

Application Reference Number:	2026/0355
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Application Type:	Section 73 (Variation of Condition)
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Proposal Description:	(RETROSPECTIVE) Variation of condition 2 (Approved Plans) and Condition 3 (Biodiversity Net Gain) of application 2024/0699: Demolition of existing buildings and erection of 5no. bungalows, formation of new access and associated works.
Location:	Royston Working Mens Club, 52 Church Street, Royston, Barnsley, S71 4QU

Applicant:	Mr Mark Dunlavey
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Third-party representations:	None.	Parish:	None.
		Ward:	Royston

Summary: This application seeks permission to vary Conditions 2 and 3 of planning permission ref: 2024/0699. That application sought permission to demolish a former Working Men's Club building and erect 5x 2 bedroom bungalows. Changes to Condition 2 (approved plans) include minor amendments to exterior appearance and siting of the bungalows; the width and roof design of the detached garages and the boundary treatments. Alterations to the footprint of the bungalows and garages has also resulted in the area of biodiversity enhancement being reduced meaning the BNG information has also changed, therefore requiring the wording of Condition 3 (Biodiversity Net Gain) to be updated. This application follows on from an investigation carried out by Planning Enforcement Officers in relation to the erected boundary treatments not according with the approved plans. A Local Ward Cllr has also contacted the Local Planning Authority raising similar concerns. This is expanded upon further below. Overall, the changes to the scheme are relatively minor, with consultees not raising any concerns regarding the amended plans. Recommendation: Planning Permission GRANTED subject to conditions.
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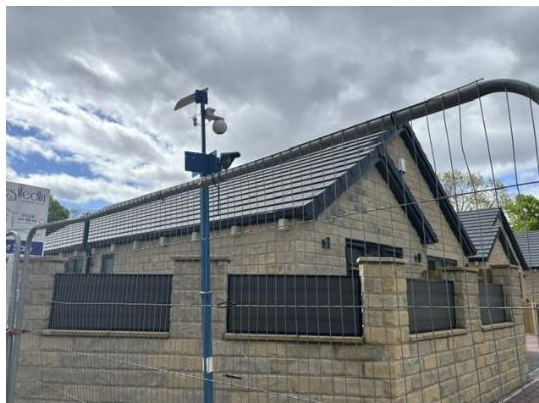
Site Location & Description

The application site previously consisted of a vacant public house/working men's club, with associated car parking area. The building was a T-shaped structure, with various roof heights and styles. The majority of the building was finished in render, though appeared to have been altered over time with brick extensions projecting off multiple elevations. This included a large 1970s style two storey projection off the northern elevation which provided residential accommodation.

The site is prominent when viewed from Church Street, though was previously unsightly and detracted from the appearance of the street scene. Vegetation had grown through the hardstanding, with the render finish also in a poor state. A large storage container was also sited in the car park.

The majority of the development approved via planning permission ref: 2024/0699 has now been completed, with the demolition of the existing buildings and 5x bungalows erected and associated access, boundary treatments and garage buildings now finished. The new bungalows are finished in light coloured stone with anthracite grey windows and doors. The recent development enhances the appearance of the site, particularly when compared to the previous buildings/uses. The LPA understands that the properties are not yet occupied but are being advertised as for sale.

The site is surrounded by a mixture of uses. No.54 Church Street abuts the site to the south, with further residential dwellings located on the opposite side of Church Street. The cemetery grounds wrap around the south-west and western boundary of the site, whilst to the north there is a small car park. Church Street is characterised by traditional terrace dwellings between various commercial uses, though has a varied street pattern.



Relevant Planning History

2025/0309 - Discharge of conditions 3 (Biodiversity Gain Plan), 4 (Habitat Management and Monitoring Plan), 5 (Tree Protection), 6 (Cycle Storage), 7 (Drainage), 8 (Biodiversity enhancements) & 9 (Instructive coal mining investigations) of planning application 2024/0699, APPROVED, 3/9/2025

2024/0699 - Demolition of existing buildings and erection of 5no. bungalows, formation of new access and associated works, GRANTED, 13/2/2025

B/93/1101/RO - Erection of extension, GRANTED, 4/11/1993

B/87/0737/RO - Change of use from sewing factory to health studio, GRANTED, 30/7/1987

