

Application Reference Number:		2026/0165	
Application Type:		Full	
Proposal Description:		Erection of agricultural building	
Location:		Land to east of Cat Hill Lane, Hoylandswaine, Barnsley	
Applicant:		Mrs Rachel Smith	
Third-party representations:	Three	Parish:	Penistone
		Ward:	Penistone East

Summary:

This planning application seeks full planning permission for the erection of an agricultural building to the east of Cat Hall Lane in Cat Hill, Hoylandswaine.

The site falls within Green Belt as allocated by the adopted Local Plan. Development comprising the erection of an agricultural building in the Green Belt is considered appropriate development in the Green Belt.

The proposal would not significantly harm visual amenity, residential amenity, and highway safety and is therefore recommended for approval and is considered acceptable in policy terms. Under the provisions of the National Planning Policy Framework (NPPF), the application is considered to be an acceptable and justified form of development within the Green Belt.

Recommendation:

Approve subject to conditions

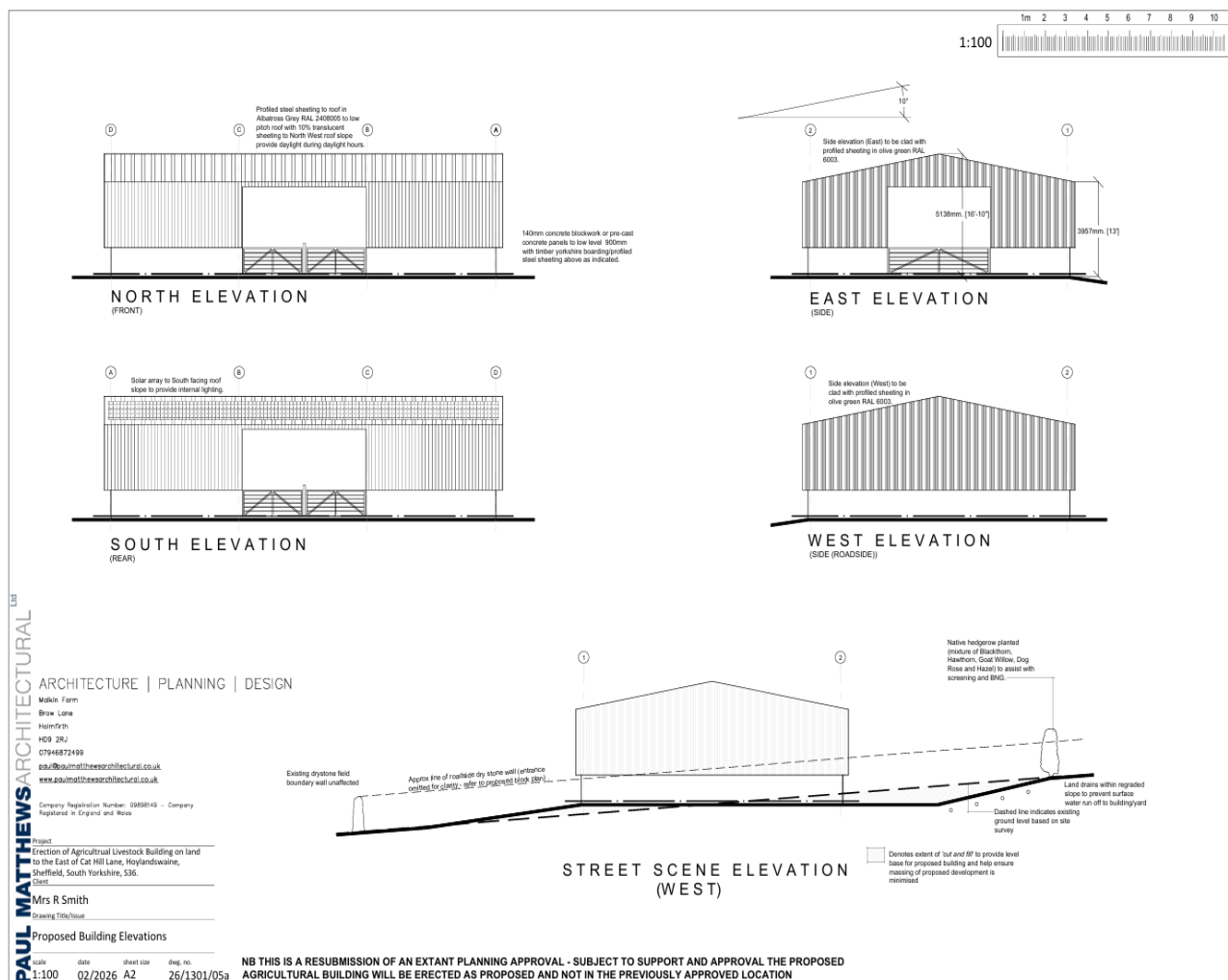
The site is located in a rural area on the outskirts of Cat Hill, Hoylandswaine to the east of Cat Hill Lane adjacent Dog House Farm. The site is accessed via a gate from Cat Hill Lane. The land connected with the site extends to approximately 27.5 acres and is in sole ownership of the applicant. The site slopes away from the road to the north. Cat Hill Clough and an area of mature woodland is set to the east. Dwellings are present on Cat Hill Lane to the west of the site.



