

<b>Application Reference Number:</b>		2026/0164.	
<b>Application Type:</b>		Full.	
<b>Proposal Description:</b>		<i>Demolition of garages and erection of 2no detached dwellings (Part Retrospective) (Amended Description).</i>	
<b>Location:</b>		<i>Garage Site BMBC Asset Id B00286, Cresswell Street, Pogmoor, Barnsley.</i>	
<b>Applicant:</b>		<i>Brookside Developments.</i>	
<b>Third-party representations:</b>	<i>None.</i>	<b>Parish:</b>	
		<b>Ward:</b>	<i>Old Town.</i>

**Summary:**

The applicant is seeking planning permission for the retrospective demolition of pre-existing garages and the erection of 2no. two-bedroom detached dormer bungalows.

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development.

This proposal for a small-scale residential development within an existing residential settlement and on previously development land in an area set to accommodate the borough's greatest housing need is considered acceptable in principle and in accordance with Local Plan policies H1, H2, LG2, and H4.

The principle of development is attributed great weight in favour of this proposal in accordance with paragraph 73(d) of the NPPF.

This proposal is considered acceptable regarding its potential impacts on residential amenity, visual amenity, highways, biodiversity and geodiversity and trees and is attributed significant and moderate weight accordingly in favour of the proposal.

The anticipated benefits of allowing the proposed development, such as the provision of new housing in a suitable sustainable location within an existing settlement, are not considered to be outweighed by any other material planning considerations.

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 necessary conditions.

Recommendation: **APPROVE subject to conditions.**

## Site Description

This application relates to a demolished former BMBC garage site located on the south-east side of Cresswell Street and in an area that is principally residential characterised by detached and terraced dormer bungalows of varying scale and similar appearance and two-storey terraced dwellinghouses of similar scale and appearance. The development site is bounded by Sugden's Recreation Ground green space to the north-east, east, south-east and south with the Cresswell Street allotments being located beyond to the east. The West Road green space is located to the south-east alongside the Pogmoor Works – a commercial industrial and manufacturing site. Several commercial and industrial premises are located along the south side of West Road which includes a Driving Test Centre among other uses.

The development site is bounded by small-scale vegetation to the south-east with concrete post and timber panel fences to the south-west. There are three prominent trees located to the north-east of the development site that are not protected trees, and two of the trees fall outside of the development curtilage. The development site is level and benefits from an existing drop kerb access off Cresswell Street.



## Planning History

Application Reference	Description	Status
B/74/1419/BA	Garage.	Historic.
B/75/0047/BA	Renewal of temporary permission for garage.	Historic.
B/75/0062/BA	Renewal of permission for garage.	Historic.
B/75/0065/BA	Renewal of temporary permission for garage.	Historic.
B/75/0068/BA	Renewal of temporary planning permission for garage.	Historic.
B/75/0191/BA	Renewal of permission for a garage.	Historic.
B/75/0828/BA	Proposed garage.	Historic.
B/80/1164/BA	Erection of private garage (asbestos).	Refused.
B/85/0759/BA	Erection of private garage.	Approved.
B/90/0905/BA	Erection of private garage.	Approved.
B/90/1851/BA	Erection of private double detached garage.	Approved.
B/96/0768/BA	Erection of private garage.	Approved.
B/96/0816/BA	Erection of garage.	Approved.
B/97/0702/BA	Erection of detached garage.	Approved.
B/98/1291/BA	Erection of detached garage.	Approved.
B/03/1391/BA	Erection of detached garage.	Approved.

## Proposed Development

The applicant is seeking planning permission for the retrospective demolition of pre-existing garages and the erection of 2no. two-bedroom detached dormer bungalows.

The proposed bungalows would adopt an L-shape and would measure approximately 9.0 metres (L) x 8.5 metres (W) x 6.1 metres (H).

