



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2023/0988

To Johnson Mowat Planning and Development Consultants
Coronet House
Queen Street
Leeds
LS1 2TW

DESCRIPTION Residential development of 83no dwellings and associated works (Revised Plans)

LOCATION Land North of Wood Walk, Platts Common, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 10/01/2024 and described above.

THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby approved shall be carried out in substantial accordance with the plans and specifications as approved unless required by any other conditions in this permission.

The approved plans are:

- 2351.01.N - Planning layout
- 2351.02 - Location Plan
- 2351.03.D - Materials Plan
- 2351.04.A - Street Scenes
- 2351.06.C - Boundary Plan
- 2351.CS - Cycle Store
- B-WD-01 - 1.8m timber fence & access gate
- B-WD-02 - 0.45m Knee height railing
- B-WD-031. - 2m Estate railing
- B-WD-04 - 1.8m pier and panel brick wall
- B-WD-05 - 1.8m pier and panel stone wall
- SG-P-1000 - Single garage
- SG-P-1001 - Single garage
- TG-P-2000 - Twin garage
- 2351-ASH-P-1000-A - Ashton planning drawing
- 2351-ASH-P-2000 - Ashton planning drawing
- 2351-BEA-P-2000 - Beamsley planning drawing
- 2351-BED-P-1000-B - Bedale planning drawing
- 2351-BED-P-2000-B - Bedale planning drawing
- 2351-BUC-P-1000 - Buckden planning drawing
- 2351-BUC-P-2000 - Buckden planning drawing
- 2351-CHE-P-2000 - Chevin planning drawing
- 2351-ESKE-P-2000 - Easter/Kelham planning drawing
- 2351-ING-P-1000-A - Inglebrough planning drawing
- 2351-ING-P-2000-A - Inglebrough planning drawing
- 2351-LIL-P-1000 - Lilac planning drawing
- 2351-LIL-P-2000 - Lilac planning drawing
- 2351-MAL-P-1000 - Malham planning drawing
- 2351-MAL-P-2000 - Malham planning drawing
- 2351-SAN-P-1000- Sandringham planning drawing
- 2351-SAN-P-2000 - Sandringham planning drawing
- 2351-WHE-P-2000-A - Whernside planning drawing
- 2351-WIN-P-1000 - Winterley planning drawing
- 2351-WIN-P-1100 - Winterley planning drawing
- 2351-WIN-P-2000 - Winterley planning drawing
- 2351-WOO-P-1000-A - Woodale planning drawing
- 2351-WOO-P-2000-A - Woodale planning drawing
- R-2719-1B Landscape Masterplan

Reports:

- Biodiversity Enhancement Management Plan (BEMP) V1.0 by Ecus dated September 2023
- Construction Environmental Management Plan (CEMP): Biodiversity V1.0 by Ecus dated September 2023
- BS 5837:2012 Arboricultural Report and Method Statement V1.0 by Ecus dated August 2023
- Construction Management Plan dated 22/05/2024

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 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 4 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.
- 5 All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.
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'.
- 6 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.
- 7 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 8 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

- 9 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.
- 10 Prior to the first occupation of the development hereby permitted, a vehicular access shall be provided and thereafter retained in the position shown on the approved plan and constructed in accordance with the BMBC highway specification. 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 satisfactory access into the site and avoid the carriage of extraneous material or surface water from or onto the highway and in the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 11 No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing with the LPA.
Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 12 No building or use hereby permitted shall be occupied (or use commenced) until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption as maintainable at public expense within the site have been submitted to and approved in writing by the LPA. On occupation of the first dwelling (or building) within the site, the streets shall be maintained in accordance with the approved management and maintenance details.
Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 13 Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway at Wood Walk in accordance with details of a phasing and completion plan to be submitted and approved in writing by the LPA.
Reason: To ensure streets are completed prior to occupation and satisfactory development of the site in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 14 Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4m x 90m shall be provided as measured back from the centre line of the access or give way point and extending 90m along the nearside carriageway edge of Wood Walk to each side of the access and such splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05m above the level of the adjacent highway carriageway.
Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order), the garages/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the LPA.
Reason: To retain the garages/car parking spaces for parking purposes.

