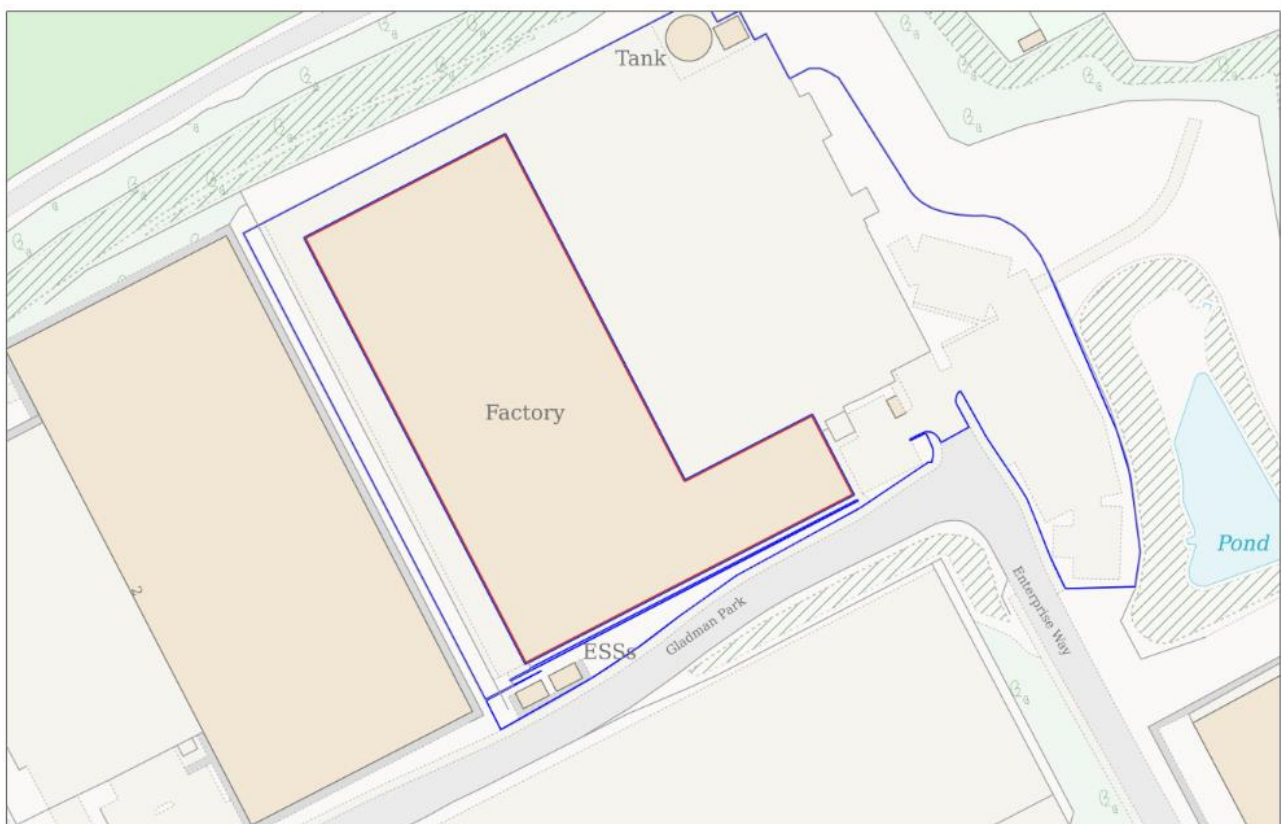
Application Reference Number:		2026/0638.	
Application Type:		Full.	
Proposal Description:		Installation of photovoltaic panels to the roof existing building with associated infrastructure (Amended Description).	
Location:		Unit 1, Enterprise Way, Tankersley, Barnsley, S75 3DZ.	
Applicant:		Sym-ergy.	
Third-party representations:	None.	Parish:	
		Ward:	Dodworth, Stainborough and Tankersley.