B/77/0072/A/RO - Illuminated box sign, HISTORIC, 1/9/1977

B/75/3742/RO - Erection of extension to Working Men's Club to provide billiards room and manager's flat, HISTORIC, 15/1/1976

Proposed Development

The application looks to vary the wording of Condition 2 (approved plans) and Condition 3 (Biodiversity Net Gain) of planning permission ref: 2024/0699. Changes to the scheme are summarised as follows:

- Minor changes in footprint/shape and siting of the bungalows including changes to external elevations;
- Increased width of the detached garage buildings, with the garage for Plot 4 changing orientation;
- Orientation of visitor parking spaces altered;
- Boundary treatment between the rear gardens changed to a concrete post and gravel board design (Type C);
- Boundary treatment along the southern boundary and western boundary changed to include a close board fence adjacent to the existing stone wall (Type A);
- Reduced neutral grassland area for biodiversity net gain (adjacent to the visitor parking spaces) meaning the BNG metric and assessment have been updated;
- The internal layout of the proposed bungalows changed to provide a study room.

On this basis, the wording and numbering of the conditions would be varied as follows:

Current Condition 2:

The development hereby approved shall be carried out strictly in accordance with the amended plans:

Proposed Site Plan, Ref: 23-227, Dwg No: 06, Rev: C, Received: 20/12/2024

Proposed Plans Plots 1 and 2, Ref: 23-227, Dwg No: 02, Rev: B, Received: 12/2/2025

Proposed Plans Plot 3, Ref: 23-227, Dwg No: 03, Rev: B, Received: 12/2/2025

Proposed Plans Plot 4, Ref: 23-227, Dwg No: 04, Rev: B, Received: 12/2/2025

Proposed Plans Plot 5, Ref: 23-227, Dwg No: 05, Rev: B, Received: 12/2/2025

Proposed Garage Plans, Ref: 23-227, Dwg No: 07

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

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

Amended Condition 2 (to become Condition 1):

The development hereby approved shall be carried out strictly in accordance with the amended plans:

~~Proposed Site Plan, Ref: 23-227, Dwg No: 06, Rev: C, Received: 20/12/2024~~
Proposed Site Plan, Ref: 23-227, Dwg No: 06, Rev: F, Received: 15/7/2026

~~Proposed Plans Plots 1 and 2, Ref: 23-227, Dwg No: 02, Rev: B, Received: 12/2/2025~~
Proposed Plans and Elevations Plots 1 and 2, Ref: 23-227, Dwg No: 11, Rev: D

~~Proposed Plans Plot 3, Ref: 23-227, Dwg No: 03, Rev: B, Received: 12/2/2025~~
Proposed Plans and Elevations Plot 3, Ref: 23-227, Dwg No: 12, Rev: D

~~Proposed Plans Plot 4, Ref: 23-227, Dwg No: 04, Rev: B, Received: 12/2/2025~~
Proposed Plans Plot 4, Ref: 23-227, Dwg No: 13, Rev: D

~~Proposed Plans Plot 5, Ref: 23-227, Dwg No: 05, Rev: B, Received: 12/2/2025~~
Proposed Plans and Elevations Plot 5, Ref: 23-227, Dwg No: 14, Rev: D

~~Proposed Garage Plans, Ref: 23-227, Dwg No: 07~~
Proposed Garage Plans, Ref: 23-227, Dwg No: 07, Rev: B, Received: 18/5/2026

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

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

Current Condition 3:

The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application: Biodiversity Net Gain Assessment by Whitcher Wildlife Ltd, document reference: 240457/BNG and dated 28th November 2024.

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.

Amended Condition 3 (to become Condition 2):

The development shall be carried out in full accordance with the following ecological documents which were submitted with the application:

Biodiversity Net Gain Assessment, Document Ref: 240457/BNG/1, Received: 26/6/2026
Biodiversity Net Gain Metric, Iteration 1, Received: 26/6/2026
Biodiversity Gain Plan, Rev 1, Received: 26/6/2026
Habitat Management and Monitoring Plan, Version 3, Received: 26/6/2026

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.

Policy Context

Allocation/Designations

The site is allocated as Urban Fabric as defined in the adopted Local Plan, which has no specific land allocation.

The majority of the site is within a low-risk area as per the Mining Remediation Authority maps, though the most western corner is within a high-risk area. The site is in Flood Zone 1 thus at low risk of flooding.