Application Reference	Description	Status
2024/0984	Erection of agricultural building	Approved with Conditions

Proposed Development

The applicant seeks permission for the erection of an agricultural building to measure 12.4 meters by 18.3 meters with a total height of 5.25 metres. The materials used will be concrete panels with timber Yorkshire Boarding and profile sheeting (olive green). The roof covering will be profile steel sheeting (albatross grey) with a solar array.



Justification and a business description have been submitted in support of the proposal as part of the planning statement with some sections picked out below:

Mrs Smith has a small flock of Grey Faced Dartmoor sheep. The size of the holding was previously restricted due to the land holding. Mrs Smith has explored other options but found rented land unsecure (long term viability) and very scarce. The subject site (just over 11 hectares) was recently purchased to enable the farm business to grow and develop.

Mrs Smith intends to have circa 45 breeding ewes by June 2026. In addition to the current 7 pedigree ewes these will produce circa 78 head of lambs in Spring 2027. The lambs will be reared with some kept back for breeding, poor lambs fattened for the food chain and other pedigree lambs sold on to be bred from by others. This will result in sustainable and natural growth of the rural business and initially trickle finance back into the business before it becomes self-sufficient.

This proposal will enable Mrs Smith to expand her rural business and develop further, providing locally reared lamb and mutton and positively contributing to a rare breed. The substantial purchase/investment of the application site enables Mrs Smith to provide more long-term certainty for her rural agricultural business.

The land is used for grazing, some haymaking will also be carried out on the land. Hay will be stored in the proposed building to provide a winter supplement feed for the housed sheep. It is proposed the sheep will be rotated on the land which assists with parasite and weed control and assists with worm control. Once the hay has been cropped on the land, the sheep will graze this land and rotate on the land.

The building will be used for livestock housing (sheep/lambs) and for the storage of hay (winter supplement feed). Some straw (bedding) for lambing and over wintering will be bought in and also stored internally within the proposed building.

The resultant muck (bedding) from the building/housed livestock will also form a vital part of the rural business and provide a further cost saving with chemical fertiliser being cut from the business and the natural fertiliser being used to promote grass growth on the land to be cropped, prior to baling then grazing sheep. Again this is good farming practice and one that will save the business considerable expense and enable more profit and natural growth. Note chemical fertiliser needs to be stored internally to prevent waste, the current lack of an agricultural building forces smaller and more expensive quantities to be purchased. The use of natural fertiliser is a very good alternative that has positive impacts on growth and putting nutrients back into the soil prior to harvesting.

Relevant Policies

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 on 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.

Local Plan Allocation – Green Belt

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy GB1: Protection of Green Belt – In accordance with the NPPF, the erection of new buildings within the green belt will be classed as ‘inappropriate’ development with sites in the green belt being protected from such.

Exceptions to this are:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs; and
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land).

All such buildings will still be considered in terms of their impact on the openness of the green belt and whether they cause other harm. In accordance with the NPPF and as set out in GB1, the Council will not allow proposals for ‘inappropriate’ development in the Green Belt unless it can be shown that there are very special circumstances that justify setting aside local and national policy.

Policy BIO1: Biodiversity and Geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Policy Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not 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 a nuisance to the natural and built environment or to people.