<p>Summary:</p> <p>This application seeks planning permission for the installation of photovoltaic panels to the roof existing building with associated infrastructure. The proposed scheme would comprise the installation of 1436 photovoltaic panels to the roof of the existing building.</p> <p>This proposal for the installation of photovoltaic panels to the roof of an existing building with associated infrastructure is considered acceptable in principle and substantial weight is given to the anticipated benefits of renewable and low carbon energy development in accordance with national decision-making policies. Including NPPF Policies CC2 and W3 and Local Plan Policies CC1 and RE1.</p> <p>This proposal is considered acceptable in respect of its potential impacts on residential amenity, health and pollution control; visual amenity; highway safety; biodiversity and geodiversity; and contaminated and unstable land in accordance with NPPF Policies P3, DP3, TR3, TR4 and P2, and Local Plan Policies GD1, POLL1, D1, T3, T4, BIO1 and CL1, and is attributed substantial, moderate and modest weight in favour, in accordance with national decision-making policies and planning judgement.</p> <p>The anticipated benefits of approving this development would not be substantially outweighed by any adverse effects, when assessed against the national decision-making policies, to otherwise justify a refusal in accordance with NPPF Policy S4.</p> <p>For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance.</p> <p>Planning permission should therefore be granted subject to the necessary condition(s) without delay in accordance with NPPF Policy S3(1)(c).</p> <p>Recommendation: APPROVE subject to conditions.</p>

Site Description

This application relates to an existing commercial industrial unit occupied by Tremco located on the north side of Enterprise Way and to the north-western edge of an existing commercial industrial area. Green Belt land is located to the north and the nearest residential developments are located to the north-east and east.

The application unit is finished in cladding and adopts shallow pitched roofs constructed of profiled steel cladding. A yard and service area is located to the east of the main unit. Visitor and employee car parks are located to the south-east and south of this yard and service area. A balancing pond is located to the south-east of the employee car park. The development site is bounded by fences and grassed areas and embankments. Areas of trees are located to the north and north-east with a public footpath to the north.



Planning History

2006/1901	Erection of four industrial units with 2/3 storey ancillary offices, security gatehouse , car parking and service yards.	Refused.
2007/0529	Erection of three industrial units with 2/3 storey office accommodation, service yards, car parking and associated works and landscaping (Resubmission).	Refused.
2007/2148	Erection of four industrial units (B1, B2 and B8) each with 3 storey ancillary office accommodation, car parking, service yards and associated works.	Approved.
2009/0433	Erection of 3 no. Industrial units each with 3 storey ancillary office accommodation, car parking, service yards and associated works and landscaping. (Resubmission).	Refused.
2016/0208	Variation of condition of app 2007/2148 - Erection of four industrial units (B1, B2 and B8) each with 3 storey ancillary office accommodation, car parking, service yards and associated works.	Withdrawn.
2016/0439	Variation of Condition of application 2007/2148: Erection of four industrial units (B1, B2 and B8) each with 3 storey ancillary office accommodation, car parking, service yards and associated works.	Approved.
2018/1078	Variation of condition 1 (approved plans) of application 2016/0439 - Erection of four industrial units (B1, B2 and B8) each with 3 storey ancillary office accommodation, car parking, service yards and associated works.	Approved.
2021/1551	Installation of free standing non illuminated totem sign and two non-illuminated wall mounted signs on building.	Approved.

