DISCHARGE OF PLANNING CONDITIONS

location	Land off Pennine Edge, Crow Edge, Sheffield, S36 4HE.
application	Discharge of Condition Application (2024/0148) - Erection of 5no. detached dwellings and associated garages and landscaping.
client/applicant	Mrs S Gunson, Mr H Gunson, Miss M Gunson & Mr R Tweed
date	December 2024

PAUL MATTHEWS ARCHITECTURAL Ltd

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This discharge of conditions application is for the pre-conditions that formally require to be discharged following the 2024/0148 planning consent.

The formal approval can be found within Appendix A of this statement.

We, Paul Matthews Architectural Ltd, are agents working on behalf of the current property owners.

This application is to formally discharge the pre-conditions that we believe to require discharge prior to commencement of works, if this is not deemed accurate, please inform Paul Matthews Architectural. This is to enable the works to formally commence, in accordance with the approvals.

Condition 4 states;

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..

The following image and information list details the proposed construction materials that are proposed in line with the existing visual aesthetic. The proposed materials are fully in keeping with the local vernacular.

External Wall: Natural Coursed Sandstone From local quarry

Roof Finish: Natural Stone Slate. From Easy Pave Brockholes, Huddersfield

Rainwater Goods: Black OG Gutter & Black Round Plastic Downpipes

Window Finish: Aluminium Colour and style similar to above photos

We contest that these materials are entirely in keeping with the local visual amenity.

Condition 5 states;

Upon commencement of the development, details of privacy screens to the sides elevations of the balconies approved to plots 2, 3, 4 and 5 shall be submitted and approved in writing by the LPA. The approved screens shall then be permanently retained for the lifetime of the development.

Reason: In order to protect the amenities of adjacent residents in accordance with Local Plan Policy GD1.

The privacy screens will be to a height of 1.1m to adhere to Building Regulations. With regards to privacy the screens will be 1.8m high and obscure glazed (similar to the image below)The height and obscured glass will addresses potential possible privacy issues between plots.

Plot 1 has no balcony/raised terrace.

Plot 2 will have privacy screens fitted to both side elevations (North West & South East Elevations)

Plot 3 will have privacy screens fitted to both side elevations (North West & South East Elevations)

Plot 4 will have privacy screens fitted to both side elevations (North East & South West Elevations)

Plot 5 will have a privacy screen fitted to the exposed side elevation (North East). NB the projecting garage screens the proposed side elevation.

Condition 7 states;

Prior to any work commencing, the applicant shall submit to the Local Planning Authority for their approval a dust management plan detailing how they will control dust during construction. Once approved the applicant shall adhere to the dust management plan at all times.

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'

The proposed works can produce dust through some of the following activities:

• Installation/removal of temporary services such as site cabins

• Clearance of any topsoil etc & groundworks

• On-site crushing and manipulation of materials

• Use of machinery

• Masonry and drylining to form internal walls

• Handling and movement of materials

• Movement/removal of waste material

• On-site vehicle/plant emissions

To manage such activities and their potential impact on dust, the following measures will be implemented to ensure the construction phase maintains sufficient dust mitigation levels in line with current regulation and requirements.

Dust and Emissions Management

All activities on-site will be governed by a risk assessment, tailored to specific projects and activities.

These will be prepared by the principle contractor and reviewed and approved by the developer, incorporating dust control measures where relevant. Materials cleared during construction should, where feasible, be reused on-site to reduce vehicle movements, minimize waste sent to landfill, and provide environmental benefits.

Dust control will also involve adherence to relevant local air quality legislation and guidelines.

Construction methodologies will be designed to minimise dust generation wherever possible, and actions that may lead to the tracking of dust and materials onto nearby roads will be reduced where practical. Damping down will be carried out, especially for soil stockpiles and haulage roads during dry or windy conditions. Cutting of materials with power tools will be carried out is the furthermost location away from other nearby residential properties. A wet hessian screen will be utilised to capture saw dust from cutting blockwork and stone. Furthermore a stone cutting power tool will have a water pipe linked up to minimise dust.