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 held 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 it.

The following Local Plan policies are relevant in this case:

- Policy GD1: General Development
- Policy D1: High Quality Design and Place Making
- Policy SD1: Presumption in favour of Sustainable Development
- Policy T4: New Development and Transport Safety
- Policy LC1: Landscape Character
- Policy POLL1: Pollution Control and Protection
- Policy H1: The Number of New Houses to be Built
- Policy H4: Residential development on small non-allocated sites
- Policy BIO1: Biodiversity & Geodiversity
- Policy CL1: Contaminated and Unstable Land
- Policy E7: Loss of Local Services and Community Facilities in Villages

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 5 – Delivering a Sufficient Supply of Homes
Section 9- Promoting Sustainable Travel
Section 11- Making Effective Use of Land
Section 12- Achieving Well-designed Places
Section 15 – Conserving and Enhancing the Natural Environment

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

Supplementary Planning Guidance

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

- Parking, November 2019
- Sustainable Travel, July 2022
- Design of Housing Development, July 2023
- Residential Amenity and the Siting of Buildings, May 2019
- Biodiversity & Geodiversity, March 2024
- Development on Land Affected by Contamination, November 2019
- South Yorkshire Residential Design Guide, 2011

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

Consultations

Biodiversity Officer – Initially raised concerns regarding the proposed site plan resulting in the area of proposed neutral grassland being affected. An updated BNG metric, gain plan, HMMP and assessment has been submitted (received 26/6/2026). The latest BNG metric demonstrates a gain of 0.12 habitat units (+357.1%) which significantly exceeds the mandatory +10% requirement. No objection subject to strict accordance with the updated documents as per the amended wording of Condition 3.

Local Ward Councillors - Concerns raised regarding the appearance of the erected boundary treatments and lack of compliance with the plans approved in the original application. This is addressed in the planning assessment below.

Demolition – No response.

Forestry Officer – During the original application the Forestry Officer confirmed that it would be preferable if the proposed dwellings were sited further away from the tree rooting areas and canopy, particularly at Plot 5. However, given the proposed layout and required separation distances, there was limited scope to change the proposal and it was considered to be acceptable on balance. Unfortunately, this amended proposal results in the footprint of Plot 5 being even closer to the trees to the north of the site, with the stand-off distance reducing from circa 1.8m to circa 1.1m (at the closest points). The Forestry Officer has therefore emphasised his disappointment and would the dwellings not have already been erected, this consultee response would be an objection due to the harm this will cause upon the tree as well as the significant overshadowing introduced upon future residents of Plot 5. Nevertheless, the re-positioning of the plot by only 0.7m and the impact upon amenity is not considered to constitute as a strong reason

for refusal when weighed against the benefits of the scheme. Similarly, there are no conditions or works which can be enforced at this stage of construction. No objection on balance.

Highways DC – No objection, conditions re-attached in relation to the pre-occupation submission of a management and maintenance plan for the proposed carriageways and footways; gradients; visibility and kerbs to be reinstated.

Mining Remediation Authority- No objection, condition re-attached requiring the pre-occupation submission of a signed statement/declaration which confirms that the site has been made safe.

Drainage- No response, though the previously attached drainage condition was discharged via application ref: 2025/0309 (condition 7 attached to the original permission). A condition is attached to ensure that this permission accords with the approved documents.

Pollution Control- No objection, a pre-commencement condition requiring the submission of a Construction Method Statement (CMS) was suggested but this is not considered to be relevant due to satisfactory information being included within the application submission. Condition which restricts construction hours and compliance with the submitted CMS have been re-attached in relation to any outstanding works.

National Grid – No response.

Northern Powergrid – No response.

Yorkshire Water- No objection, same conditions re-attached in relation to details of surface water being submitted prior to the occupation of the dwellings.

South Yorkshire Mining Advisory Service- The applicant has completed an intrusive site investigation within condition discharge reference: 2025/0309 (in relation to condition 9 attached to the original permission). The previously submitted information confirmed that coal mining legacy risks are low/negligible. No objection.