Policy T4: New Development and Transport Safety – 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.

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

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

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

The following NPPF sections are relevant in this case:

- Section 3 - Decision-making policies
- Section 4 - Achieving sustainable development
- Section 7 - Building a strong, effective economy
- Section 13 - Protecting Green Belt land
- Section 14 - Achieving well-designed places

In respect of this application, relevant policies include:

GB6: Control of development in the Green Belt

Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

GB7: Development which is not inappropriate in the Green Belt

The following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances:

- a) Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;
- b) The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building⁴⁰. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;
- c) Limited infilling in villages lying within the Green Belt;
- d) Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);
- e) The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;
- f) Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:
 - I. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location;
 - II. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

- III. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - IV. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.
- g) Development where all of the following apply:
- I. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - II. There is an evidenced unmet need for the type of development proposed;
 - III. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and
 - IV. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.
- h) Residential or mixed-use development which would:
- I. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);
 - II. Be physically well-related to the station or the settlement within which the station is located;
 - III. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;
 - IV. Not prejudice any proposals for long-term comprehensive development in the same location; and
 - V. In the case of proposals for major development, comply with policy GB8.

Furthermore, 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 Documents:

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:

- Biodiversity

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

Consultations

Biodiversity – No objections to the biodiversity enhancements put forward which includes tree planting and the retention of an area of grassland. Has requested the consideration of an HMMP condition if planning permission is granted as the amount of trees proposed could be considered as a significant enhancement.

Highways Development Control (DC) – No objections subject to conditions

Highways Drainage – No objections

Penistone East Ward Councillors – No Objections

Penistone Town Council – No objections

Pollution Control – No objections subject to conditions

Yorkshire Water – No objections

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015. Neighbour notification letters were sent to surrounding properties, and a site notice erected at the site. Three comments were received and in summary raised the following points.

- 2024/0984 was a prominent and totally unsightly intrusion into the environment
- Far better outcome for the area and local residents than the current permission
- Further away from existing properties
- No objections to the proposed development
- Planting would mitigate the visual impact
- Previous conditions should be maintained
- Significantly improved proposal in terms of its impact on Green Belt
- The building is further down the valley and on flatter land

Assessment

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: *'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'*.

The NPPF at paragraph 3 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The main issues for consideration are as follows:

- The acceptability of agricultural development
- The impact on visual amenity and the character of the area and Green Belt
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards
- The impact on drainage
- The impact on biodiversity

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 is located within an area designated as Green Belt where the construction of certain new buildings is classed as inappropriate development which, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and very special circumstances do not exist unless the potential harm to the Green Belt and any other harm is clearly outweighed by other considerations. One of the exceptions to this are buildings for agricultural purposes which this development would fall into and as such the building would not be classed as inappropriate development in this circumstance. This weighs significantly in favour of the proposal.

Local Plan Policy GB1 states that the Green Belt will be protected from inappropriate development in accordance with the NPPF to which policy GB7 of the NPPF states that, amongst others, buildings for agricultural purposes are considered appropriate development within the Green Belt. The agricultural use is therefore acceptable in principle, subject to design, size and location. This weighs significantly in favour of the proposal.

Policy E4 of the NPPF also states that the sustainable growth of businesses in rural areas should be supported, including through, the conversion of existing buildings and well-designed new buildings and that the development and diversification of agricultural and other land-based businesses should also be supported.

Justification has been submitted in support of the proposal as part of the planning statement. The building will be used for livestock housing (sheep/lambs) and for the storage of hay (winter supplement feed). Some straw (bedding) for lambing and over wintering will be bought in and also stored internally within the proposed building. The applicant has an established agricultural business and the building will be used to shelter livestock and for lambing purposes and is therefore justified. This weighs moderately in favour of the proposal.

This is a follow-on application following the approval of application 2024/0984. The proposed development is the same but in a different location. The proposed location is to the northwest corner of the overall holding at Cat Hill Lane. The applicant has put forward this revised location in an attempt to place the building further away from the majority of existing residential properties to mitigate some of the concerns raised by residents on the previous proposal. This revised application illustrates a preferred location to attempt to remove many of the objections raised by local residents to 2024/0984.

A unilateral undertaking has been produced to prevent both developments being implemented and if the application were to be approved it would be accompanied by this legal agreement.