Sawing timber will be reduced to a minimum on site with power tools connected to vaums agai not to reduce dust nuisance.

Effective segregation will be maintained between construction activities and the public, as this is a fairly remote area and removed from the main road, this should be easily achievable.

Site traffic and machinery movement will be minimised to reduce emissions and dust. Plant and equipment will undergo regular maintenance and be inspected to ensure they function correctly and meet necessary standards. Where feasible, zero- or ultra-low-emission equipment will be utilized along with electrical power tools as opposed to engine power tools. Any plant failing to meet site requirements will be retrofitted or rejected.

Measures will be implemented to prevent mud and debris from entering drainage systems with a dedicated delivery drop point to prevent road vehicles needing to access the formal construction site.

Daily inspections will be conducted to monitor and document the visual levels of dust on-site and in the surrounding area. These observations will be recorded in a dedicated log. Additionally, weekly checks for dust soiling will be carried out on buildings located within 50 meters of the site boundary.

Any actions taken to address identified impacts, as well as measures implemented to prevent recurrence, will also be documented. Regular visual inspections will focus on surfaces such as street furniture, vehicles, and windowsills. Conditions that are likely to contribute to increased dust emissions, such as dry or windy weather or activities with a high potential for dust generation, will be noted in the log as well.

Vehicle and Plant Emissions

Vehicles accessing the site must use designated access points, these will be by prior appointment with every effort made to try and avoid busy highway network times and school runs of the nearby local residents. There will be only one main entrance to the site from Pennine Edge. Changes to access points or routes will require an update to the Dust Management Plan by the contractor.

Drivers of vehicles transporting materials to and from the site will be provided with the designated routes and informed of the DMP requirements.

Vehicles entering the site must be well-maintained and meet high operational standards. Zero- or ultra-low-emission vehicles will be prioritized wherever possible. Delivery vehicles will follow predetermined routes to reduce emissions, and delivery schedules will avoid sensitive times to minimize congestion and disruption to local traffic.

Materials will be sourced as local as practically possible to reduce emissions.

Site induction training for site workers will cover traffic routes and vehicle operation rules. A trained and certified Traffic Marshal in high-visibility clothing will oversee all vehicle movements within the site, directing vehicles to designated loading points. Measures such as water spraying, wheel washing, and vehicle sheeting will be employed to suppress dust. Regular highway patrols and cleaning will prevent the accumulation of mud, debris, or dust on local roads.

Efforts will be made to encourage sustainable travel among staff and operatives through a Staff Travel Plan, including public transport options and car/van-sharing initiatives. Suppliers and contractors will also be encouraged to use environmentally friendly vehicles, and local suppliers will be prioritized to reduce emissions associated with transport, wherever possible/practical.

Condition 8 states;

Prior to any work commencing, the applicant shall submit to the Local Planning Authority for their approval a noise management plan detailing how they will control noise during construction. Once approved the applicant shall adhere to the noise management plan at all times.

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

The proposed works must consider the impact of noise in accordance with BS 5228 during the construction stages of the development and the potential impact on the surrounding neighbouring properties which are determined to be the dwellings to the immediate South West of the site on Pennine Edge. Parameters can be set in correlation with the standards set of in the below table and 'Condition 6' of the discharge requirements of this application which states:

Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

The application will naturally follow the stipulations set out within this condition which in itself will aim to mitigate noise related impacts and issues.

Table E.1 **Example threshold of significant effect at dwellings**

Assessment category and threshold value period (L_{Aeq})	Threshold value, in decibels (dB)		
	Category A [A]	Category B [B]	Category C [C]
Night-time (23.00–07.00)	45	50	55
Evenings and weekends [D]	55	60	65
Daytime (07.00–19.00) and Saturdays (07.00–13.00)	65	70	75

NOTE 1 A significant effect has been deemed to occur if the total L_{Aeq} noise level, including construction, exceeds the threshold level for the Category appropriate to the ambient noise level.