Representations

The application has undergone two periods of publicity following an update to the development description to add Condition 3. This application has been advertised in accordance with the Development Management Procedure Order 2015, as follows:

1st Publicity Period

- Neighbour notification letters sent to adjoining properties/sites, consultation period expired: 30/5/2026
- Site Notice displayed close to the site due to public interest, consultation period expired: 3/6/2026

2nd Publicity Period (Updated Description)

- Neighbour notification letters sent to adjoining properties/sites, consultation period expired: 22/7/2026

No neighbour representations have been received in response to the above publicity.

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:

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

Principle of Development

The site falls within urban fabric which has no specific land allocation. New developments are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety and accord with the relevant policies quoted below.

Local Plan Policy H4: Residential Development on Small Non-allocated Sites states that proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies in the Plan.

The principle of the development was assessed in detail during the previous application, which concluded that due to the surrounding area being predominately residential in nature, the principle of demolishing the existing building and replacing with residential development was acceptable. This amended proposal falls within the same development description and relates to minor changes to the design/layout and biodiversity impacts of the scheme, rather than changes to the main functions of the development. The principle of the development is therefore acceptable, which weighs in substantial favour in the overall planning balance.

Design, Appearance and Impact Upon Residential Amenity (Variation of Condition 2)

NPPF Paragraph 135 relates to high quality design and states that developments should function well and add to the overall quality of the area; are visually attractive; sympathetic to local character; maintain a strong sense of place whilst optimising the potential of the site and create places which are safe and inclusive and promote well-being.

Local Plan Policy D1 states that development is expected to be of high-quality design and should respect and reinforce the distinctive, local character and features. Development should contribute to place making and make the best use of materials.

Local Plan Policy GD1 states that proposals for development will be approved if there are no significant adverse effect on the living conditions and residential amenity of existing and future residents. Proposals should be compatible with neighbouring land and should not significantly prejudice the current or future use of neighbouring land.

Local Plan Policy POLL1 states that development will be expected to demonstrate that there would be no unacceptable affect or cause a nuisance to the natural and built environment or to people.

This development looks to vary the approved plans referred to in Condition 2 of original application ref: 2024/0699. The changes to the plans are assessed as follows:

Siting/Appearance of Dwellings – the development consists of 5x detached bungalows arranged around a central road access. The siting/footprint of the dwellings have been slightly repositioned,

when compared to the previous site plan (see plan below). However, the changes do not significantly alter the appearance of the development, nor residential amenity. Sufficient separation distances between the properties will be achieved, and the proposed dwellings have not been positioned any closer to neighbouring properties. The changes to the external appearance of the dwellings are also fairly minimal, with the amendments including the addition/repositioning of gable features. The overall scale, massing and materials of the bungalows remain similar to the previously approved plans. As summarised above, the re-positioning of Plot 5 has resulted in the distance between the rear elevation and the root protection area of adjacent trees being reduced to only 1.1m. This means the northern part of Plot 5's rear garden will be overshadowed by trees. However, the overall garden size extends to 120sqm which suitably exceeds the 50sqm requirement as per the adopted SPD, with the western section of the private garden unlikely to be impacted by overshadowing. Additionally, there are no habitable room windows on the rear elevation which would be overshadowed by the adjacent trees. To summarise, whilst the Forestry Officer is particularly disappointed that the siting of Plot 5 has been moved closer to the northern boundary trees, the impact upon future residential amenity is considered to be fairly limited and the re-positioning of the plot is therefore acceptable on balance. Overall, the changes to the siting and the appearance of the dwellings are acceptable.