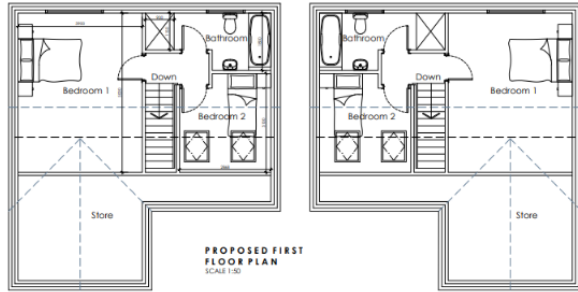
The proposed bungalows would adopt a front gable projection, a ramped entrance access, a flat roof dormer window to the rear, and a pitched roof.

The proposed bungalows would be constructed of facing brickwork and slate effect roof tiles.

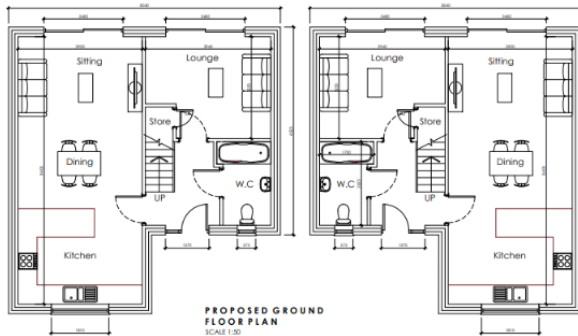
The proposed bungalows would benefit from a single off-street car parking space and front and rear gardens areas.

During the application process, the applicant submitted amended plans because of a slight boundary change affecting the size of the proposed amenity space and to correspond with the legal plan.

During the application process, additional details regarding boundary treatments, landscaping and external materials were also provided.



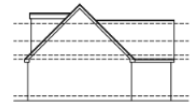
**PROPOSED FIRST FLOOR PLAN**  
SCALE 1:50



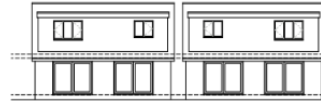
**PROPOSED GROUND FLOOR PLAN**  
SCALE 1:50



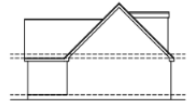
**PROPOSED FRONT ELEVATION**  
SCALE 1:100



**PROPOSED SIDE ELEVATION**  
SCALE 1:100



**PROPOSED REAR ELEVATION**  
SCALE 1:100



**PROPOSED SIDE ELEVATION**  
SCALE 1:100



**SITE PLAN**  
SCALE 1:500

**Materials**  
Roof Tiles = Grey Marley edgepanses  
thin edge roof tile.  
Walls = Brick, Southdown multi.  
Windows, upvc; flush fit Agate grey.  
Architraves grey to skittle.



**LOCATION PLAN**  
SCALE 1:1250

<b>White Agus</b> ARCHITECTS & SURVEYORS		OFFICE ONE, 175A-175C, BANKSIDE, BIRMINGHAM	Phone: 0121 209492 Email: info@whiteagus.co.uk Web: www.whiteagus.co.uk
Project: PROPOSED RESIDENTIAL DEVELOPMENT 14 CRESSWELL STREET, FOGGARD BIRMINGHAM, B7S 2DL		Client: Brookside Developments Yorkshire Ltd	
Drawing: PLANS AND ELEVATIONS		Date: DEC 2020	Scale: 1:50 & 1:100 @ A1
Title: 25-156		Sheet: 01	
Rev	Issue	Description	Drawn By
1	1	ISSUE FOR PERMIT	AW
2	1	ISSUE FOR PERMIT	AW
3	1	ISSUE FOR PERMIT	AW
4	1	ISSUE FOR PERMIT	AW

## 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 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.

The development site is allocated as urban fabric within 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 LG2: The Location of Growth.*
- *Policy H1: The number of New Homes to be Built.*
- *Policy H2: The distribution of New Homes.*
- *Policy H4: Residential Development on Small Non-allocated Sites.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy D1: High Quality Design and Place Making.*
- *Policy T3: New Development and Sustainable Travel.*
- *Policy T4: New Development and Transport Safety.*
- *Policy BIO1: Biodiversity and Geodiversity.*

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

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF 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. The 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 (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 5: Delivering a sufficient supply of homes.*
- *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 this guidance 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 following SPDs are relevant in this case:

- *Biodiversity and geodiversity (Adopted March 2024).*
- *Design of housing development (Adopted July 2023).*
- *Parking (Adopted November 2019).*
- *Sustainable construction and climate change adaptation (Adopted July 2023).*
- *Trees and hedgerows (Adopted May 2019).*
- *Walls and fences (Adopted May 2019).*

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

## Other Material Considerations

- *South Yorkshire Residential Design Guide 2011 (SYRDG).*

## **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 placed nearby which expired 04th April 2026.

During the application process, the development description was amended to include the demolition of pre-existing garages retrospectively.