NOTE 2 If the ambient noise level exceeds the threshold values given in the table (i.e. the ambient noise level is higher than the above values), then a significant effect is deemed to occur if the total L_{Aeq} noise level for the period increases by more than 3 dB due to construction activity.

NOTE 3 Applied to residential receptors only.

[A] Category A: threshold values to use when ambient noise levels (when rounded to the nearest 5 dB) are less than these values.

[B] Category B: threshold values to use when ambient noise levels (when rounded to the nearest 5 dB) are the same as category A values.

[C] Category C: threshold values to use when ambient noise levels (when rounded to the nearest 5 dB) are higher than category A values.

[D] 19.00–23.00 weekdays, 13.00–23.00 Saturdays and 07.00–23.00 Sundays.

Maintaining strong communication with neighbouring communities will be crucial for project progression and overall success. Residents can be informed about key phases or activities that could result in higher noise or vibration levels

Cross referencing the aforementioned time parameters of condition 6, and the noise standard table below, the noise levels can be seen to have a target of 65dB. The ways in which the proposals aims to maintain this can be seen below:

- Use appropriate machinery, provide operator training, and schedule noisy activities thoughtfully.
- Mitigate plant noise in equipment (e.g., excavators) by tensioning, lubricating, and maintaining equipment.
- Restrict construction hours in connection with condition 6 to:
- 08:00–18:00 (Monday–Friday).
- 08:00–13:00 (Saturday).
- No work on Sundays or Bank Holidays without prior approval from Barnsley Metropolitan Borough Council.
- Minimise time spent near noise-sensitive areas.
- Avoid unnecessary noise (e.g., shouting, horns, loud radios, or rough handling of materials).
- Set reversing alarms to the lowest safe level
- Reduce metal-on-metal contact by limiting drop heights during scaffold erection or HGV loading/unloading.
- Inspect and maintain machinery regularly.
- Avoid high engine revs by selecting suitable equipment and switching off idle machinery.
- Use straps instead of chains for securing loads when safe.
- Use electrically powered fixed plant whenever feasible.
- Locate noisy activities as far from sensitive receptors as possible and employ screening where necessary.
- Any changes to approved methods require prior consent from Barnsley Metropolitan Borough Council.
- Investigate noise complaints immediately.
- Monitor noise levels if necessary to confirm compliance with established criteria.
- Selecting suitable equipment and plant.
- Strategically positioning and orienting equipment.
- Ensuring proper operation through staff training.
- Scheduling noisy activities appropriately.
- Regularly servicing equipment according to the manufacturer’s recommendations.

Condition 9 states;

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

The proposed boundary treatments between plots are to be vertical timber boarded fencing with concrete posts to create a sympathetic in keeping visual finish. The details of where these boundary treatments are located between all plots. Please refer to the approved site plan within the previous 2024/0148 application.

NB Hedgehog holes can be incorporated with the fence between all plots at ground level.

The picture below shows the indicative finish and style:

Condition 10 states;

Upon commencement of development, full details of both hard and soft landscaping works, including 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 shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

As part of the Biodiversity Mitigation, a scheme has been carried out in relation to 'Condition 18' and has concluded that no further planting is deemed necessary and soft landscaping will be carried out by individual dwelling owner post-completion.

Various shrubs and trees will be planted to the proposed garden the areas, front and rear, on completion each individual dwelling. Planting will consist of;

- Laurels .
- Pittosporum Tenuifolium - variegatum- evergreens
- Lavender bushes (For the bee's)
- Acer Trees
- Hydrangeas
- Honeysuckle Grass turf will be laid to all garden areas
- All vehicular driveways will be finished with a natural stone sett with pointed joints
- Patios will be finished with natural stone flags with pointed joints.

We contest that this will be sufficient information/evidence to discharge this condition.

Condition 12 states;

No development shall take place until (a) full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority. (b) porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways and (c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways. are all approved in writing by the Local Planning Authority.

Reason : To ensure the proper drainage of the area in accordance with Local Plan Policy POLL1.

On the following page is a photo of the drainage plan for the site.

The image overleaf shows the top water drain (surface water) which runs through the applicants land and discharges into stream on the boundary of our land.

