
2023/0184

Applicant: Mr G Ulloytt

Demolition of existing dilapidated barn and construction of replacement detached two storey dwellinghouse with associated parking and garden areas

Ivy House Farm, Chapel Road, Pilley, Barnsley, S75 3AR

Site Description

The application site is in reference to a plot of land on Chapel Road in Pilley which is currently occupied by a dilapidated barn which forms of part of the wider agricultural complex of Ivy House Farm.

The site is located in the Urban Fabric, in a high-risk development area of coal mining legacy and is attached to a listed building – 48 Chapel Road (The Old Manor House). The settlement of Pilley is primarily residential, but it a semi-rural village with the aforementioned farm complex immediately adjacent to the site consisting of various agricultural and now converted agricultural buildings. To the North of the site, on Pilley Lane, is Tankersley Welfare Hall and Pilley Pocket Park, as well as Pilley Methodist Church. There is an access road immediately to the North of the Site which leads to the agricultural complex to the rear of the site. There is a public right of way (Tankersley CP 4) c.23 to the South of the site, running from Chapel Lane to the rear of the application site. To the immediate side of the application site is an extant approval (associated application references 2016/0133 and 2019/0266) for a detached dwelling.

Relevant Site History

B/03/0127/WO – Erection of side two storey extension (Approved with Conditions)

2008/0032 – Erection of 12 detached dwellinghouses (Refused)

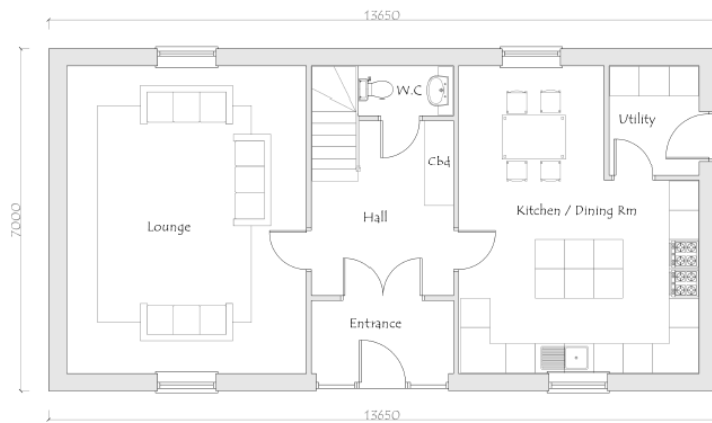
2016/0133 – Erection of 1 no. detached dwelling with detached garage and alterations to access (Approved with Conditions)

2019/0266 – Details of conditions 3 (materials), 9 (landscaping) and 12 (archaeology) - Erection of 1 no. detached dwelling with detached garage and alterations to access (Approved)

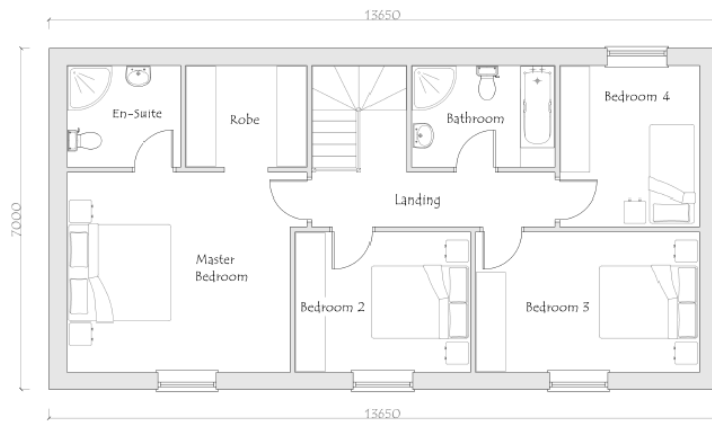
Proposed Development

The applicant seeks to demolish the existing dilapidated barn on site and the erection of a detached two storey dwellinghouse, with associated access off Chapel Road, parking and garden area. The proposed building is situated on the Northern boundary of the site, on the same footprint as the existing. The dwelling is rectangular in shape measuring 13.65m x 7m. The building measures 5.65m to the eaves and 8.65m to the roof ridge. The design of the building has been amended in response to the Conservation Officer's comments to the initial scheme – primarily, the external fenestration details have been amended.





