



Notice of Prior Approval Determination

TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015 SCHEDULE 2, PART 6 AGRICULTURAL OR FORESTRY DEVELOPMENT

Correspondence Address:

3 Woburn House
Vernon Gate
Derby
DE1 1UL

Decision Date: 04 June 2025

APPLICATION NO: 2025/0321

DESCRIPTION: Alterations to existing agricultural access (Application to determine if prior approval is required for a proposed formation of a private way for agricultural use)

LOCATION: Land West of Tivy Dale Drive, Cawthorne, Barnsley

APPLICANT/AGENT: Planning and Design Practice Ltd

Prior approval is **not required** for the development described above; subject to the following standard conditions:

- 1 The development must be carried out within a period of 5 years from the date of the submission of the application.

Reason: As required under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 6 Class A(2)(d)(v)(bb) and vi(bb).

- 2 The development must, be carried out in accordance with the details submitted with the application and specifications.

Reason: As required under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 6 Class A(2)(d)(v)(bb) and vi(bb).

Additional information:

- 1 The applicant is reminded that under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. The nesting bird season is considered to be between 1 March and 31 August inclusive, however some species can nest outside of this period. Suitable habitats for nesting birds are present on the application site and should be assumed to contain nesting birds between the above dates unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present.
- 2 The applicant is reminded that under The Town and Country Planning (Tree Preservation) (England) Regulations 2012, it is an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree protected by a Tree Preservation Order. The site falls within the Deffer Wood Woodland TPO ref 1/1951 and therefore consent will be required for any works to any tree within the site to facilitate the development referred to above. Due to the potential level of tree works required, both above and below ground, a full tree survey and Arboricultural Impact Assessment will be required with any tree works application.

Signed:

Dated: 4 June 2025



Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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.