The position shown of the top water drain is following a proposed diversion, currently the surface water drain runs across the corner of Plot 1, the applicant proposes to liaise with Yorkshire Water to divert this (it is only a 150mm drain).

We trust this is acceptable to formally discharge this condition.

1.
2.
3.
4.
5.
New Retaining Wall
Pennine Edge
Bin Collection
Turning Area
Garden
Patio
2m FENCE
FOUL 100mm
FOUL YW
TOP 100MM
TOP 150mm
SOAKAWAY 100MM
ROAD GULLY
1:200
2m 4 6 8 10 12 14 16 18 20
E
S
PATH
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/964/03a

Condition 13 states;

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network, in accordance with Local Plan Policy POLL1.

The accompanying drainage site plan on the previous page clearly indicates a separate drainage system. Foul will discharge into the sewer, via an agreement with Yorkshire Water. Surface water will discharge into the adjacent stream that runs along the North East part of the site

This is all in line with the 'hierarchy of drainage - National Planning Practice Guidance'

We trust this is acceptable to formally discharge this condition.

Condition 16 states;

No dwelling shall be occupied until 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 have been submitted to and approved in writing by the LPA. On occupation of the first dwelling within the site, the street shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that the private street and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4 New development and Transport Safety.

Each property will have a 20% responsibility towards maintenance and upkeep of the private shared areas (i.e. private access drive).

Please note it is intended that four of the 5 proposed dwellings will be occupied by the separate 4 applicants of this application (separate family members). However, in the future the houses could be sold but the shared driveway/responsibility will be legally stated within the deeds of each of the individual properties.

The following measures will be taken within the within the deeds to ensure compliance with this condition:

1. All dwelling houses owners/occupants will be responsible for an equal share of the required maintenance to service the shared carriageway, footpath, bin storage and entrance area.

2. This statement will be written into each of the 5 dwelling houses deeds.

3. On the occupation of the first dwelling house this arrangement will come into force.

4. By the wording of "*maintenance*" meaning keeping in a good state of repair and appearance. Preserving the original condition.

5. All the private gardens to each individual dwelling must be kept tidy, rubbish free and maintained at all times. Reason. To preserve the visual outlook/ appearance of the development for all future occupants/families.

There are no shared landscaped areas as each individual dwelling will have its own garden/planted areas.

We trust this is acceptable to formally discharge this condition.

Condition 18 states;

No development shall take place (including vegetation/site clearance) until a Biodiversity Mitigation Scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full according unless otherwise agreed in writing by the local planning authority. The scheme shall include, but not limited to, the following details:

o Details of native landscaping to be incorporated on site, particularly to the northern boundary to provide a buffer to the adjacent Whitley Edge LWS;

o Appropriate management of the proposed landscaping, including a timetable of works;

o Precautionary measures to be adopted during construction works in the interest of nesting birds, amphibians and hedgehogs;

o Protection of retained trees on site during construction works;

o Incorporation of integral bat and bird boxes on proposed dwellings, including detail on the type and location of boxes to be installed; and,

o Incorporation of hedgehog access points on site to allow continued access for this species.

Reason: In the interests of Biodiversity, in accordance with Local Plan Policy BIO1..

As part of the proposal package for this application, a Biodiversity Mitigation Scheme report, dated 17th September 2024 has been conducted which has concluded that there are no major concerns over planting or ecology. It has been noted that wall mounted Bat boxes are included, the locations of these are on pg. 10 of the biodiversity report. These will be incorporated within the new build properties.

We believe this should be sufficient information to discharge this condition.

Naturally should the Local Authority Planning Department require any further information relating to this discharge of condition application please contact Paul Matthews Architectural Ltd.

We respectfully ask for contact from the case officer prior to the formal determination of this application.

APPENDIX A

2024/0148 Planning Approval

BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2024/0148

To Paul Matthews Architectural
Malkin Farm
Brown Lane
Homfirth
HD9 2RJ

DESCRIPTION Erection of 5no. detached dwellings and associated garages and landscaping.
LOCATION Land off Pennine Edge, Crow Edge, Sheffield, S36 4HE

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 15/03/2024 and described above.