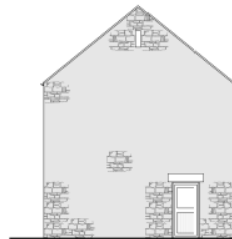
Proposed Ground Floor Plan



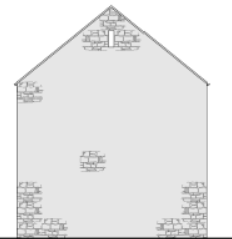
Proposed First Floor Plan



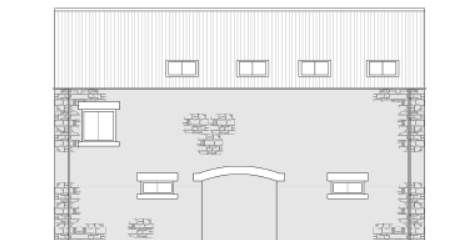
Proposed Front Elevation



Proposed Side Elevation



Proposed Side Elevation



Proposed Rear Elevation

Policy Context

Local Plan

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. As such, the following policies are relevant:-

GD1 – General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1 – High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

SD1: Presumption in favour of Sustainable Development – When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

LG2: The Location of Growth - Priority will be given to development in the following locations:

Urban Barnsley;
Principal Towns of Cudworth, Wombwell, Hoyland, Goldthorpe (which includes Thurnscoe and Bolton on Dearne), Penistone and Royston; and
Villages.

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy

H1: The Number of New Homes to be Built – The Council will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033. A minimum five year supply of deliverable sites will be maintained.

H2: The Distribution of new Homes – The location of housing development accords with the settlement hierarchy and Policy LG2 regarding location of growth.

H4: Residential development on small non-allocated sites - Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.

H6: Housing Mix and Efficient use of Land – Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Poll1: Pollution Control – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

HE1: The Historic Environment – The Council will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment, especially for those assets which are at risk.

HE2: Heritage Statements and general application procedures - Proposals that are likely to affect known heritage assets or sites where it comes to light there is potential for the discovery of unrecorded heritage assets will be expected to include a description of the heritage significance of the site and its setting.

HE3: Developments affecting Historic Buildings - Proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building's significance. In such circumstances proposals will be expected to:

- Respect historic precedents of scale, form, massing, architectural detail and the use of appropriate materials that contribute to the special interest of a building.
- Capitalise on opportunities to better reveal the significance of a building where elements exist that detract from its special interest.

BIO1: Biodiversity and Geodiversity - Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

RE1: Low Carbon and Renewable Energy - All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order

to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.

Supplementary Planning Documents

- Barn Conversions
- Design of Housing Development
- Parking
- Sustainable Travel

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Consultations

Biodiversity Officer – Initially responded to the application stating that the proposal should be supported by an assessment in the interests of protected species, such as roosting bats and birds. Upon receipt of this and after assessing the information within the document, no objection was raised subject to the recommendations within the report being strictly adhered to. This includes a scheme for a bat and bird box scheme which should be conditioned as part of the planning permission.

The Coal Authority – No objection raised subject to a condition relating to site investigative surveys/reports.

Conservation Officer (Two Responses):

Initial response – Provided a lengthy pre-application response to the scheme and pointed out the need for (amongst other things) a heritage impact assessment. The agent provided the HIA and on balance, it is agreed that the proposal could be justified in principle. However, we would ordinarily require an engineers report setting out the structural condition which precludes the ability of the building to be conserved and repaired. In relation to the proposed design, it is welcomed that the development includes the replication of the overall envelope of the existing building, its general form, massing and scale and in general, it is felt the design is appropriate. The inclusion of the blind inset cart openings that echo the original barn are also a welcome addition. However, the windows have been discussed previously and they are very numerous and regimented in arrangement and lend a distinctly domestic appearance to the proposal. This could be easily avoided by including differing sizes and arranging these openings in a more organic (less organised) fashion. Some glazed ventilation slits could also add a vernacular feel to the elevation. This is important because as I have maintained from the outset, the proposal site is within the setting of the grade II Manor House, so there is a need to be deferential and sympathetic to its significance. I also note the suggestion that the glazing may be UPVC. I would object to this and advise metal framed windows and doors would be much superior in this setting.