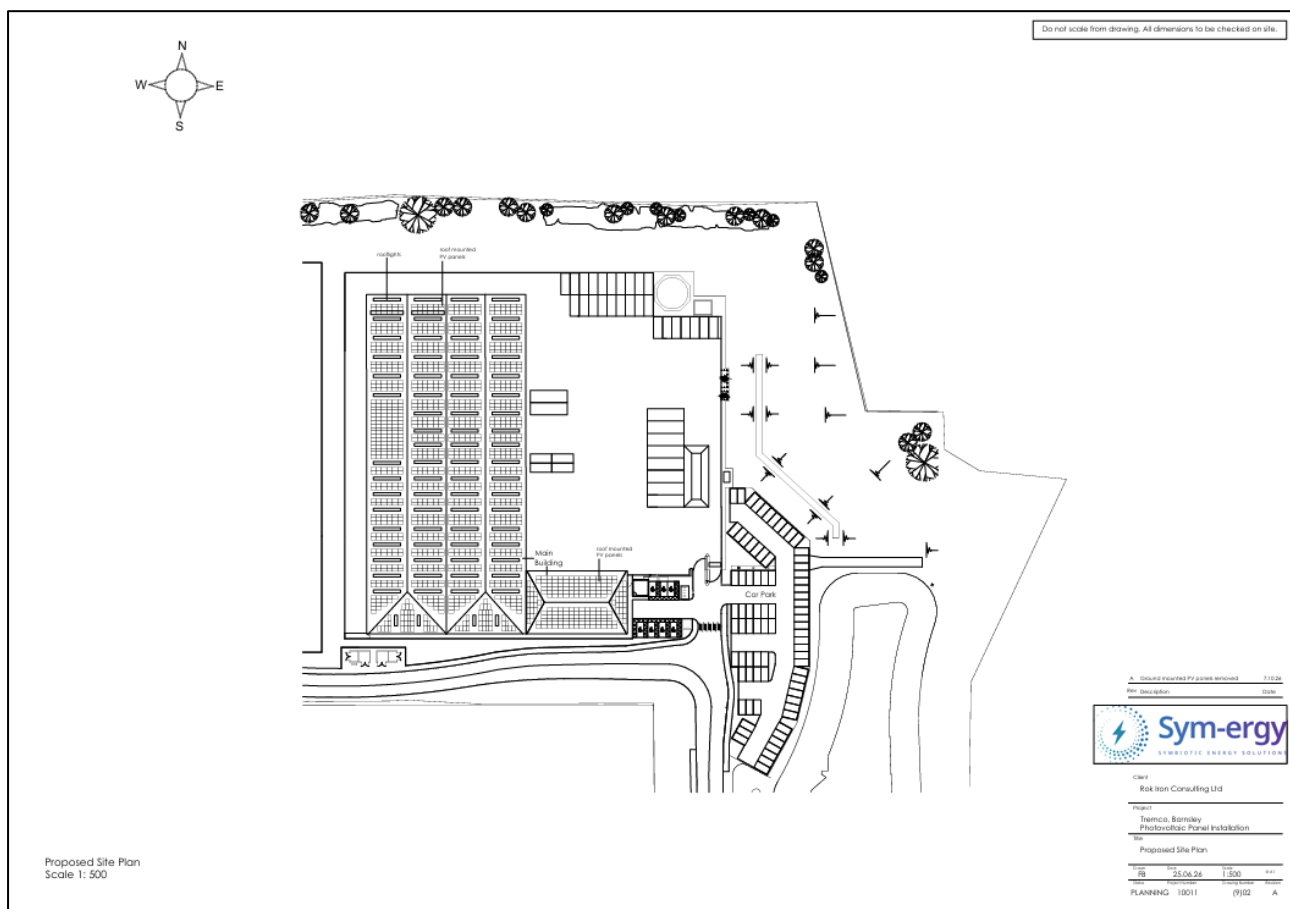
Proposed Development

This application seeks planning permission for the installation of photovoltaic panels to the roof of an existing commercial/industrial building with associated infrastructure.

The proposed scheme would comprise the installation of 1436 photovoltaic panels to the roof of the existing building.

The proposed panels would be N-type bi-crystalline cells with 3.2mm anti-reflection coating, high transmission, low iron tempered glass front panels set in anodised aluminium alloy frames with polypropylene and aluminium fixings.

During the application process, 313 ground-based photovoltaic panels were omitted from the application following comments and concerns from the Council's Biodiversity Officer and Yorkshire Water Services Limited.



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 was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

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.

Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the NPPF should be given very limited weight. The only exception to this is where they have been examined and adopted or made against the NPPF (August 2026). Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the NPPF (August 2026).

The development site is located within the Tankersley village settlement as specified by the settlement hierarchy and is allocated as Urban Fabric in the adopted Local Plan which has no specific allocation.

