



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2024/0696**

**To** nineteen47  
6 Pat Midgley Lane  
Sheffield  
S2 5PN

**DESCRIPTION** Erection of 5no. residential dwellings with associated infrastructure and landscaping (Amended Description)

**LOCATION** Land at former Wombwell High School, Lundhill Road, Wombwell, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 20/08/2024 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 strictly in accordance with the amended plans (Nos Planning Statement, Biodiversity Net Gain Assessment, Biodiversity Metric, Ecological Impact Assessment, Air Quality Report, Drainage Strategy, Arboricultural Impact Assessment, Highways Supporting Statement, Design and Access Statement, Ground Investigation Report, 2228.06 Rev F, 2228.01 Rev K, 2228.02, 2228.03 Rev G, 2228.12 Rev F, 2228.04.B Rev F, 2228.TA.02, 2228.L.01, 2228.SD.01, 2228.SD.02, 2228.E2.01, 2228.G.01, 2228.G.03, 2228.13 Rev F, 2228.B.01 Rev A) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

- 3 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**
- 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 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application.  
**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.**
- 6 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with the approved Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority. The HMMP shall include:
- a) a non-technical summary;
  - b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
  - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, and approved in writing by, the local planning authority.
  - f) A timetable for implementation and completion of creation and enhancement works.
  - g) Notice in writing shall be given to the Council within 10 working days of the implementation of the HMMP
  - h) Notice in writing shall be given within 10 working days of the completion of the habitat creation and enhancement works as set out in the HMMP and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
  - i) Thereafter the created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP] for a period of 30 years following the completion of the development.
- Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Local Plan Policy BIO1 and Schedule 7A of the Town and Country Planning Act 1990**
- 7 Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Biodiversity Mitigation Scheme has been submitted to and approved in writing by the local planning authority. This will set out any precautionary measures to be adopted on site during construction, such as protection of retained features and reasonable avoidance measures for protected and priority species. Incorporation of features on-site such as integral bat and bird boxes on proposed buildings, hedgehog access points within proposed fencing, etc. should also be detailed.  
**Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.**

8 No development shall take place unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

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

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

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

10 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced in a bound, solid material and adequate measures shall be so designed into the proposed access to avoid the discharge of surface water from the site on to the highway.

**Reason: To ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway and to prevent the migration of loose material on to the public highway to the detriment of road safety in accordance with Local Plan Policy T4.**

11 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.**

12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Means of access for construction traffic
- iii. Loading and unloading of plant and materials
- iv. Storage of plant and materials used in constructing the development
- v. Measures to prevent mud/debris being deposited on the public highway.

**Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and 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 an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water.

Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

- 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.

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: 18 December 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>