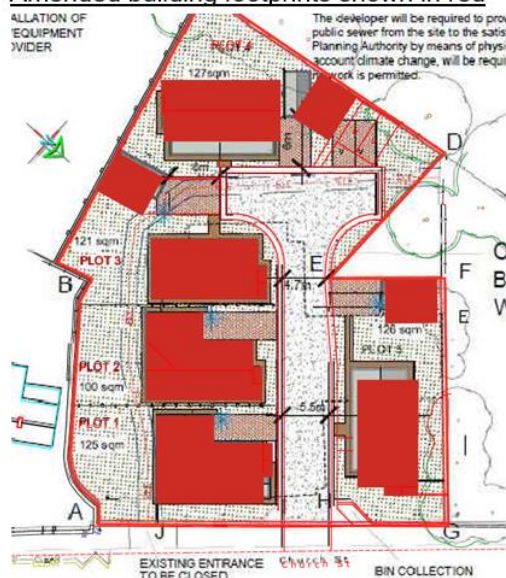
Amended Site Plan



Previous Site Plan

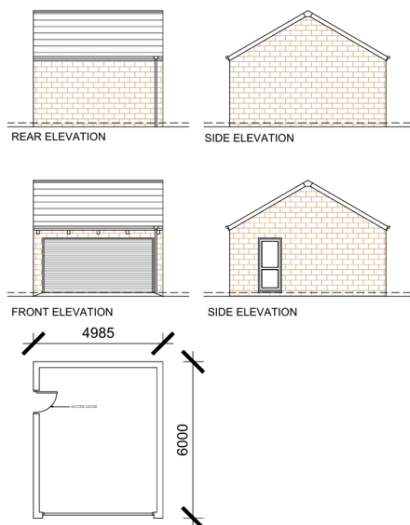


Amended building footprints shown in red

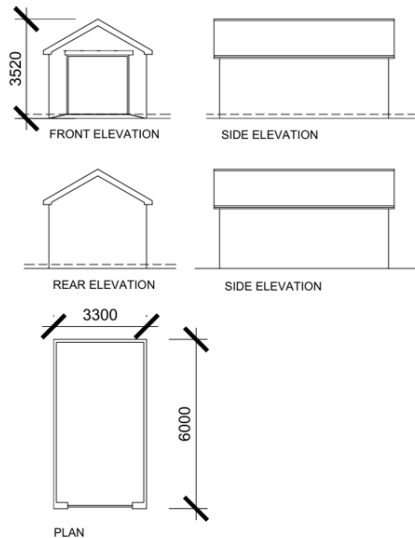


Detached Garages – the size of the detached garages at Plots 3, 4 and 5 have increased from 3m x 6m to 4.9m x 6m, with the ridge height also increasing from 3.5m to 4.5m. The shape of the gable roof has changed with the gable elevations being on the side rather than to the front and rear. The orientation of the garage at Plot 4 has also been altered, having previously been sited perpendicular to the access road but is now proposed at a 45 degree angle (see plan above). The change in siting results in a slightly larger driveway to the front of the garage. Highways DC have raised no concerns regarding the siting/shape of the driveway or the garage building, and the increased size/updated appearance does not substantially alter the appearance of the development. These changes are therefore acceptable.

Amended Garage Design

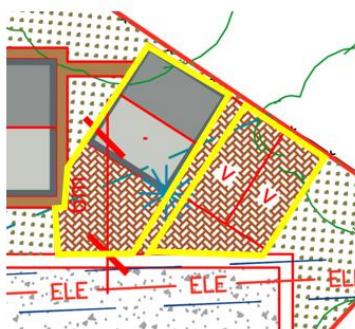


Previous Garage Design

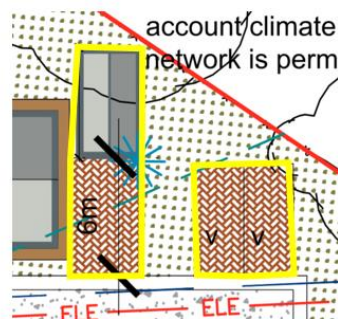


Orientation of Visitor Parking Spaces – the proposed visitor spaces (which are sited to the north of Plot 4) have changed from a perpendicular position to being at a 45 degree angle. This results in a slightly larger area of paving, increasing from 28.2sqm to 37.5sqm. The increased area of paving does not significantly alter the appearance of the development, with the visitor spaces screened from view and do not directly impact the character of Church Street. The changes to the design of the visitor parking spaces are therefore acceptable, though the impact this has upon BNG is assessed further below.

Amended Plot 4 Garage and Visitor Parking Spaces Layout



Previous Plot 4 Garage and Visitor Parking Spaces Layout



Boundary Treatments (Type A) – the LPA first became aware of the non-compliance with the plans approved by application ref: 2024/0699 following complaints received from adjacent neighbours regarding the erected boundary treatments. The approved site plan associated with the previous application (drawing ref: Proposed Site Plan, Ref: 23-227, Dwg No: 06, Rev: C, Received:

