



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2024/1064**

**To** Melling Ridgeway and Partners Ltd  
24 Hodgson Street  
Sheffield  
S3 7WQ

**DESCRIPTION** Proposed extension to rear with pergola and paved seating area

**LOCATION** Crown And Anchor Inn, Barugh Lane, Barugh Green, Barnsley, S75 1LL

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 06/01/2025 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:

- Proposed Ground Floor Plan 6172-404;
- Proposed Site Plan 6172-405;
- Proposed Elevations 6172-406;
- Block Plan 6172-409;
- Proposed Materials;
- Tree Survey produced by Anderson Tree Care Limited and dated February 13th 2025;
- The Statutory Biodiversity Metric completed by Jonathan Pounder and dated March 15th 2025;
- Preliminary Ecological Appraisal and Biodiversity Recommendations (Wildscapes\_P3228\_01\_V2) produced by wild scapes and issued May 2025;
- Bat Survey (250735) produced by Whitcher Wildlife Ltd and dated August 4th 2025;
- Coal Mining Risk Assessment (G25039) produced by GeoInvestigate Limited and dated April 9th 2025;
- Noise Impact Assessment (23014\_02) produced by NBAcoustics and dated March 26th 2025;

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

**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 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application [The Statutory Biodiversity Metric] by [Jonathan Pounder] reference [Crown & Anchor] and dated [March 15th 2025].

**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.**

4 No development shall take place (including ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

- A risk assessment of potentially damaging construction activities;
- The identification of 'biodiversity protection zones';
- An invasive non-native species protocol to ensure Japanese knotweed is not spread in the wild;
- Practical measures (both physical measures and precautionary working practices) to avoid or reduce impacts during construction to habitats and species (which may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to retained biodiversity features (including trees) (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- The use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- The times during construction when specialist ecologists need to be present on site to oversee works, particularly in respect of GCN;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);

The approved CEMP-B shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

**Reason: In the interests of Biodiversity and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity and the Biodiversity and Geodiversity SPD.**

- 5 No development shall take place until a scheme of additional biodiversity mitigation and enhancement measures has been submitted to and approved in writing by the local planning authority. The scheme shall include the measures below and those noted within the Preliminary Ecological Appraisal and Biodiversity Recommendations (Wildscapes\_P3228\_01\_V2) produced by wild scapes and issued May 2025. The approved scheme shall be implemented upon completion of the development hereby permitted and shall be retained thereafter.

- Two integrated bat and bird boxes shall be installed in suitable locations on site.
- Two invertebrate boxes to be installed on suitable trees on site.

**Reason: In the interests of Biodiversity and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity and the Biodiversity and Geodiversity SPD.**

- 6 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the local planning authority:

- Tree protection plan
- Tree protective barrier details
- Arboricultural impact assessment

No development or other operations shall take place except in complete accordance with the approved methodologies.

**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**

- 7 No development shall commence until;

a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and

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.

**Reason: In the interests of land stability and in accordance with paragraphs 187(e), 187(f), 196(a), 196(b), 196 (c) and 197 of the NPPF and in accordance with Local Plan Policy CL1 Contaminated and Unstable Land.**

- 8 Prior to the occupation of the development, 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 and approved in writing by the local planning authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial work and/or mitigation necessary to address the risks posed by past coal mining activity.  
**Reason: In the interests of land stability and in accordance with paragraphs 187(e), 187(f), 196(a), 196(b), 196 (c) and 197 of the NPPF and in accordance with Local Plan Policy CL1 Contaminated and Unstable Land.**
- 9 Before use of the development commences, a Noise Management Plan shall be submitted to and approved in writing by the local planning authority. The approved Noise Management Plan shall be maintained and adhered to 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 Pollution Control and Protection.**
- 10 Before use of the development commences, the mitigation measures described in report 'Crown and Anchor Proposed New Extension Building' produced by NBAcoustics dated 26th March 2025, ref: 23014\_02, shall be implemented. The scheme shall be maintained 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 Pollution Control and Protection.**
- 11 Before use of any fixed plant or equipment within the development commences, an assessment shall be undertaken to determine the noise impact from any fixed plant and equipment associated with the development.