A new site notice was placed nearby which expired 12th April 2026.

No representations have been received.

## **Consultations**

Biodiversity Officer	<i>No objection(s) subject to condition(s).</i>
Local Ward Councillors	<i>No comment(s) received.</i>
Forestry Officer	<i>No objection(s).</i>
Highway Drainage	<i>No objection(s).</i>
Highways Development Control	<i>No objection(s) subject to condition(s).</i>
Parks Supervisor	<i>No comment(s) received.</i>
Pollution Control	<i>No objection(s) subject to condition(s).</i>
Yorkshire Water Services Ltd	<i>No objection(s) subject to condition(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

Paragraph 124 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs that makes use of previously developed or brownfield land.

Paragraph 73(d) of the NPPF establishes that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built out relatively quickly. To promote the development of a good mix of sites local planning authorities should: support the development of windfall sites through their policies and decisions – giving great weight to benefits of using suitable sites within existing settlements for homes.

Local Plan Policy H1 establishes that the local planning authority will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033.

Local Plan Policy H2 establishes that Urban Barnsley is set to accommodate 43% of the borough's housing needs during the period 2014 to 2033 with a total of 9,070 dwellings.

Local Plan Policy H4: Residential developments on small non-allocated sites establishes proposals for residential development on sites below 0.4ha will be allowed where the proposal would comply with other relevant policies in the Local Plan.

This proposal for a small-scale residential development within an existing residential settlement and on previously development land in an area set to accommodate the borough's greatest housing need is considered acceptable in principle and in accordance with Local Plan policies H1, H2, LG2, and H4 subject to the consideration of the following matters.

The principle of development is attributed great weight in favour of this proposal in accordance with paragraph 73(d) of the NPPF.

All new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level, for existing and new and future residents, including visual amenity and highway safety.

### Impact on Residential Amenity

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.

The South Yorkshire Residential Design Guide (SYRDG) sets out internal space standards for new dwellings. Support will be given to development if the internal space standards are complied with.

The Design of housing development SPD sets out design principles that would apply to new housing developments, including infill and back land development. Support will be given to development if it would ensure high standards of privacy, light and outlook would be provided for existing and future residents and would not be detrimental to the amenity afforded to adjacent properties.

The proposed bungalows would be erected to the north-east and adjacent to 54 Cresswell Street on the opposite side of the street to other existing residential properties. No residential properties are located to the north-east, east, south-east or south of the development site with the land forming the Sugden's Recreation Ground green space. While some overshadowing could occur to 54 Cresswell Street, any potential impact would likely be limited to the gable elevation of the neighbouring property with minimal impact on principal habitable room windows on the front and rear elevations anticipated. Any potential impact would also unlikely be significantly greater than that compared with pre-existing garages that occupied the development site. This proposal is therefore considered acceptable with regards to overshadowing impact.

The proposal would achieve acceptable separation distances that reflect the prevailing development pattern of Cresswell Street, in accordance with the Council's adopted design guidance.

The proposed dormer windows to the rear would face onto the adjacent green space and not towards any habitable room windows of nearby residential properties.

The proposed bungalows would not feature any windows in either of their side elevations.

During the application process, additional details were submitted regarding the positioning, type and scale of proposed boundary treatments. The submitted details are considered acceptable and wholly appropriate for a residential setting.

Considering the above, it is not considered that the proposal would contribute to significant levels of overlooking and loss of privacy and is considered acceptable in this regard subject to condition(s).