20/12/2024) stated that between points A-B-C-D the existing walls would be retained and used as the rear boundary treatments for the proposed dwellings. However, these walls are relatively low in height and since the previous approval was issued, the Applicant suggested that utilising the existing walls provided future residents with limited privacy and the opportunity for overlooking into the rear private gardens. In response to this, the plans have been updated to confirm that the existing walls will be retained but a separate 1.8m/2m close board fence (shown as Type A on the proposed plans) will be erected inside of the wall. The occupiers of No.54 Church Street have contacted the Local Ward Cllr raising concerns regarding the appearance of the fence when viewed from their private garden, with the rear of the fence extending above the stone wall. Nevertheless, residential occupiers are able to erect fences (up to 2m in height) to the rear of properties (once they are habitable) via permitted development. This means that if the plans were not varied as hereby proposed, future occupiers would have been able to erect a fence upon occupation (without requiring planning permission) with the rear boundary of each plot likely to be finished in a different style boundary treatment based on occupier preference. This could have result in 4 different boundary treatments between points A-D, whereas this application proposes to one singular fence design running along the rear boundaries. On this basis, the erection of the Type A boundary fence is considered to be acceptable, both in terms of its design and the improvement of amenity by virtue of reducing possible overlooking.

Boundary Treatments (Type C) – the previously approved site plan stated that the boundary between each plot would be a Type A fence (as described above). However, the neighbour complaints to the Council's Enforcement Officer confirmed that a different style fence had been erected on site, instead consisting of concrete posts and gravel boards with wooden panels in between. The proposed plans state that the Type C fence will extend to 1.8m/2m depending on the contours of the land. These style fences are typical for residential gardens, and as explained above, could be erected via permitted development once the properties are occupied. Nevertheless, the LPA recognises that the concrete posts installed to the rear of Plots 1 and 2 can be viewed from the rear garden of No.54 Church Street due to their excessive height which extends beyond the height of the southern boundary fence. The harm introduced by the appearance of the concrete posts is not considered to be detrimental, though does appear oppressive. On this basis, a condition is attached to ensure that the height of the concrete posts are reduced so that they do not exceed the height of the rear Type A fence. This solution has been discussed with the Local Ward Cllr. Overall, the changes to the between plot boundary treatment is acceptable and does not alter the appearance of the development when viewed from Church Street.

Internal Layout – the previously approved plans demonstrated that each bungalow would provide 2 bedrooms. However, following a Planning Enforcement investigation, it became apparent that the properties had been built differently to the approved floorplans, with each dwelling including a small study room. The study room shown at all plots is not large enough to be considered as a 3rd bedroom when assessed against the adopted space standards in the South Yorkshire Residential Design Guide, being less than 7sqm. The addition of the study room does not result in the size of the other 2 bedrooms falling below the required space standard. This means that all plots are still assessed as 2 bedroom dwellings, thus do not require additional parking or outdoor amenity space than previously assessed. The changes to the internal layout does not substantially alter the amenity of future occupiers, nor the external appearance of the development. The amendments are therefore acceptable.

Summary – overall, the proposed changes to the scheme are considered to be relatively minor and do significantly alter the character of the development or the amenity of existing or future residents, subject to accordance with the new condition which restricts the height of the concrete fence posts. The variation of the approved plans condition as set out above is therefore acceptable, and is afforded substantial weight.

Biodiversity Considerations (Variation of Condition 3)

Local Plan Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geodiversity features by protecting and improving habitats; maximising biodiversity opportunities in and around new developments and encouraging provision of biodiversity enhancements.

BNG became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the PPG) are met. Paragraph 003 of the PPG confirms that the development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, and 5 metres of linear habitats such as hedgerows is subject to the de minimis exemption.

The previously approved application secured a +440.71% (0.15 habitat units) net gain in biodiversity as a result of neutral grassland being planted at the western corner of the site, between Plots 4 and 5. Subsequently, a Habitat Management and Monitoring Plan (HMMP) and Biodiversity Gain Plan have been agreed in writing as part of the condition discharge application ref: 2025/0309.

However, this amended proposal has resulted in the area of neutral grassland being reduced, due to the size and orientation of Plot 4's garage being altered and the orientation of the visitor parking requiring a slightly larger area of paving. On this basis, the Biodiversity Officer confirmed that the previously agreed biodiversity net gain information was no longer accurate and therefore needed to be updated.