The following Local Plan policies are therefore relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy CC1: Climate Change.*
- *Policy RE1: Low Carbon and Renewable Energy.*
- *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 D1: High Quality Design and Place Making.*
- *Policy CL1: Contaminated and Unstable Land.*
- *Policy BIO1: Biodiversity and Geodiversity.*

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).*
- *Sustainable construction and climate change adaption (Adopted July 2023).*

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

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

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF, 2026) sets out the overarching planning framework for England. It has replaced the previous version published in December 2024 and introduced a revised structure comprising national decision-making policies organised by policy code rather than paragraph number in the main body of the NPPF. Paragraph 1 confirms that the NPPF is a material consideration of critical importance for making decisions on development proposals in England.

Paragraph 15 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and NPPF Policy S3 sets out a presumption in favour of sustainable development, with paragraph 17 setting out the three overarching objectives of sustainable development: economic, social and environmental. Relevant policies have been taken into account throughout the assessment of this application according to the issues raised by the proposal.

The following NPPF sections and NPPF policies are relevant in this case:

Section 3: Decision-making policies

- *DM3: Determining development proposals.*
- *DM6: Use of planning conditions and obligations.*
- *DM7: Relationship with other regulatory regimes.*

Section 4: Achieving Sustainable development

- *S3: Presumption in favour of sustainable development.*
- *S4: Principle of development within settlements.*

Section 5: Meeting the challenge of climate change

- *CC2: Mitigation of climate change.*

Section 10: Securing clean energy and water

- *W3: Renewable and low carbon energy development and electricity network infrastructure.*

Section 14: Achieving well-designed places

- *DP3: Key principles for well-designed places.*

Section 15: Promoting sustainable transport

- *TR3: Locating development in sustainable locations.*
- *TR4: Street design, access and parking.*
- *TR6: Assessing transport impacts.*

Section 17: Pollution, public protection and security

- *P2: Ground conditions.*
- *P3: Living conditions and pollution.*

Section 19: Conserving and enhancing the natural environment

- *N2: Improving 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.

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 21st September 2026.

No representations were received.

Consultations

Biodiversity Officer	<i>No comment(s).</i>
Local Ward Councillor	<i>No comment(s) received.</i>
Highway Drainage	<i>No objection(s).</i>
Highways Development Control	<i>No objection(s).</i>
The Health and Safety Executive	<i>Comment(s).</i>
Mining Remediation Authority	<i>Comment(s).</i>
Pollution Control	<i>No objection(s) subject to condition(s).</i>
Public Rights of Way	<i>No objection(s).</i>
South Yorkshire Mining Advisory Service	<i>Comment(s).</i>
Tankersley Parish Council	<i>No comment(s).</i>
Yorkshire Water Services Limited	<i>Objection(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

NPPF Policy S3(1): Presumption in favour of sustainable development establishes that decisions on development proposals should apply a presumption in favour of sustainable development. This means that NPPF Policy S4 should be applied when considering development proposals within settlements; and in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in the NPPF should be approved without delay.

In this instance, the development site is located within the Tankersley village settlement as specified by the settlement hierarchy in the adopted Local Plan, and therefore, NPPF Policy S4 is applicable.

NPPF Policy S4(1): Principle of development within settlements establishes: Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework (NPPF).

NPPF Policy CC2: Mitigation of climate change establishes that Substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights) where this would be achieved through proposals for development.

NPPF Policy W3: Renewable and low carbon energy development and electricity network Infrastructure establishes that in considering proposals for renewable and low-carbon energy development and electricity network infrastructure, substantial weight should be given to the benefits for improving energy security, supporting economic development and/or the transition to a net zero future amongst other things.

Local Plan Policy CC1: Climate Change establishes that the Local Planning Authority (LPA) will seek to reduce the causes of and adapt to the future impacts of climate change by promoting and supporting the delivery of renewable and low carbon energy amongst other things.