Given the positioning of the proposed bungalows within each respective plot and the shown location of windows, it is not considered that the proposal would contribute to significant levels of reduced outlook and is therefore considered acceptable in this regard.

The proposal would conform with the minimum internal space standards for a 2-bedroom 3-person dwelling as set out by Table 4A.1 Space Standards within the SYRDG.

The proposal would achieve acceptable garden sizes (50 sqm or more) for the proposed 2-bedroom bungalows, in accordance with Council's adopted design guidance, and is considered acceptable in this regard.

The proposed works have the potential to cause nuisance to people who live or work in the locality, and although any potential impact is likely to be temporary, a condition could be used to control the times in which development related activities can be undertaken.

Considering the above, this is considered to weigh significantly in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.*

### Impact on Visual Amenity

Paragraph 135(c) of the NPPF establishes that planning policies and decisions should ensure that proposals are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

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.

The Design of housing development sets out detailed guidance in support of Local Plan Policy D1.

This application relates to a demolished former BMBC garage site located on the south-east side of Cresswell Street and in an area that is principally residential characterised by detached and terraced dormer bungalows of varying scale and similar appearance and two-storey terraced dwellinghouses of similar scale and appearance. The development site is bounded by Sugden's Recreation Ground green space to the north-east, east, south-east and south with the Cresswell Street allotments being located beyond to the east.

The proposed bungalows would adopt a sympathetic and complementary scale, form, massing and appearance that would reflect the local character and adjacent residential properties.

The proposed bungalows would sit comfortably within the existing building line and would reflect the scale and general appearance of the bungalows opposite.

The proposed bungalows would be set back from the public footway and highway of Cresswell Street and softened within the streetscape through the provision of soft landscaped areas to the front which is a welcome element.

The proposed off-street parking spaces to the front of the proposed bungalows would not be viewed as overtly dominant or prominent elements and are often typical of residential developments.

During the application process, additional details regarding boundary treatments, landscaping and external materials were also provided. The submitted details are considered acceptable and entirely appropriate for a residential setting.

Considering the above, this is considered to weigh moderately in favour of this proposal subject to condition(s).

*The proposal is therefore considered to comply with Paragraph 135(c) of the NPPF and Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding visual amenity.*

### Impact on Highways

Paragraph 116 of the NPPF states development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe following mitigation and considering all other reasonable future scenarios.

This proposal is not considered to be prejudicial to highway safety as the proposed off-street parking provision would be compliant with the requirements of the Council's adopted Parking SPD and would

also meet the minimum dimensional standards. The development site is a former BMBC garage site which previously accommodated twelve garages that would have generated a higher level of vehicle movements when compared with this proposal for 2no. two-bedroom dormer bungalows. Cresswell Street is a residential street which also provides access to a local allotment site and is characterised by predominantly terraced housing, much of which does not benefit from off-street parking provision. Highways Development Control colleagues were consulted on this application; and for the reasons outlined above, no objections were received.

The Local Planning Authority has no reason to disagree with the professional opinions of Highways Development Control colleagues in this instance, and the proposal is not considered to be prejudicial to highway safety, nor is there sufficient ground to warrant refusal under Paragraph 116 of the NPPF.

Notwithstanding the submitted details, it is suggested that conditions should be adopted that secures an appropriate surfacing material for the proposed off-street parking spaces.

Highway Drainage colleagues were also consulted; and no objections were received with details to be agreed during future regulatory stages.

Considering the above, this is considered to weigh moderately in favour of this proposal subject to condition(s).

*The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.*

#### Impact on Biodiversity and Geodiversity and Trees.

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 application is subject to the BNG requirement.

This application is supported by an amended BNG assessment and statutory biodiversity metric and associated condition assessment. The Council's Planning Ecologist was consulted and has stated that the amended BNG assessment addresses their initial queries and that they are content with this element.

The baseline value of the habitats within the development site is shown to be 0.02 units, comprising modified grassland, vegetated garden, and vacant and derelict land. The entire site would be cleared to accommodate the proposed bungalows with vegetated gardens to be provided post-development which would result in a 18.86% net gain therefore complying with the BNG requirement.