A revised metric, assessment, Gain Plan, HMMP and condition assessments have been submitted (received: 26/6/2026) and reviewed by the Biodiversity Officer. The amended scheme instead results in a +357.10% net gain in biodiversity (0.12 habitat units) which substantially exceeds the +10% mandatory requirement. The Biodiversity Officer has no objection to the proposal on this basis, however the wording of Condition 3 needs to be varied to reflect the updated documents. The wording of Condition 3 is to be changed to a compliance condition due to the relevant ecological documents having been submitted and assessed as part of this application. This also means that Condition 4 attached to the previous permission (submission of a HMMP) is not relevant to this application.

The condition relating to bat and bird boxes being installed on each dwelling is still necessary as per the requirements set out in Table 1 of the Biodiversity and Geodiversity SPD. Overall, there is no objection in terms of biodiversity subject to strict accordance with the approved documents. This is afforded significant weight in the planning balance.

Highway Considerations

NPPF Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Local Plan Policy T4 states that 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. It follows on state if a development is not suitably served by the existing highway or would add to problems of safety or the efficiency of the highway, developers will be expected to take mitigating action to make sure the necessary improvements go ahead.

Table 1 of the Parking SPD (November 2019) sets out the adopted parking standards for new developments.

The SPD states that each 2 bedroom dwellings require at least one off-street parking space with a minimum size of 2.5 x 5m, plus one space per four dwellings as visitor spaces. The updated site

plan (submitted with this application) maintains the previously agreed parking layout, with each bungalow benefitting from at least one off-street parking space and sufficient visitor parking spaces. The amended garage design at Plots 3, 4 and 5 also results in an additional off-street parking space being provided, due to the garage size exceeding 3m x 6m. Overall, the Highways DC Officer has confirmed the parking provision is acceptable which is afforded substantial weight.

Impact upon Trees

Policy GD1 states proposals for development will be approved if existing trees are to remain on site and are considered in order to avoid overshadowing.

During the assessment of the previous application, the Forestry Officer confirmed that Plot 5 slightly encroached upon the canopies of the trees to the north of the site, with only a 1.8m distance between the northern elevation and the canopy. Typically, a minimum 2m distance is required between residential properties and tree canopies. However, based on the size and the age of the existing trees, it was not considered that the siting of Plot 5 would detrimentally harm the tree's physical condition or aesthetics long term. On this basis, the Forestry Officer considered that the proposals were suitable subject to the submission of further details prior to commencement of any development on site.

Suitable tree protection details were submitted as part of condition discharge application ref: 2025/0309. However, as mentioned above, this proposal seeks permission to alter the siting of Plot 5 circa 0.7m closer to the trees. Whilst this is extremely unfortunate, and will undoubtedly cause additional pressure on that tree, given the fact that the dwelling is complete, the LPA have no mechanism to mitigate the harm apart from requiring the demolition of the dwelling. Given the social benefits of the scheme associated with the housing supply and the fact that the tree is not of a protected status, enforcing the re-siting of the dwelling in accordance with the previous site plan is not considered to be reasonable in this instance. Additionally, and as mentioned above, the overshadowing caused by the tree would be limited to only part of the garden, rather than the main outdoor amenity area. On this basis, the impact upon trees is negligible, and this is afforded moderate weight in the planning balance.

Conclusion

The principle of the development has previously been established as set out in the original application. This S73 does not alter the overriding character or function of the proposed development.

The changes to the development are considered to be fairly minor, with the materials, scale and massing of the 5x bungalows consistent with the previously approved plans. The overall layout of the development is the same as the approved site plan, with the updated siting of dwellings being of minimal difference.

The introduction of the Type A boundary treatment between points A-D is acceptable. Fences of a similar appearance and scale could be erected via permitted development upon occupation of the dwellings. Similarly, the Type C boundary treatment between the rear gardens could be erected via permitted development, thus is acceptable subject to compliance with the attached condition relating to the height of the concrete posts.

The development retains acceptably sized gardens; off-street parking and internal space. There are no outstanding consultee concerns subject to strict accordance with the previously approved documents and the conditions hereby attached. Overall, and taking into account the planning balance, the proposed variation of conditions 2 and 3 is acceptable.