Local Plan Policy RE1: Low Carbon and Renewable Energy establishes that the LPA will allow development that produces renewable energy as long as there is no material harm upon the character of the landscape and appearance of the area; living conditions; biodiversity, geodiversity and water quality; Heritage assets, their settings and cultural features and areas; heritage assets, their settings and cultural features and areas; highway safety; or infrastructure including radar.

Considering the above, this proposal for the installation of photovoltaic panels to the roof of an existing building with associated infrastructure is considered acceptable in principle and subject to an assessment of the following matters. Substantial weight is given to the anticipated benefits of renewable and low carbon energy development in accordance with national decision-making policies.

Impact on Residential Amenity, Health and Pollution Control

NPPF Policy P3(1): Living conditions and pollution establishes: Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. Within this context development proposals should accord with NPPF Policy P3(2) (a-f) where applicable.

Local Plan Policy GD1: General Development, indicates that support will be given to development if there will be no significant adverse impact on the living conditions and residential amenity of existing and future residents, and the development would be compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.

Local Plan Policy POLL1: Pollution Control and Protection, establishes that support will be given to development if it is demonstrated that proposals would not be 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 nuisance to the natural and built environment or to people.

This application seeks planning permission for the installation of photovoltaic panels to the roof of an existing commercial/industrial building with associated infrastructure.

The application unit adopts shallow pitched roofs constructed of profiled steel cladding.

The nearest residential developments are located approximately between 90-130 metres from the eastern part of the application unit to the north-east and east. Existing areas comprising a service yard, car parks, and surrounding landscaping provide ample separation between the development site and the nearby residential developments. As such, it is not considered that this proposal would contribute to significant increased levels of overshadowing, overlooking and loss of privacy or reduced outlook.

It is also not anticipated that this proposal would result in materially greater impacts, specifically in respect of noise or disturbance. NPPF Policy DM7 establishes that development proposals should be assessed on the basis of whether they represent an acceptable use of land and that separate regulatory regimes should be assumed to operate effectively unless there is clear evidence to the contrary. In this case, there is no evidence to indicate that this proposal would result in unacceptable levels of noise or disturbance that would warrant refusal of planning permission.

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

Environmental Health (Pollution Control) colleagues were consulted; and no objections were received subject to condition(s).

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

This proposal is therefore considered to comply with NPPF Policy P3: Living conditions and pollution and Local Plan Policies GD1: General Development and POLL1: Pollution Control and Protection and is considered acceptable regarding its potential impact on residential amenity, health and pollution control.

Impact on Visual Amenity

NPPF Policy DP3(1): Key principles for well-designed places establishes that development proposals should respond to their context so that they integrate with and enhance their surroundings. This should not preclude innovation or change where appropriate.

NPPF Policy DP3(3) establishes that substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

Local Plan Policy D1: High Quality Design and Placemaking, establishes support would be given to development if proposals would achieve a high quality of design and would respect, take advantage of, and reinforce the distinctive local character and features of Barnsley.

This application seeks planning permission for the installation of photovoltaic panels to the roof of an existing commercial/industrial building with associated infrastructure.

The application unit adopts shallow pitched roofs constructed of profiled steel cladding.

The nearest residential developments are located approximately between 90-130 metres from the eastern part of the application unit to the north-east and east. Existing areas comprising a service yard, car parks, and surrounding landscaping provide ample separation between the development site and the nearby residential developments. The shallow pitched roofs of the application unit together with the natural screening provided by adjacent tree lines is also anticipated to reduce the visibility of the proposed photovoltaic installation from the surrounding public realm taking into account seasonal variance.

Whilst the proposed photovoltaic installation would dominate the roof of the application unit, this proposal would generally be proportionate to the scale of the application unit and would be appropriate and would not appear out of character on a commercial industrial unit nor within the context of the surrounding industrialised area.

Considering the above, there is no evidence to indicate that this proposal would result in unacceptable levels of impact in respect of visual amenity that would warrant refusal of planning permission. Substantial weight should therefore be given to compliance with relevant development plan policies when assessing the design quality of proposals in accordance with NPPF Policy DP3.

