



## GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

### APPLICATION NO. 2024/1008

**To** Dawson Williamson Ltd  
Hope Park Business Centre  
Bradford  
BD5 8HH

**DESCRIPTION** Variation of condition 2 of app 2022/0744 (Change of use of barn to Veterinary Surgery (Use Class E) including internal and external alterations, formation of parking and alterations to the access) - External alterations/penetrations to the existing roof and walls to allow the installation of the mechanical systems

**LOCATION** Nether Mill Barn, Barnsley Road, Penistone, Sheffield, S36 9AD

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 06/12/2024 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the amended plans M002 Rev G, C1096 100 Rev 7, C1096 117 Rev 1, C1096 201 Rev 14, C1096 202 Rev 11, C1096 000 Rev 1, C1096 001 Rev 3, C1096 010 Rev 1, C1096 011 Rev 1, C1096 015 Rev 0, C1096 021 Rev 1, C1096 022 Rev 1, C1096 050 Rev 2, C1096 051 Rev 3, C1096 052 Rev 7, C1096 053 Rev 6, C1096 110 Rev 6, C1096 111 Rev 4, C1096 202 Rev 8, 12207005, Design and Access Statement, Flood Risk Assessment Rev C, Bat Report by JCA ref 18369a/HC, Transport Statement, Heritage Statement Rev 2, Sequential Assessment, Written Scheme of Investigation - Level 3 Building Recording and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.**
- 2 The premises shall be used as a Veterinary Surgery and shall not be used for any other uses within Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).  
**Reason: To protect the amenity of adjacent residents and the viability of Penistone Town Centre, in accordance with policies POLL1 and TC1 of the Local Plan.**

- 3 The customer opening hours hereby permitted shall be carried on only between the hours of:  
07:30 to 19:30 Monday to Friday  
07:30 to 19:30 Saturdays, Sundays & Bank Holidays  
Only in the case of emergencies shall customers be permitted outside the above hours..  
**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.**
- 4 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: 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.**
- 5 The development shall be carried out in accordance with the submitted Written Scheme of Investigation (WSI) submitted with the Discharge of Conditions application 2023/0289.  
**Reason: In the interests of Archaeology in accordance with Policy HE1 and HE6 of the Local Plan.**
- 6 The development shall be undertaken in accordance with the recommendations and specifications within the Bat Survey Report by JCA, dated 07 September 2022. The development shall be carried out in accordance with the submitted Protected Species Scheme with the Discharge of Conditions applications 2023/0439.  
**Reason: To safeguard the potential bat roosting habitats and nesting birds, in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.**
- 7 The access, parking and manoeuvring facilities, indicated on the submitted plans, 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. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.  
**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.**
- 8 The development shall be carried out in accordance with the drainage details submitted with the Discharge of Condition application 2023/0694. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.  
**Reason: To ensure the proper drainage of the area in accordance with policy POLL1 of the Local Plan.**
- 9 New windows and doors shall be mounted in the reveal a minimum of 100mm.  
**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.**
- 10 The proposed rooflights shall be conservation specific low-profile windows, vertically emphasised and decorated in black with a single vertical divider.  
**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.**

- 11 New or replacement stone shall be course grit sandstone, matching the existing in terms of colour, general grain size, type of face dressing, and method of coursing.  
**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.**
- 12 Any new or replacement pointing shall utilise a pure lime mix of one part NHL 3.5 to 3 parts well graded aggregate or washed river sand. The joints shall be excavated to twice the depth of the width then flush pointed and finished to a slightly concave joint (2-3 mm) before full curing.  
**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.**
- 13 Any new replacement roof tiles shall match the existing and shall be natural sandstone roofing slates.  
**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.**
- 14 The development shall be carried out in accordance with the submitted flood risk assessment (ref 21642-FRA-001 Revision C / Jan 2023 / Topping Engineers) and the following mitigation measures it details:
- Finished floor levels in the Southern Building shall be set no lower than 194.3 meters above Ordnance Datum (AOD)
  - In the northern building, finished floor levels for non-clinical use shall be set no lower than 193.60 meters above Ordnance Datum (AOD)
  - In the northern building, finished floor levels for clinical use shall be set no lower than 194.05 meters above Ordnance Datum (AOD)
  - Flood resistance and resilience measures shall be included to a minimum of 800mm above finished floor levels
- Reason: In the interests of Flood Risk in accordance with Local Plan Policy CC3.**
- 15 The two new inlets (items 10) detailed on plan C 1096 201 Rev. 14 shall be covered with a grill decorated to match the adjacent stone colour.  
**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.**

## 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 Mining Remediation Authority on 0345 762 6848, or if a hazard is encountered on site call the emergency line on 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [www.gov.uk/government/organisations/mining-remediation-authority](http://www.gov.uk/government/organisations/mining-remediation-authority)

- 2 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.

- 3 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](http://www.naturalengland.org.uk)

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: 28 May 2025



**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.

## **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.

# STATUTORY BIODIVERSITY NET GAIN CONDITION

## DEEMED CONDITION

(As required Schedule 7a of the Town and Country Planning Act 1990 (as amended) and inserted by the Environment Act 2021)

Development may not be begun unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority; and
2. The Local Planning Authority has approved the plan.

The Biodiversity Gain Plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development; and
- f) any such other matters as the Secretary of State may by regulations specify.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- g) name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- h) a description of the development and planning permission reference number (to which the plan relates);
- i) the [relevant date](#), for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- j) [the completed biodiversity metric calculation tool\(s\)](#), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the [relevant date](#), and post-development biodiversity value;
- k) a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- l) (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- m) pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the [relevant date](#), and drawn to an identified scale and showing the direction of North;
- n) a description of any [irreplaceable habitat](#) on the land to which the plan relates which exist on the [relevant date](#), and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and
- o) if [habitat degradation](#) has taken place:
  - i. a statement to this effect,
  - ii. the date immediately before the degradation activity,

- iii. the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
- iv. any available supporting evidence for the value.

#### **INFORMATIVE 1**

When calculating the post-development biodiversity value of a habitat, the Local Planning Authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation, or conservation covenant

#### **INFORMATIVE 2**

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.

#### **INFORMATIVE 3**

A Biodiversity Net Gain Template can be found here:

<https://www.gov.uk/government/publications/biodiversity-gain-plan>

#### **INFORMATIVE 4**

The statutory deemed condition above is relevant to all major applications submitted since 12<sup>th</sup> February 2024 and to all non-major applications submitted after 2<sup>nd</sup> April 2024, unless exempt. The onus is on the applicant/agent to notify the Local Planning Authority at

[developmentmanagement@barnsley.gov.uk](mailto:developmentmanagement@barnsley.gov.uk) if the application was exempt and provide the reasons for the exemption. Exemptions can be found at this link <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>