Second response (to amended design) – The organisation and appearance of the windows are an improvement and support is raised for the amended design. However, a condition is recommended for further details in regard to the window design/materials.

Demolition – No comments received.

Forestry Officer – Did not raise any objection subject to a condition requiring additional information in of a replacement landscaping scheme.

Highways DC – Initially stated that the proposed access would need widening to a minimum of 4.5m as it would serve more than one property. There are also no bin storage or collection pads shown on the plan; these should be demonstrated for both the host and proposed dwelling. The original application also included a gate across the driveway which would have to be removed to allow separate access to two or more dwellings. Upon receipt of the amended plan showing the above recommendations, no objection was raised to the development subject to conditions and an informative.

Highway Drainage – No objection raised.

Pollution Control – No objection is raised but conditions are recommended to reduce the impact on neighbouring properties, such as limiting construction times/days and the requirement for the developer to submit a dust management plan prior to development commencing which should be approved by the LPA.

Public Rights of Way (PROW) – It does not appear that the proposed development would affect any definitive public rights of way. Standing advice/informative note is recommended should the application be approved.

South Yorkshire Archaeology Service – No comments received.

SYMAS – No objections to the proposal. The applicant has provided a CMRA which reviews the mining and geological legacy risks are low. If permission is granted, the Coal Authority standing advice should be attached to the decision notice.

Tankersley Parish Council – No comments received.

The Coal Authority – No objection raised. The Coal Authority standing advice should be attached to any decision notice.

Ward Councillors – No comments received.

Representations

Neighbour consultation letters were sent to neighbouring residents with a site notice placed nearby; no comments were received.

Assessment

Principle of Development

The application seeks to demolish the existing barn on site, which is in a visibly poor and dilapidated state. The Council has a SPD for Barn Conversions which largely directs such development to firstly retaining barns and such historic buildings in the Borough. However, it is clear from the Case Officer's site visit that the building is clearly in a dilapidated state and the applicant has provided a structural appraisal report which confirms that the building is beyond retention and renovation/conversion. The Conservation officer has also assessed this document and concurred with the findings. As such, it is considered appropriate to demolish the building before it reaches an unsafe and unsecure condition and redevelopment is therefore acceptable. The application site is attached to a listed building and its impact upon the Historic Environment will also be considered below.

The site is located in the Urban Fabric firmly in the settlement of Pilley which is largely residential. Local Plan Policy H4 states that residential development on small non-allocated site is acceptable subject to other local plan policies being complied with. The merits of the proposed development will be assessed in the below sections of the report.

Residential Amenity

The application site is located in a residential area, and there is a separate approval to the immediate East of the application site (application refs 2016/0133 and Discharge of conditions ref. 2019/0266) for the erection of a detached dwelling, facing East onto Chapel Lane. Colleagues in Building Control have confirmed that the development has commenced on the adjacent site, and it is established that the permission is therefore extant. As such, assessment against the impact on the neighbouring extant property will therefore be required. There are existing residential properties nearby also.

The approved permission (app ref. 2016/0133) is an L-shaped dwelling, two-storey, which does not feature habitable room windows in the first floor of the rear elevation (facing West) which faces onto the application site. It is considered that there is little overlooking from the extant permission/dwelling into the application site.