Considering the above, this is considered to weigh substantially in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policy DP3: Key principles for well-designed places and Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding its potential impact on visual amenity.

Impact on Highways

NPPF Policy TR3: Locating development in sustainable locations supports development that is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure.

NPPF Policy TR4: Street design, access and parking establishes that to contribute to creating well-designed places, transport considerations should be integral to the design of development, proposals for which should: give priority first to walking, wheeling and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services. Proposals should also provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan.

NPPF Policy TR6(4): Assessing transport impacts establishes that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

This application seeks planning permission for the installation of photovoltaic panels to the roof of an existing commercial/industrial building with associated infrastructure.

Highways Development Control colleagues were consulted; and it was stated that the proposed installation raises no concerns from a highways perspective as the panels would be contained well within the grounds of the development site and would not be visible from the public highway.

The LPA has no reason to disagree with the professional opinions of Highways Development Control colleagues in this instance. It is not considered that this proposal would have a severe impact on the transport network (in terms of capacity and congestion, including cumulative impacts) or an unacceptable impact on highway safety to otherwise justify a refusal in accordance with NPPF Policy TR6.

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

This proposal is therefore considered to comply with NPPF Policies TR3: Location development in sustainable locations and TR4: Street design, access and parking, and Local Plan Policies T3: New Development and Sustainable Travel and T4: New Development and Transport Safety and is considered acceptable regarding its potential impact on highway safety.

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 is not subject to the BNG requirement and falls within one of the listed exemptions following amendments.

The Council's Biodiversity Officer was consulted on the amended scheme; and it was stated that if the amended scheme does not impact any habitats, then BNG is not required. It is confirmed that the proposed scheme does not impact on any habitats.

Considering the above, this is considered to weigh modestly in favour of this proposal and its approval.

This proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable regarding its potential impact on biodiversity and geodiversity.

Impact on Contaminated and Unstable Land

NPPF Policy P2: Ground conditions establishes that sites proposed for development should be suitable for their proposed use taking into account: ground conditions, including any risks arising from land instability or contamination (whether due to natural hazards or current and former activities such as mining or fuel storage); and the extent to which any such risks can be mitigated, and the potential impacts on the natural environment arising from remediation.

Adequate site assessment information, prepared by a competent person, should be available to inform these considerations.

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 located within a high risk development area as defined by the Mining Remediation (Coal) Authority (MRA).

This application is supported by a Factual Geotechnical Investigation (dated October 2008) and a Geoenvironmental Desk Study Report (dated February 2016). Such information would normally be expected to have been completed within the previous two years.

Notwithstanding the above, the MRA was consulted; and it was stated that the Coal Authority records indicate that the development site lies in an area of historic recorded and probable unrecorded shallow coal workings, which pose a potential risk to surface stability and public safety.

The MRA adds that the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application. However, when considering this particular development proposal, it entails the installation of roof mounted solar arrays. The nature of this development would fall on Part B of our published exemptions list. We also note there does not appear to be any built development proposed to facilitate the scheme. On this basis, it is not consider that requiring a

Coal Mining Risk Assessment (CMRA) would be proportionate to the nature of the development proposed in this particular case.

Considering the above, no objections were raised by the MRA subject to the inclusion of their standing advice and informative note.

The South Yorkshire Mining Advisory Service (SYMAS) were consulted; and it was stated that it was not envisaged that the nature of this proposal would involve significant ground or foundation works that would otherwise necessitate the requirement of a CMRA.

Considering the above, no objections were raised by SYMAS subject to the inclusion of the MRA's standing advice and informative note.

The Health and Safety Executive (HSE) was consulted; and it was stated that this application does not fall within any HSE consultation zones. There is therefore no need to consult the HSE Land Use Planning (LUP) team on this planning application and the HSE LUP team has no comment to make.

The LPA has no reason to disagree with the professional opinions of the MRA, SYMAS and HSE in this instance. It is not anticipated that this proposal would have a severe impact on ground conditions, including any risks arising from land instability or contamination. It is therefore considered that this proposal would accord with NPPF Policy P2 and Local Plan Policy CL1.