- 16 On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
Reason: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety.
- 17 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Noise Impact Assessment carried out by Environmental Noise Solutions Limited, dated December 2023, Ref NIA-11210-23-11447-v1. The development shall be constructed in accordance with the approved details which shall be retained thereafter for the lifetime of the development.
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.
- 18 The development hereby approved shall be carried out strictly in accordance with the recommendations set out in the Air Quality Assessment carried out by Gem Air Quality Ltd, dated December 2023, reference AQ2375 and retained as such thereafter.
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.
- 19 The development hereby approved shall be carried out in strict accordance with the mitigations/recommendations set out in the Preliminary Ecological Appraisal by Ecus dated January 2024 (Ref: 22693 - V1.0). Prior to the commencement of development, precise details of the required mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.
Reason: In the interest of Biodiversity and in accordance with Local Plan Policy BIO1.

- 20 A Habitat Management and Monitoring Plan (HMMP) completed by a suitably qualified ecologist, detailing management for a minimum period of 30 years shall be submitted to the Local Planning Authority prior to the commencement of works on site for approval in writing. The HMMP should follow the template HMMP provided by Natural England and shall include information on the following:
- i Project information, funding and any legal agreements
 - ii Summary of Habitat Proposal and Plans, site boundary map, site context map
 - iii Phasing Strategy - if relevant
 - iv Roles & Responsibilities
 - v Land use summary, site context photographs, site baseline and environmental information checklist and environmental information
 - vi Management plan aims and objectives, design principles informed by baseline information
 - vii Habitat and condition targets, habitat retention, habitat retention and protection measures map
 - viii Creation, enhancement and management targets and prescriptions
 - ix Habitat creation, enhancement and management - risk register and remedial measures
 - x Monitoring methods and intervals, monitoring reports and adaptive management.

Thereafter the approved Habitat Management and Monitoring Plan shall be implemented in full for the duration of the development.

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

- 21 The site is located within a Coal Authority coal mining referral area due to the presence of opencast backfill and highwalls. As detailed in the Lithos Geo-Environmental report ref 3478/3A dated Dec 2023 the land could therefore be at risk from mining legacy risks such as ground instability and fugitive gas migration. The development must therefore be undertaken in compliance with the conclusions and recommendations of the report. For the avoidance of doubt this shall include but not be limited to the following -

- No dwellings shall be constructed over the opencast highwall exclusion zone.
- An earthworks ground improvement scheme shall be implemented, and the foundations of the proposed dwellings and associated pavements shall be suitably designed as advised by a suitably qualified engineer.
- The access roadways shall be designed by a suitably qualified engineer. Additional design/mitigation measures shall be implemented where they cross onto and traverse the opencast highwall and fill to ensure settlement does not affect long-term sustainability and integrity.

The development shall be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned Mine Workings Manual" where applicable.

Responsibility for securing a safe and sustainable development rests with the developer and/or landowner.

Reason: Land stability NPPF sections 183 a,b,c. 184 and 174 e & f.

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 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
- 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 S278 Works on the Public Highway - The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.
- 4 S38 Streets to be Adopted - The development hereby approved includes the construction of new highway. To be considered for adoption and on-going maintenance at public expense, it must be laid out and constructed to the BMBC engineering standard details and to the terms of phasing of the development. You are advised that you must enter into a highway agreement under s38 of the Highways Act 1980. The development will be bound by the Sections 219 to 225 of the Highways Act 1980 (the Advances Payments Code). Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control on email HighwaysDC@barnsley.gov.uk or call to 01226 773555 prior to any work commencing on site. Please note that it is necessary to gain all technical and legal approvals for all street road details from the LHA prior to submission of such approved details to the LPA to discharge condition 16 of this consent.
- 5 Road Licences - You are advised that the development hereby permitted requires you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers), and / or to place any equipment, materials in, on, above or abutting a highway for which you need to have a licence. Further details are available on the BMBC website at: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/roadlicences/> or my contacting Streetworks@barnsley.gov.uk

- 6 Parks' approval should be sought before a new access is constructed to the recreation ground. If, as appears to be the case, the pedestrian links are to be privately maintained, steps should be taken to make that clear to the public. The Public Rights of Way Officer strongly suggest that notices are erected and maintained at the start of each privately maintained route stating the following or similar:

Notice under the Highways Act 1980 section 31(3)

Public access is provided with the permission of the owner. No public right of way.

Please note that this path is private property and the owner has no intention to dedicate it as a public highway.

Name of landowner

Date notice erected

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: 27 August 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 12th February 2024 and to all non-major applications submitted after 2nd April 2024, unless exempt.

The onus is on the applicant/agent to notify the Local Planning Authority at

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>