The proposed access into the site is to utilise the previously approved access for the adjacent dwelling/site, which will therefore form a shared access leading into both properties. The proposed dwelling has 3 x bedroom windows on the front elevation which will partially face onto the parking area and amenity area of the approved dwelling at a close distance. There is no defined separation distance expected in the Council's SPD between first floor habitable room windows on the front elevation to boundary lines. However, a general assessment will be required to ensure that adequate levels of privacy are retained for both properties/future residents, in line with Local Plan Policy GD1. The shape of the proposed curtilage area is slightly irregular in an inverted L-shape. The separation from the front elevation of the dwelling to the nearest section of the shared boundary between the proposed dwelling and the approved dwelling (shown on the proposed site plan) is 5m. This is less than the minimum distance expected between first floor habitable room windows on the rear elevation and the respective rear boundary line, which is a good comparison.

However, it is considered that some mitigating circumstances can be afforded here. Firstly, as mentioned above, the shape of both of the curtilage area is somewhat irregular and the 4.5m measurement is to the closest section of the mutual boundary between the plots. Beyond this boundary is a 4.5m wide access road/driveway, and therefore the distance between the closest habitable room window to the adjacent amenity area is 9.5m, slightly less than the required 10m between first floor (rear) habitable room windows and boundary lines.

Secondly, the neighbouring garden area is located to the side of the adjacent plot in an area which will be opened up to Chapel Road by the development given that the extant approval features the removal of the hedgerow on the front boundary line. As such, the proposed windows would look onto an area which will be no doubt be used as amenity space but will have the character of a shared area given the access road runs through both plots. Lastly, the neighbouring garden area is more than double the size (c.130m) what is expected for a new 4-bed plot. The garden area is long and narrow and with appropriate boundary treatment, it is felt that there will be enough opportunity to ensure adequate that levels of privacy for both plots be retained.

There is also a habitable room (bedroom 4) window in the North-facing (rear) elevation which faces onto an front amenity area of a neighbouring property (addressed as Ivy House Farm) at a distance of 8m. There is no minimum distance expected between first floor habitable room windows and front amenity/garden areas of neighbouring properties. However, the area which the bedroom window will look onto is a front garden area, which is not typically protected from overlooking given that is to the front and visible from public areas. In any case, the front garden area of the neighbouring property is bounded on the Southern side is bounded by a c.2m high hedge which provides sufficient screening from the proposed window to the neighbouring amenity area. It is considered that the overlooking into the neighbouring area is not to a significant degree to justify a refusal.

Additionally, bedroom 4 window partially faces onto windows on the frontage of the neighbouring property (Ivy House Farm) at a distance of c.14m, which is greater than the minimum 12m expected between front facing windows. It is appreciated that the proposed bedroom window (bedroom 4) is effectively on a rear elevation, but it is visible from the street, and it is considered that the 12m distance assessment in the SPD is applicable. The minimum expected distance of 12m in the SPD is met and the windows also don't directly look onto each other with an angle of c.40 degrees.

The proposed site plan shows 2 garden areas within the plot, one measuring 76sqm and the other measuring 41sqm, which is intersected by the proposed driveway/parking area. The two areas combined results in a total amenity space of 117sqm which is well above the minimum required amenity space of 60sqm for a new 4+ bedroom plot. Both of these areas can be suitably made private with appropriate boundary treatment and/or screening through landscaping. The internal floor space (total of 164sqm) is also well above the minimum required in the SYRDG for a dwelling of its size.

To conclude, it is acknowledged that the front facing windows on the proposed dwelling are in close proximity to the neighbouring garden area of the adjacent development plot (ref. 2016/0133), and there will undoubtedly be a small level of overlooking into this neighbouring garden area. However, there is a distance retained of 9.5m from the front elevation to the neighbouring garden area which is slightly less than the recommended 10m distance between first floor habitable room windows and boundary lines. The neighbouring garden area is of an above average size and there will provide suitable opportunity in terms of erecting boundary treatment to ensure that reasonable levels of privacy are retained for both the extant plot

and the proposed dwelling. Additionally, the proposed fourth bedroom faces onto the front garden area of the neighbouring property to the North (Ivy House Farm). This is a front garden, visible from the street and there is a distance of c.8m from the garden, which has a fairly high hedge on the Southern boundary line obscuring views into the neighbouring plot. There are also windows on the front elevation of Ivy House Farm, which are separated from bedroom 4 by a distance of c.14m, which is in excess of the minimum 12m expected between public-facing windows and is considered to be acceptable. The internal floor area and external amenity space are both well above the minimum required size as expected in the Council's SPD and the proposed development is considered to be acceptable in terms of residential amenity.