The approval is subject on compliance with the following 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 plans (Nos. Phase 2 Geo-Environmental Investigation Report dated August 2023, Preliminary Ecological Appraisal dated 31st May 2023, 23/964/01, 23/964/02, 23/964/03a, 23/964/04a, 23/964/05a, 23/964/06a, 23/964/07a, 23/964/08a) 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.

3 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. In addition, the garages/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the LPA.
Reason: To safeguard the residential amenities of the dwellings and to ensure adequate parking provision is maintained in accordance with Local Plan Policy GD1.

4 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.

5 Upon commencement of the development, details of privacy screens to the sides elevations of the balconies approved to plots 2, 3, 4 and 5 shall be submitted and approved in writing by the LPA. The approved screens shall then be permanently retained for the lifetime of the development.
Reason: In order to protect the amenities of adjacent residents in accordance with Local Plan Policy GD1.

6 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

7 Prior to any work commencing, the applicant shall submit to the Local Planning Authority for their approval a dust management plan detailing how they will control dust during construction. Once approved the applicant shall adhere to the dust management plan at all times.
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'

8 Prior to any work commencing, the applicant shall submit to the Local Planning Authority for their approval a noise management plan detailing how they will control noise during construction. Once approved the applicant shall adhere to the noise management plan at all times.
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

9 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

10 Upon commencement of development, full details of both hard and soft landscaping works, including 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 shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

11 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

12 No development shall take place until

(a) full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.
(b) porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways
and
(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways.
are all approved in writing by the Local Planning Authority.
Reason : To ensure the proper drainage of the area in accordance with Local Plan Policy POLL1.

13 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network, in accordance with Local Plan Policy POLL1.

14 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.

15 Before any dwelling is first occupied, the private drive access, as indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and adequate measures shall be so designed into the access to avoid the discharge of surface water from the site on to the public 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 in accordance with Local Plan Policy T4.

16 No dwelling shall be occupied until 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 have been submitted to and approved in writing by the LPA. On occupation of the first dwelling within the site, the street shall be maintained in accordance with the approved management and maintenance details.
Reason: To ensure that the private street and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4 New development and Transport Safety.

17 The gradient of the private drive access and individual vehicular driveways shall not exceed 1 in 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.

18 No development shall take place (including vegetation/site clearance) until a Biodiversity Mitigation Scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full according unless otherwise agreed in writing by the local planning authority. The scheme shall include, but not limited to, the following details:
o Details of native landscaping to be incorporated on site, particularly to the northern boundary to provide a buffer to the adjacent Whitley Edge LWS;
o Appropriate management of the proposed landscaping, including a timetable of works;
o Precautionary measures to be adopted during construction works in the interest of nesting birds, amphibians and hedgehogs;
o Protection of retained trees on site during construction works;
o Incorporation of integral bat and bird boxes on proposed dwellings, including detail on the type and location of boxes to be installed; and,
o Incorporation of hedgehog access points on site to allow continued access for this species.

Reason: In the interests of Biodiversity, in accordance with Local Plan Policy BIO1.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed: Dated: 19 July 2024

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

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

2 The granting of planning permission does not affect the status of species such as owls and bats, which have protection under other legislation. These may be present and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained directly from www.naturalengland.org.uk

3 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.

4 Access arrangements including shared private drives should conform to Approved Document B Volume 1 Part B5 Sect. 13. They should be constructed to withstand a minimum carrying capacity of 26 Tonnes without deflection.

You are advised that as a result of the proposed layout and construction of the internal access street, it will not be accepted for adoption by the LHA under S38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 of the Highways Act 1980 (the Advanced Payments Code) unless you agree to exempt the access road. The exemption from adoption will be held as a Land Charge against all properties within the application boundary Contact the Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.

The contractor shall ensure that no vehicle leaving the development hereby permitted enters the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the public highway is an offence under provisions of the Highways Act 1980.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.