RECOMMENDATION: Approve with 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:

- Updated biodiversity net gain information;
- Site Plan amended to correct boundary treatments annotations;
- Updated garage plans received;

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:

1. The development hereby approved shall be carried out strictly in accordance with the amended plans:
Proposed Site Plan, Ref: 23-227, Dwg No: 06, Rev: F, Received: 15/7/2026
Proposed Plans and Elevations Plots 1 and 2, Ref: 23-227, Dwg No: 11, Rev: D
Proposed Plans and Elevations Plot 3, Ref: 23-227, Dwg No: 12, Rev: D
Proposed Plans Plot 4, Ref: 23-227, Dwg No: 13, Rev: D
Proposed Plans and Elevations Plot 5, Ref: 23-227, Dwg No: 14, Rev: D
Proposed Garage Plans, Ref: 23-227, Dwg No: 07, Rev: B, Received: 18/5/2026
and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1: High Quality Design and Place Making.
2. The development hereby approved shall be carried out in full accordance with the following ecological documents which were submitted with the application:
Biodiversity Net Gain Assessment, Document Ref: 240457/BNG/1, Received: 26/6/2026
Biodiversity Net Gain Metric, Iteration 1, Received: 26/6/2026
Biodiversity Gain Plan, Rev 1, Received: 26/6/2026
Habitat Management and Monitoring Plan, Version 3, Received: 26/6/2026
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.
3. Prior to the occupation of the development hereby approved, photographic evidence which shows that the height of the concrete posts have been reduced shall be submitted to and agreed in writing by the Local Planning Authority. The height of the concrete posts shall be reduced to a height which does not exceed the height of the external boundary treatment(s) and ensures that the posts are not visible from neighbouring properties or the Church Street.

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

4. The development hereby approved shall be carried out in accordance with the relevant documents agreed in writing as per condition discharge application ref: 2025/0309 in relation to cycle storage; drainage; biodiversity enhancements and coal mining.

Reason: To ensure compliance with the approved technical documents.

5. Prior to the occupation of the development hereby approved, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In accordance with National Planning Policy Framework Paragraphs 196, 197 and 187 e & f.

6. Prior to the occupation of the development hereby approved, details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption as maintainable at public expense within the site shall be submitted to and approved in writing by the Local Planning Authority.

Once agreed, the development 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 to ensure the safety of all users and in accordance with Local Plan Policy T4: New Development and Transport Safety.

7. Prior to the occupation of the development hereby approved, details of the surface water drainage works, including how surface water from the development will be discharged, shall be 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:
- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
 - b) evidence of existing positive drainage to public sewer and the current points of connection; and
 - c) 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.

8. Prior to the occupation of the development hereby approved, a Bat and Bird Box Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of bird and bat nesting boxes / bricks such as the location, specification and design of the habitats. The boxes / bricks shall be installed prior to the occupation of any dwelling strictly in accordance with the details approved and maintained as agreed for the lifetime of the development.

Reason: To ensure that appropriate ecological mitigation is provided in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

9. Prior to the occupation of the development hereby approved, the areas to be used by vehicles shall be surfaced in a solid bound material (i.e. not loose chippings). Adequate measures shall be designed into these areas 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 and in accordance with Local Plan Policy T4: New Development and Transport Safety.
10. Prior to the occupation of the development hereby approved, 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. The visibility splays 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.
11. Prior to the occupation of the development hereby approved, any redundant vehicular accesses shall be reinstated as full height kerb (and footway).
Reason: In the interest of highway safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.
12. Any remaining construction related activity shall only take place onsite between the following hours:
0800 - 1800 Monday to Friday; and
0900 - 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.
13. The garages hereby approved shall be used for the garaging of private motor vehicles and for private use incidental to the enjoyment of the dwellinghouses only and not for trade, business or any other purposes without the grant of further specific planning permission from the Local Planning Authority.
Reason: To ensure that the use of the site access is not intensified in the interest of highway safety and in accordance with Local Plan Policy T4: New Development and Transport Safety.
14. The submitted and hereby approved Construction Method Statement (CMS) included on drawing: Proposed Site Plan, Ref: 23-227, Dwg No: 06, Rev: F, Received: 15/7/2026, shall be adhered to throughout the construction period.
Reason: In the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.
15. Vehicular and pedestrian gradients within the site shall not exceed 1:12.
Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4: New Development and Transport Safety.
16. 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, and no garages or other outbuildings shall be erected.

Reason: To ensure that the development remains in-keeping with the existing street scene in accordance with Local Plan Policy D1: High Quality Design and Place Making.