Design, Visual Amenity and Impact upon the Green Belt

Local Plan Policy D1 states that *“development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley”*. The proposed building is of a simple traditional agricultural style construction akin to the

other modern agricultural buildings around the borough. This weighs moderately in favour of the proposal.

The design and materials are considered to fit in well with the rural landscape. The proposed building is a purpose-built agricultural design with partially open sides, constructed of stone with a sheet roof. The elevations are to be clad with Yorkshire Timber Boarding. The building is of a similar size to other agricultural buildings in the area and is limited in size and height to what is necessary for the agricultural operations on what is a large site.

The location of the barn would be visible from public viewpoints and will have some prominence within the street scene of Cat Hill Lane however this is not deemed to have a significantly detrimental impact. Whilst the barn would be prominent in the open landscape, the access is existing and given the proposed use of the building it is not considered to have a harmful impact upon the openness of the Green Belt. It is noted that although agricultural buildings (to the south) and residential dwellings (to the north, south and west) are located in the street scene, these are to the west of Cat Hill Lane unlike the proposed building which is to the east. The proposed building would be the only building in the viewpoint looking east from Cat Hill Lane however as noted above the agricultural building is of typical construction.

The proposed building would be in a field that doesn't currently have any significant buildings on it. The building has been positioned next to an existing access to avoid the need for a long access track to be built on the field which would further impact on its character. The building is also on the opposite side of the road from an existing dwelling so when viewed from the east it would have the backdrop of this building to help assimilate it into its surroundings. The barn would be visible from the road due to its proximity to it, but it would be mainly vehicular traffic that would see it as there are no formal footways along the road and the traffic would see other similar agricultural buildings and dwellings in this vicinity.

Agricultural buildings such as the one proposed, are a feature of the rural landscape and it is considered that the proposed building would not have any significant detrimental impact upon the character or visual amenities of the Green Belt or the surrounding area. As discussed above they are an acceptable use in the Green Belt as defined by the NPPF and the Local Plan. This weighs significantly in favour of the proposal. The proposal is therefore acceptable in terms of visual amenity and impact upon the Green Belt, in accordance with policies GB1 and D1 of the Local Plan.

Residential Amenity and Pollution Control

The building is located approximately 40 meters from the nearest residential property to the west (Dog House Farm, Cat Hill Lane); it is therefore considered that the location of the barn would be located a sufficient distance from the nearest residential properties to not significantly impact on the amenity of these residents. The proposed agricultural building is located over the highway (Cat Hill Lane) from the dwelling and screened by tall trees adjacent the dwelling. Furthermore, the precedent for agricultural buildings on Cat Hill Lane has already been set. It is also noted this is a sparse residential setting with the closest other residential properties being located over 100 metres away. This weighs significantly in favour of the proposal.

Pollution Control have not objected to the application and have requested a condition in relation to muck piles to reduce their impact. In terms of animal waste and smells, the site is set in a rural location where agricultural operations are expected and are already existing. The proposed building should not cause any significant impact in the regard in accordance with Local Plan Policy POLL1. This weighs moderately in favour of the proposal.

Highways Safety

There will be little impact upon highway safety. The proposed agricultural building and vehicular access point are positioned some 200m further North along Cat Hill Lane than the recently approved

scheme under (2024/0984). The proposed site access is an existing gated vehicular access which appears to be in regular use.

It can be seen from the submitted plans that the proposals include a number of improvements to the access including widening, the setting back of the gates to allow vehicles to wait clear of the highway when entering/exiting the site and the hard surfacing (concreting) of the initial 6m of the access.

As per the previously approved scheme, vehicular areas within the site which would serve the agricultural building are to be surfaced with compacted crushed stone. The proposed section of hedgerow within the site is to be set back a minimum of 2.4m from the edge of public highway in order to retain the current level of visibility. In view of the above, the proposals are considered acceptable from a highway's perspective, and the proposal is deemed acceptable regarding highways safety. The Council's Highways Section have raised no objections to the scheme subject to suitable conditions. This weighs significantly in favour of the proposal.

Drainage

Highways Drainage and Yorkshire Water have been consulted and have no objections. The building is located within Flood Zone 1 where there is the lowest probability of flooding, therefore there should not be any significant impact upon drainage or flood risk from the proposed building. This weighs significantly in favour of the proposal.