Visual Amenity

The proposed dwelling is the exact same dimensions as the building it replaces, and the external fenestration details on request of the Conservation Officer have been amended to retain the original character of the building. Notably there are 2 x blind inset cart openings on the front and rear elevations which are welcomed to retain the agricultural character of the building/area. The window heads and cills are stone, again which seek to replicate the existing building. The building will be constructed from external materials which will relate well to the existing surrounding area and a condition will be attached which requires the developer to submit samples and/or exact specifications prior to development commencing. Generally, the proposed development has clearly been designed to replicate the existing arrangement and design of the building and is considered to be acceptable. However, the Conservation Officer has requested further details in regard to the window design/specifications and external materials. Both of these elements will be covered through a planning condition.

There will also be a condition which requires the parking area and access to be hard surfaced, rather than loose gravel.

The proposed development is in compliance with Local Plan Policy D1 and the Council's SPD for Design of Housing Development and is acceptable in terms of visual amenity.

Impact on Historic Environment

The application site is a barn which is attached to a listed building – The Old Manor House, 48 Chapel Road – which is an early C18 Century farmhouse. The Conservation officer has been consulted on the proposal and requested some alterations to the external fenestration of the building. An amended plan was submitted which made the changes requested by the Conservation Officer who raised no objection to the amended design.

Subject to the use of high-quality materials, and acceptable details of the window design, the Conservation Officer supports the proposed development which is in compliance with Local Plan Policies HE1 and HE3 and is acceptable in terms of the impact on the Historic Environment.

Highways Safety

Colleagues in Highways DC were consulted on the proposal and requested some alterations to the width of the proposed access. The agent submitted an amended plan which increased the width of the access and Highways DC did not object subject to conditions and an informative.

The proposed parking arrangement shows a parking/turning area which measured c.80sqm in total and is large enough for the parking of at least two cars alongside space for a turning area which would allow for cars to enter and leave the site in forward gear. The proposed development is in line with the Council's Parking SPD and Local Plan Policy T4 and is acceptable in terms of highways safety.

Impact on Ecology

Colleagues in Ecology requested an amended bat survey to support the development. On receipt of this, no objection was raised by Ecology subject to the recommendations within the submitted report. As part of this the demolition of the building should take place outside of the nesting season (March-August), which should be added as a planning condition. The other recommendations include the installation of a bat box and swift bricks. Details of such have not been included as part of the permission and a planning condition should be added to ensure that these details are submitted to the LPA and agreed prior to the occupation of the dwelling.

Coal Mining Risk

The site is located in a high-risk development area from coal mining legacy. The agent has submitted a CMRA to support the development which has been assessed by colleagues in SYMAS and The Coal Authority who raised no objections and recommended that if planning permission is granted, the Coal Authority's standing advice is attached to the decision notice.

Drainage

Colleagues in Drainage have been consulted on the proposal and have not objected to the development with no specific conditions requested. Standard drainage conditions will be attached and the development is considered to be acceptable.

Conclusion

The proposed development is to demolish the existing barn on site and to erect a detached dwelling with associated access, parking and external amenity space. Local Policy is directed towards retaining barns and conversions should protect the special character, significance and appearance of the barn and its setting. The Site Visit showed that the barn is in a dilapidated state and the agent has submitted a structural appraisal report which confirms that the building is beyond retention and repair. The building is also in close proximity to a listed building (The Olde Manor House, no. 48 Chapel Road) and the proposed development is assessed against its setting. Further, the application site is in a high-risk development area in terms of coal mining legacy/risk.