This application is supported by a basic Preliminary Roost Assessment (PRA) which did not include the surveyor details or when the survey was undertaken. The Agent has subsequently confirmed the PRA was carried out by themselves. The Council's validation requirements Appendix 1 establishes that surveys should be undertaken by competent persons with suitable qualifications and experience and carried out at an appropriate time within the year. Surveys not completed in this manner could render an application invalid. It has also since been confirmed that the previous garages on site have since been removed, which is regrettable. The Council's Planning Ecologist stated that following the review of aerial images, they were content that the pre-existing garages provided negligible potential to support roosting bats. However, they stressed that these circumstances are unusual and that they would stress that ecology surveys should be undertaken by a suitably qualified ecologist to ensure all potential impacts to protected and priority species and habitats are fully considered and assessed prior to any decision being made.

Considering the above, the Council's Planning Ecologist has raised no objections subject to relevant conditions to secure additional biodiversity mitigation and enhancement measures.

The submitted details demonstrate that an existing off-site tree (T1) located immediately adjacent to the north-east of the development site is proposed to be removed as a consequence of being found to be unsafe and to facilitate the proposed development.

During the application process, relevant colleagues within the Council were engaged and culminated with a Tree Inspection Officer undertaking an independent site visit and inspection.

The Council's Tree Inspection Officer found that the tree in question, in their opinion, is in a condition and a location that would require it to be removed on safety grounds as there is likelihood of a large stem failure as the years and potential decay/stem thickness increases.

Considering the above, the removal of the off-site tree becomes a civil matter to be agreed between the Applicant and the Council.

The Council's Forestry Officer was consulted on this application; and for the reasons set out above, and provided that the current perimeter fence is maintained that prevents unnecessary disturbances to other boundary shrubs, no objections were received.

During the application process, the applicant submitted amended plans because of a slight boundary change affecting the size of the proposed amenity space and to correspond with the legal plan.

The previous off-site tree (T1) is now shown within the development curtilage. The Council's Forestry Officer was consulted on the amended plan and it was stated that they still felt that the existing fence would provide adequate protection and therefore, their previous comments still stand.

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

*The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable regarding impact on biodiversity and geodiversity and trees.*

#### Other Matters

Yorkshire Water was consulted and no objections were received subject to conditions, following the submission of additional drainage design and soakaway details and percolation test results.

The Applicant disputed the suggested conditions wishing to avoid unnecessary duplication and costs and delays. The LPA liaised with all relevant parties, and it was agreed that the submitted additional documents could be conditioned as approved documents rather than imposing the specific condition/conditions suggested by Yorkshire Water. The LPA has proceeded on this agreed basis.

#### Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development.

This proposal for a small-scale residential development within an existing residential settlement and on previously development land in an area set to accommodate the borough's greatest housing need is considered acceptable in principle and in accordance with Local Plan policies H1, H2, LG2, and H4.

The principle of development is attributed great weight in favour of this proposal in accordance with paragraph 73(d) of the NPPF.

This proposal is considered acceptable regarding its potential impacts on residential amenity, visual amenity, highways, biodiversity and geodiversity and trees and is attributed significant and moderate weight accordingly in favour of the proposal.

The anticipated benefits of allowing the proposed development, such as the provision of new housing in a suitable sustainable location within an existing settlement, are not considered to be outweighed by any other material planning considerations.

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 necessary conditions.

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

- Amendments to the submitted ecology details as requested by the Council's Biodiversity Officer.

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:

25-156-01 Rev. F Plans and Elevations received 05<sup>th</sup> June 2026.

Tree Survey produced by James Royston Arboricultural Consultant Ref. 260124.

STE/26/08/01 Drainage Design.

STE/26/08/02 Domestic Soakaway Detail.

Percolation Test Results received 2<sup>nd</sup> April 2026.

Soakaway Calculations received 2<sup>nd</sup> April 2026.

Planning Statement.

The Statutory Biodiversity Metric prepared by Elizabeth Davies BSc (Hons) MCIEEM ref.

Cresswell Street dated and received 12<sup>th</sup> May 2026.