Biodiversity

In the amended Biodiversity Net Gain Report, dated August 2026, the biodiversity improvements put forward as part of the scheme are summarised as follows:

"The current proposals, with the inclusion of habitat creation within the Additional Landholdings area, result in a biodiversity value of 0.38 HU, representing a net change of +0.04 HU, equating to a +14.30 % gain; exceeding the 10% net gain requirement.

This net gain delivery has been achieved through the partial retention of 'Grassland – Modified grassland', and the creation of 21 small, moderate condition 'Individual trees – Urban tree'."

The Council's Biodiversity Officer has raised no specific objections to the improvements put forward but considers that a Habitat Management and Monitoring Plan (HMMP) setting out the management and monitoring of post-development habitats over a 30-year period will be required along with a monitoring fee. Whilst there is no precise specification on what could be considered as significant enhancement the Biodiversity Officer is of the opinion that 21 trees could be considered as such.

The applicant's Ecologist has commented on this as follows in their report:

"Ordinarily, the production of a Habitat Management and Monitoring Plan (HMMP) is recommended to ensure that the Site habitats deliver the habitat scores listed within the final design stage BNGA. However, given the proposed post-development habitats, this is considered to be disproportionate in this instance."

Whilst the rationale from Biodiversity in seeking the associated monitoring fee for the HMMP is understood, where it is considered, the proposed works constitute a significant enhancement, there does appear to be a degree of professional judgement involved in determining where that threshold is reached. In this case, it is also relevant that if the application were being submitted under the current Biodiversity Net Gain arrangements, the development would fall below the threshold requiring Biodiversity Net Gain and no such contribution would be sought. In addition, the previous application, 2024/0894, did not require it.

When considered alongside the wider planning benefits being secured, particularly the relocation of the agricultural building to a position that has attracted significantly less objection, there is a

reasonable argument that the proposal delivers a better overall planning outcome than the extant permission. The applicant's commitment, through a legal agreement, not to implement the existing consent further strengthens that position.. For these reasons, on balance, it is considered that an HMMP condition, and associated monitoring fee, would not be required in this instance. As the applicant has shown they can exceed the 10% through the ecological improvements, which can be secured by condition, the proposal is therefore considered to meet the requirements of Policy BIO1 and this weighs moderately in its favour.

Planning Balance and Conclusion

In accordance with National decision-making policy S3 of the NPPF the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location and would not impact on the character of the area, highway safety, or upon residential amenity, and this weighs considerably in favour of the application. Also, under the provisions of the NPPF, the application is considered to be an acceptable and justified form of development within the Green Belt which supports an existing agricultural use.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs moderately in favour of the application. The proposal is therefore, on balance, recommended for approval. For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should 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 has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Biodiversity discussions
- Location Plan
- S106 agreement

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

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.

The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application [Biodiversity Net Gain Assessment & Statutory Biodiversity Metric] by [Habitat Works] reference [V4.0] and dated [August 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.

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

26/1301/01b
26/1301/03b
26/1301/04a
26/1301/05a

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.

Upon commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policy D1, High Quality Design and Place Making.

Prior to the development being brought into use, the access facilities as indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) for a minimum of the first 10m as measured back from the rear edge of the adjacent carriageway and drained into the site and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that satisfactory access arrangements are provided, and 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.

Any gates shall be set back from the edge of the public highway and hung so as to only open inwards, and be permanently retained as such for the lifetime of the development.

Reason: To ensure the safe and unobstructed use of the adopted highway is maintained in accordance with Local Plan Policy T4 New Development and Transport Safety.

The proposed hedgerow planting shown on the approved block plan shall be implemented prior to the use of the building. Any part of the hedgerow that dies 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'.

The external materials shall match those specified within the plans outlined above.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1.

Muck piles associated with use of the development shall not be located within 100 metres of any residential property.

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

There shall be no burning of any material on the development site during the construction phase.

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

During works, construction or demolition related activity shall only take place onsite 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: 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.

Informatives

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.

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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.

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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.

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It is recommended that measures are taken to prevent a nuisance/or affect 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, odour, light 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, light, odour, dust or smoke nuisance from being created.

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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 or call to 01226 773555.

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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.