The Conservation Officer has been involved with the application at an early stage and accepted the findings of the structural appraisal report and Heritage Impact Assessment and supported the demolition of the barn and redevelopment of the site. However, minor changes to the fenestration were requested. Upon receipt of amended plans showing the requested fenestration changes, the Conservation Officer supported the proposal subject to further details in regard to the window design and external materials being submitted and agreed by the LPA. This will be covered under a planning condition. Generally, the design of the proposed development has been designed to largely replicate the existing building with suitable fenestration details, shape, size and external materials. The agent has also submitted a CMRA which colleagues in SYMAS and The Coal Authority have raised no objection. A bat report has been submitted which colleagues in Ecology have supported and recommended approval subject to a condition requiring the recommendations of the report to be adhered to.

The internal floor space and external amenity area is well above the minimum standards expected in the SYRDG. The proposed layout of the dwelling is close to a neighbouring property, immediately to the East (approved through ref. 2016/0133). The proposed front elevation of the dwelling faces onto the neighbouring curtilage area (which is not completed at the time of writing but the permission is extant), at a close distance of 9.5m however the overlooking impact is not considered to be severe given the shape and size of the neighbouring curtilage, the opportunity for screening and the position of the neighbouring amenity space which will be visible from the street. The first floor rear facing habitable room window serving bedroom 4 will also look onto the neighbouring property to the North (Addressed as Ivy House Farm) at a close distance, however this area is located to the front of the neighbouring property and is screened by a c.2m high hedgerow.

The proposed development is considered to be acceptable and is recommended for approval subject to conditions.

Recommendation

Approve with Conditions

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 (Dwg. nos. PL001 Rev. A and PL002 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 details of the proposed external materials and window details/specifications 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.
- 4 Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making.
- 5 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.
- 6 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs) 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'.
- 7 The proposed development hereby approved shall strictly comply with the recommendations (sections 5.1-5.4) of the amended Bat Survey Report (Ref. 230449/1 Dated 14th July 2023). Upon commencement of development, details of the submitted bat box and 2 x integrated swift boxes (section 5.4) shall be submitted to and agreed with the Local Planning Authority, shall be installed on the external walls of the building and shall remain in the correct position thereafter.
Reason: To conserve and enhance the biodiversity and ecology features of the Borough, in accordance with Local Plan Policy BIO1.
- 8 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, 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 order to ensure compliance with Local Plan Policy I1.
- 9 Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced in a bound permeable 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.
- 10 Demolition, Construction or remediation work comprising the use of plant, machinery or equipment, deliveries of materials, and removal of any material/equipment from the site 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.

- 11 Prior to any work commencing, the applicant shall submit to the Local Planning Authority for their approval a dust management plan detailing how they will control dust during construction. Once approved the applicant shall adhere to the dust management plan at all times.
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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
Reason: To safeguard the amenity of neighbouring residential properties, in accordance with Local Plan Policy GD1: General Development.

Informative(s):

- 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 Under the Building Act 1984, the Council is required to be notified of any demolition exceeding 50 cubic metres carried out within the Borough. This can be done by contacting us via email at demolition@barnsley.gov.uk or by telephone on 01226 773555.
- 3 The applicant/developer should be aware that the Council maintains a register of people who are interested in self-build or custom build projects in Barnsley. If you are interested in making your land available for self-build and custom housebuilding we can, with your permission, pass your contact details on to those people on the list so they have the opportunity to get in touch. For more information on this, please refer to the Council's self-build register website at www.barnsley.gov.uk/local-self-build-register or contact planningpolicy@barnsley.gov.uk or telephone 01226 773555.
- 4 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 from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk
- 5 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
- 6 The proposed development lies within an area that has been defined by the Coal 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 Coal 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 that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal 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

- 7 Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal 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. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
- 8 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 or call to 01226 773555.
- 9 If any unrecorded routes have been used unchallenged by the public for 20+ years, or for a lesser period under common law, those routes may have acquired public access rights. Members of the public may apply to have such rights formally recorded and if an application is made, the Council has a legal duty to research the claimed rights and reach a decision based exclusively on the available evidence about the status of the claimed routes. If such an application is made and accepted, the route would have to be accommodated within any development proposals. If the applicant has questions about any unrecorded routes, they should contact publicrightsofway@barnsley.gov.uk to discuss.