The Statutory Biodiversity Metric Condition Assessments prepared by Elizabeth Davies

BSc (Hons) MCIEEM and received 12<sup>th</sup> May 2026.

Biodiversity Net Gain Assessment prepared by Elizabeth Davies BSc (Hons) MCIEEM and dated and received 12<sup>th</sup> May 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 and in accordance with Local Plan Policy D1: High Quality Design and Place Making.**

3. The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application [The Statutory Biodiversity Metric] by [Elizabeth Davies BSc (Hons) MCIEEM] reference [Cresswell Street] and dated [12<sup>th</sup> May 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.**

4. The development hereby permitted shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures. Prior to occupation, the measures listed below shall be implemented in full, and details including photographic evidence shall be submitted to and approved in writing by the Local Planning Authority. The approved additional biodiversity mitigation and enhancement measures shall be retained thereafter.

- A minimum of one integrated bat roosting box, integrated swift box and bee brick shall be installed in suitable locations within each new dwelling; and
- Hedgehog highways shall be installed in all boundary fencing, including fences between dwellings. The hedgehog highways shall be signposted to prevent residents blocking the gaps.

**Reason: In the interests of biodiversity mitigation and enhancement and in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.**

5. 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, in accordance with Local Plan Policy POLL1: Pollution Control and Protection.**
  
6. There shall be no burning of any material within the development site during 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, in accordance with Local Plan Policy POLL1: Pollution Control and Protection.**
  
7. The access, parking and 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 access, parking and manoeuvring of motor vehicles prior to the development being brought into use, and shall be retained for said purposes at all times. Adequate measures shall be so designed into the proposed vehicular areas to avoid the discharge of surface water from the site on to the highway.  
**Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard; 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.**
  
8. 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 and in accordance with Local Plan Policy D1: High Quality Design and Place Making and Local Plan Policy BIO1: Biodiversity and Geodiversity.**

**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 Town and Country Planning Act has been amended to make every grant of planning permission deemed to have been granted subject to the following General Biodiversity Gain Condition:

The development may not be begun unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority; and
- (b) the planning authority has approved the plan.

The purpose of the General Biodiversity Gain Condition is to secure the 'Biodiversity Objective', which requires the post-development biodiversity value to exceed the pre-development biodiversity value of the on-site habitat by at least 10%.

Biodiversity net gain can be achieved through habitat creation or enhancement on-site or off-site; the purchase of biodiversity units from a habitat bank; or as a last resort through the purchase of statutory credits; or a mixture of these.

3. The General Biodiversity Gain Condition has a separate legal basis in contrast to other planning conditions and will apply to all planning permissions, unless exempt. The General Biodiversity Gain Condition will therefore not appear on the decision notice along with the list of planning conditions imposed on the application, rather it will be referenced separately.

The General Biodiversity Gain Condition cannot be varied or removed by an application under section 73 of the Town and Country Planning Act. It also cannot be discharged as part of the grant of planning permission.

4. 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.
5. The development hereby approved includes the creation of/carrying out of alterations to vehicular access(es). You are advised that before undertaking work on the adopted highway you will require a Section 184 licence from the Highway Authority. The works shall be to the specification and constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the BMBC website at <https://www.barnsley.gov.uk/services/roads-travel-and-parking/parking/dropped-kerbs/> or please contact at email [Streetworks@barnsley.gov.uk](mailto:Streetworks@barnsley.gov.uk) or call to 01226 773555.
6. 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.
7. Street lighting design and installation is undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should contact the authorities' Street Lighting Team: Tel: 01226 770770 or Email: [Streetlightingdesign@barnsley.gov.uk](mailto:Streetlightingdesign@barnsley.gov.uk) as soon as possible.
8. The removal of the off-site tree identified as T1 within the submitted Tree Survey produced by James Royston Arboricultural Consultant Ref. 260124 shall be agreed between all relevant parties prior to its removal.
9. The works should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible then a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to the start of works. Should active nests be found, works should cease until the nests are no longer active and the chicks have fledged, and the ecologist has deemed the area to be free of nesting birds.