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

This proposal is therefore considered to comply with NPPF Policy P2: Ground conditions and Local Plan Policy CL1: Contaminated and Unstable Land and is considered acceptable regarding its potential impact on contaminated and unstable land.

Other Matters

Yorkshire Water Services Limited objected to the original scheme because the submitted drawings appeared to show panels positioned over the top of the public water main infrastructure recorded to cross the development site.

During the application process, 313 ground-based photovoltaic panels were removed following comments and concerns from the Council's Biodiversity Officer and Yorkshire Water Services Limited.

This application seeks planning permission for an amended scheme comprising the installation of photovoltaic panels to the roof existing building with associated infrastructure.

Whilst no comments have been received from Yorkshire Water Services Limited regarding the amended scheme, it is considered that the amended scheme addresses concerns in respect of panels being positioned over the top of the public water main infrastructure recorded to cross the development site.

This proposal would not introduce a materially different land use and would unlikely result in materially greater impacts. NPPF Policy DM7 establishes that development proposals should be assessed on the basis of whether they represent an acceptable use of land and that separate regulatory regimes should be assumed to operate effectively unless there is clear evidence to the contrary. In this case, there is no evidence to indicate that this proposal would result in unacceptable impacts on utilities and drainage that would warrant refusal of planning permission.

NPPF Policy DM3(1)(d) establishes that decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal.

In this instance, it is not considered that there is insufficient information to make a decision nor is it anticipated that there would be any public safety risks from proceeding without advice.

Planning Balance and Conclusion

In accordance with the provisions of NPPF Policy S3 and Local Plan Policy SD1 this proposal is considered within the context of the presumption in favour of sustainable development.

This application seeks planning permission for the installation of photovoltaic panels to the roof of an existing building with associated infrastructure. The proposed scheme would comprise the installation of 1436 photovoltaic panels to the roof of the existing building.

This proposal for the installation of photovoltaic panels to the roof of an existing building with associated infrastructure is considered acceptable in principle and substantial weight is given to the anticipated benefits of renewable and low carbon energy development in accordance with national decision-making policies. Including NPPF Policies CC2 and W3 and Local Plan Policies CC1 and RE1.

This proposal is considered acceptable in respect of its potential impacts on residential amenity, health and pollution control; visual amenity; highway safety; biodiversity and geodiversity; and contaminated and unstable land in accordance with NPPF Policies P3, DP3, TR3, TR4 and P2, and Local Plan Policies GD1, POLL1, D1, T3, T4, BIO1 and CL1, and is attributed substantial, moderate and modest weight in favour, in accordance with national decision-making policies and planning judgement.

The anticipated benefits of approving this development would not be substantially outweighed by any adverse effects, when assessed against the national decision-making policies, to otherwise justify a refusal in accordance with NPPF Policy S4.

For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance.

Planning permission should therefore be granted subject to the necessary condition(s) without delay in accordance with NPPF Policy S3(1)(c).

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:

- *Amended application form and location plan following submission of a revised scheme.*
- *Agreement to amended description following submission of a revised scheme.*

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:

Location Plan received 12th October 2026.

10011 (9)02 Rev. A Proposed Site Plan received 7th October 2026.

6x25mm self-tapping screw SW10 Hex/T30 Rev. 01.

Module clamp universal Rev. 01.

End clamp support Rev. 01.

ESDEC Product Data.

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 and D1: High Quality Design and Place Making.

3. 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 and in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

4. There shall be no burning of any material within the development site during any demolition and/or construction phases.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby and in accordance with Local Plan Policy POLL1: Pollution Control and Protection.

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. The applicant is advised to investigate whether owners of adjoining property need to be consulted under the Party Wall Act 1996.
3. 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.

4. 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.
5. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [Building on or within the influencing distance of mine entries - GOV.UK](#)

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)

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

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)

6. A public right of way (Footpath 57) runs adjacent to the north of the proposed development site. Safe public access on the right of way should remain open and available at all times, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time, then a temporary closure should be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact publicrightsofway@barnsley.gov.uk.