



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2023/0753**

**To** Barnsley MBC  
Westgate Plaza One  
Westgate  
Barnsley  
S70 9GG

**DESCRIPTION** Proposed Community Sports Facility including single storey multi use building, all weather sports pitch with floodlights, two no. temporary storage containers and associated car parking and landscaping

**LOCATION** Land to the east of Sheffield Road, Hoyland Common, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 14/08/2023 and described above.

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 plans and specifications as approved unless required by any other conditions in this.

Permission:

A-DR-P01 REV P1 Site Location Plan

A-DR-P02 REV P3 Site Plan

A-DR-P03 REV P1 Landscaping Plan

A-DR-P04 REV P2 Site Sections

A-DR-P05 REV P5 Proposed Plans

A-DR-P06REV P2 Proposed Elevations

A-DR-P07 REV P1 Site Constraints Plan

A-DR-P08 REV P2 Pitch Fencing Details

A-DR-P09 REV P1 Combined External Light Spill Plans

570891-00 car park lighting locations

Proposed lighting locations HLS6470

Noise Management Mitigation Plan Rev D

Noise Impact Assessment by ADT reference 3519/ENIA dated 24 October 2023

Arboricultural Report and Impact Assessment

Arboricultural Method Statement

Flood Risk Assessment and Drainage Strategy by Shaun Tonge Engineering

Coal Mining Risk Assessment parts 1 and 2

Site Investigation Report by MET

Lighting Column Elevations CCG/21/2075/009 REV A

Highways Note by Andrew Moseley Associates dated 15 September 2023

Travel Plan by Andrew Moseley Associates dated August 2023

ED1 15m Mast Foundation

Sustainability Statement P1

**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 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.**

- 4 Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works as indicated on drawing number P02 rev P3, has been submitted to and approved in writing by the LPA.

**Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety.**

- 5 Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works as indicated on drawing number P02 rev P3, has been submitted to and approved in writing by the LPA.

**Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety**

6 No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- i. A plan to a scale of 1:1250 showing the location of all defects identified.
- ii. A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

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.**

7 No development shall commence until:

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining legacy.
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

c). Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

d. In the case of further stabilisation works being required, then the condition will not be discharged until details of such works have also been submitted. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner.

**Reason- To comply with Local Plan Policy CL1 contaminated and unstable land, and NPPF sections 183 a,b,c. 184 and 174 e & f.**

8 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**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.**

- 9 Upon commencement of development, full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees and hedges; 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 scheme shall include, but not be limited to the agreed planting set out on plan HOY-BCA-ELS-XX-DR-L-2044-20-101-S4-C5 Landscape Proposals Drawing, (Parkside), approved by condition 18 of 2020/0999 and screening of the acoustic fence. Thereafter the approved scheme shall be implemented in full in prior to commencement of use.  
**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 Prior to the first occupation of the development hereby permitted, the proposed on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. Parking areas must be properly consolidated and hard surfaced 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 there are adequate parking facilities to serve the development which are constructed to an acceptable standard.**
- 11 Before the development is brought into use, the mitigation measures relating to sports pitches described in report 'Parkside Sports Facility' produced by Acoustic Design Technology dated 24th October 2023, ref: ADT 3519/ENIA, shall be implemented in full. Thereafter the scheme shall be maintained for the duration 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.**
- 12 Before the development is brought into use, the mitigation measures relating to the community building described in report 'Parkside Sports Facility' produced by Acoustic Design Technology dated 24th October 2023, ref: ADT 3519/ENIA, shall be implemented in full. Thereafter the scheme shall be maintained for the duration 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.**
- 13 Notwithstanding the submitted details within the Noise Management Mitigation Plan REV D referenced above, prior to the development being brought into use, a noise management plan for the use of the community building, shall be submitted to and agreed by the Local Planning Authority. Thereafter the approved measures shall be implemented in full for the duration of the development.  
**Reason: To reduce or remove potential adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1**

- 14 Before the archery range is brought into use, a management and maintenance scheme for the archery range shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The scheme will include:
- a) A management and maintenance schedule,
  - b) Measures to ensure the fencing and hedgerow between the football pitches and archery range is installed,
  - c) A mechanism for review and a timetable for the implementation,
- The measures and details set out in the approved details and scheme shall be complied with in full, with effect from commencement of use of the archery range.
- Reason: To ensure that the archery facility is managed and maintained and can operate safely and in accordance with Local Plan Policy I1**
- 15 Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.
- Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Local Plan Policy D1.**
- 16 The Community Building shall be managed and operated in accordance with the following measures at all times:
- a. Hours of use of the community building shall between 09:00 and 23:00 hours only Monday to Sunday.
  - b. Cleaning and maintenance and staff access shall be permitted from 07:00 to 23.30 hours only.
  - c. Windows and doors shall be kept closed during periods of use when recorded and/or live music is being played other than recorded background music\*, played in the premises at any time. \*background music would be considered as recorded music played at a level low enough for two people to have a conversation without raising their voices.
  - d. The sound levels from noise breakout from the community building shall not exceed 29dB LAeq, 15min at the boundary of the nearest noise sensitive receptor.
  - e. No music shall be played in the outside areas of the development.
  - f. The rating level from the fixed plant shall not exceed 27 dB LAeq, at a distance of 10m from the fixed plant. Measurements shall be made in accordance with BS 4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.
- Reason: To reduce or remove potential adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**
- 17 The Sports Pitch shall be managed and operated in accordance with the following measures at all times
- a. The football pitch shall only be used between the hours of 09:00 to 21:00 hours Monday to Friday and 9:00 to 18:00 hours Saturday and Sunday.
  - b. Floodlights shall only be illuminated between the hours of 09:00 to 21:00 hours Monday to Friday and 9:00 to 18:00 hours Saturday and Sunday.
- Reason: To reduce or remove potential 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 Any gates or gate positions at the vehicular access shall be set back a minimum distance of 5m (or longer if agricultural vehicle and towing, bus, hgv) from the carriageway edge, be designed to open inwards and permanently retained as such for the lifetime of the development.  
**Reason: To ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to approaching / oncoming traffic.**
- 19 The Travel Plan hereby approved shall be implemented in accordance with the measures set out therein. Within three months of occupation, evidence of the implementation of measures set out in the Travel Plan shall be prepared, submitted to and agreed in writing with the LPA unless alternative timescales are agreed in writing,  
**Reason: To support sustainable transport objectives in accordance with Local Plan Policy T3**
- 20 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 at no time on Saturdays, 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.**
- 21 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the development being brought into first use; 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'**

## 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 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](mailto:HighwaysDC@barnsley.gov.uk) or call to 01226 773555.
- 2 If the developer is to connect to the existing watercourse, he must gain the written agreement of the Land Drainage Authority to discharge flows at an agreed rate - Contact [Highwaydrainage@barnsley.gov.uk](mailto:Highwaydrainage@barnsley.gov.uk)
- 3 If the developer is to carry out works within or in the proximity of any watercourse, he must gain the relevant permissions from the Lead Local Flood Authority - Contact [Highwaydrainage@barnsley.gov.uk](mailto:Highwaydrainage@barnsley.gov.uk)
- 4 A Public Right of Way (Public Footpath Hoyland 30) runs alongside the proposed development site (North and West side). Although the definitive width of the path is 4ft (1.2m), we would recommend that a minimum width of 2-2.5m is open and available due to the enclosed nature of the path. Safe public access on the right of way should remain available whenever possible, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time, then a temporary closure should be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact [publicrightsofway@barnsley.gov.uk](mailto:publicrightsofway@barnsley.gov.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: 22 November 2023



**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.