



**APPROVAL OF RESERVED MATTERS**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2024/0475**

**To** Urbana  
Steel City House  
2 West Street  
Sheffield  
S1 2EQ

**Proposal:** Application for reserved matters relating to details pertaining layout, appearance, landscaping and scale of proposed activity park and associated buildings and infrastructure (relating to outline planning application 2022/0434)

**At:** Land off Schwabisch Gmund Way, Barnsley, S71 1AY

**Approval is hereby given** for the proposals which were the subject of the Application and Plans registered by the Council on 02/08/2024 and described above, being matters reserved in the permission granted on 1<sup>st</sup> March 2023 under Application 2022/0434.

The approval is subject on compliance with the details specified in the application, the approved plans and conditions of the outline permission and, additionally, is subject to the following conditions:-

- 1 The development, hereby permitted, shall be begun before the expiration of two years from the date of approval.  
**Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.**
- 2 The development hereby permitted shall be carried out in accordance with the following plans and documents except as may be substituted with subsequently approved details:  
Site Location Plan and Application Boundary, Drawing No: BALU BBA YAP XX DR L 1005, Rev: P02, Received: 30.7.2024  
Landscape Masterplan, Drawing No: BALU BBA YAP XX DR L 1012, Rev: P14, Received: 24.2.2025  
Detail Area Plan- Social Activity Zone and Canopy Information, Drawing No: BALU BBA YAP XX DR L 2003, Rev: P01, Received: 17.7.2024  
Proposed Cut and Fill, Drawing No: 24053- ARC - XX - XX - DR - C - 6001, Rev: P6, Received 26.2.2025  
Proposed Finished Ground Levels, Drawing No: 24053 - ARC - XX - XX - DR - C - 6000, Rev: P6, Received: 26.2.2025  
**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 Prior to the commencement of development, full details of the proposed street furniture and signage within the activity park shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
- Details of all benches/seating/litter bins;
  - Way finding signs and links to other footpaths and locations;
  - Location, type, design, materials, colour palette, size, for each of the above;
- Once agreed, the development shall not be brought into use until the furniture and signage are implemented in accordance with the approved details.

**Reason: To provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.**

- 4 Prior to the commencement of development, full details of the skate park/pump track area including all equipment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the design, materials, levels, heights, colour palette and size, for each piece of equipment.
- Once agreed, the development shall be carried out in accordance with the approved details and maintained as approved for the lifetime of the development.

**Reason: To provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.**

- 5 Prior to the commencement of development, full details of the parkour area including all equipment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the design, materials, levels, heights, colour palette and size, for each piece of equipment.

Once agreed, the development shall be carried out in accordance with the approved details and maintained as approved for the lifetime of the development.

**Reason: To provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.**

- 6 Prior to the commencement of development, full details of the 'imaginative road layout' including all equipment, surface details and markings shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the design, materials, levels, heights, colour palette and size.

Once agreed, the development shall be carried out in accordance with the approved details and maintained as approved for the lifetime of the development.

**Reason: To provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.**

- 7 Prior to the commencement of development, full details of the boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, design, materials, height and colour palette.

Once agreed, the development shall be carried out in accordance with the approved details and maintained as approved for the lifetime of the development.

**Reason: To provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.**

- 8 Prior to the commencement of development, full details of the lighting scheme and CCTV cameras shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the position of the cameras and lighting, as well as the lighting and luminance levels.

Once agreed, the development shall be carried out in accordance with the approved details and maintained as approved for the lifetime of the development.

**Reason: To provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.**

- 9 Notwithstanding the details shown on the submitted plans, the development hereby approved shall not be commenced until details have been submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following off-site highway works:
- Provision of 3.5m wide footway/cycleway along the entire Harborough Hill Road site frontage and connection into the site;
  - Provision of, or any necessary alterations to, street lighting;
  - Provision of, or any necessary alterations to, highway drainage;
  - Provision of, or any necessary alterations to, signing/lining;
  - Any necessary reconstruction/resurfacing/landscaping.
  - Any necessary relocation of statutory undertakers' equipment.
  - A timetable of works

Once agreed, the works shall be completed in accordance with the approved details.

**Reason: To ensure that satisfactory access arrangements are provided, in the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.**

- 10 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, 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. The approved landscaping details shall be implemented prior to any use of the development.

**Reason: To provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.**

- 11 No development shall take place until full surface water drainage details, including Yorkshire Water Permission, 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 lifetime of development.

**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3: Flood Risk.**

- 12 Prior to commencement of the development, details for surface water outfall are to be submitted to and approved in writing by the local planning authority. No piped discharge of surface water shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with the approved details.

**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3: Flood Risk.**

- 13 Prior to occupation/any use, a scheme for the ongoing management and maintenance of proposed carriageways, footways, footpaths, street furniture and signage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented thereafter.

**Reason: To ensure that the development 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.**

- 14 Prior to the development being brought into use, the scheme for the provision of removable bollards across the Mottram Way vehicular access shall be fully implemented and thereafter retained and maintained in good working order for the lifetime of the development.  
**Reason: To ensure that satisfactory access arrangements are provided, in the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.**
- 15 Plant noise levels shall be limited to a rating level (L<sub>A</sub>,T<sub>r</sub> dB) that is no more than +1dBA above background noise levels at the façade of the nearest Noise Sensitive Receptors (NSRs). Individual plant items may need to be designed to a lower limit such that the cumulative noise level of all plant items operating simultaneously achieves the stated criteria. Should the plant contain acoustically distinguishable features such as intermittency, tones or impulsiveness, appropriate penalties (as defined in BS 4142: 2014) shall be applied to determine the maximum acceptable sound pressure level at the façade of the NSRs.  
**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.**
- 16 During works, construction or demolition, 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.**
- 17 Vehicular gradients within the site shall not exceed 1:12, to ensure safe and adequate access.  
**Reason: In the interest of highway safety, in accordance with Local Plan Policy T4: New development and Transport Safety.**

## 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 Any highway retaining wall structures will require technical approval in accordance with the approval procedure based on DMRB CG300. The developer will be responsible for preparing and submitting the AIP, with the technical approving body being the Highway Authority. The approval procedure is to be followed for the construction or alteration of any highway structure whether to be adopted or not.
- 2 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 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.
- 3 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](mailto:Streetworks@barnsley.gov.uk) or call to 01226 773555.
- 4 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.

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: 12 March 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>