The assessment shall seek to demonstrate that, at the nearest noise sensitive receptors, the Rating Levels arising from noise generated by any fixed plant and equipment would not exceed the appropriate background sound level of 44dB LA90, 1hour set out in the report 'Crown and Anchor Proposed New Extension Building' produced by NBAcoustics dated 26th March 2025, ref: 23014\_02. If the assessment indicates a potential exceedance of these background levels, mitigation measures shall be identified to reduce the impact.

The assessment shall be carried out by a suitably qualified acoustic consultant/engineer and follow the principles contained in BS 4142:2014 Methods for rating and assessing industrial and commercial sound.

The results of this assessment shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented before the use of the fixed plant or equipment commences and shall be maintained 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 Pollution Control and Protection.**

- 12 Music noise levels from live or recorded music within the extension hereby permitted, once constructed, shall not exceed 44dB LAEQ, 15minutes at the boundary of the premises as shown on 2024 1064-408 Site Location Plan.  
**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 Pollution Control and Protection.**

- 13 The development shall only be used for provisions of service to the public between 10:00am and 23:00pm on any day.  
**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 Pollution Control and Protection.**
- 14 The doors to the northwest elevation of the development shall remain closed when there is live and/or recorded music playing inside the development. The doors shall not be used for ingress or egress when there is live and/or recorded music playing inside the development, unless in case of emergency.  
**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 Pollution Control and Protection.**
- 15 Construction or demolition-related activity shall only take place between the hours of 08:00am – 18:00pm Monday to Fridays, 09:00am – 14:00pm Saturdays and at no time on Sundays and 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 Pollution Control and Protection.**
- 16 The external materials shall match those specified by the approved documents listed above.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making.**
- 17 Within the first planting season following completion of the works the Whitebeam tree to be removed shall be replaced by a new Whitebeam (*Sorbus aria*). The replacement tree shall be planted in a location agreed in writing with the Local Planning Authority.  
Specification: A standard tree (stem diameter 8-10cm) shall be planted and affixed (with flexible tree ties) to a tanalised tree stake (minimum diameter 75mm) at a height of no more than 1m above ground level. In order to aid establishment a suitable mulch shall be applied (e.g. semi-composted woodchip to a minimum depth of 75mm) around the tree to a radius of 1m. The tree/s shall be watered immediately after planting then whenever required to ensure successful establishment. Within two weeks of planting the Local Authority Tree Officer shall be informed and invited to inspect the new tree/s. If the new tree fails to become established within 5 years from planting, it shall be replaced with another tree of the same original specification.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making and Local Plan Policy BIO1 Biodiversity and Geodiversity.**

## 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 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.

- 2 It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke or dust. No waste should be burnt. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore, recommended that you give serious consideration to the steps that may be required to prevent a noise, dust or smoke nuisance from being created.
- 3 Vegetation clearance should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible then a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to the start of works. Should active nests be found, works should cease until the nests are no longer active and the chicks have fledged and the ecologist has deemed the area to be free of nesting birds.
- 4 If a protected species (such as any bat, great crested newt, badger or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.

## 5 Great Crested Newts (European Protected Species)

There is a risk that Great Crested Newt (GCN) may be present at the application site. The Local Planning Authority considers it would be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies within an amber impact zone as per the modelled district level licence map, which indicates that there is suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If GCN are discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a licence. The following recommendations are provided to further reduce the likelihood of impacts on this species:

- Any trenches left overnight should be covered or provided with ramps to prevent GCN from becoming trapped;
- Any building materials such as bricks, stone etc. should be stored on pallets to discourage GCN from using them as shelter; and
- Any demolition materials should be stored in skips or similar containers rather than in piles on ground.

- 6 If a bat or evidence of the presence of bats is discovered on site prior to or during development all work should stop immediately. A licensed bat consultant or Natural England must be contacted and works implemented only in accordance with methods advised by them. This advice note should be provided to any persons/contractors carrying out the development along with the contact details of a relevant ecological consultant. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017.

## 7 Ground Investigations –

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: [www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)  
What is a permit and how to get one? - GOV.UK ([www.gov.uk](http://www.gov.uk))

## 8 Shallow coal seams –

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

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: 10 September 2025

A handwritten signature in black ink, consisting of a stylized 'G' followed by a horizontal line.

**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>