

<b>Application Reference Number:</b>	2025/0016
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<b>Application Type:</b>	Change of Use
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<b>Proposal Description:</b>	Change of use of public house to 7no. holiday lets, including demolition of part of existing building
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<b>Location:</b>	42 Hill Street, Elsecar, Barnsley, S74 8EL
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<b>Applicant:</b>	Mr Monfredi
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<b>Third-party representations:</b>	Nine	<b>Parish:</b>	None
		<b>Ward:</b>	Hoyland Milton

**Summary:**

This planning application seeks planning permission for the change of use of the existing public house to 7no. holiday lets, including demolition of part of existing building.

The site falls within Urban Fabric as allocated by the adopted Local Plan and is also within the Elsecar Conservation Area. Development comprising alterations to an existing building are considered acceptable in principle if proposals would not significantly adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved. Furthermore, the alterations must not impact upon the setting of the Elsecar Conservation Area.

The proposal would have no adverse impact on highway safety, the Elsecar Conservation Area and residential or visual amenity and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

**Recommendation:**

Approve subject to conditions

## Site Description

The application relates to a two-storey public house located on the western side of Hill Street in Elsecar. The site is allocated as Urban Fabric and the surrounding area is predominantly residential. There are some commercial uses evident in the immediate area however with a small motor repair/sales area to the south and a takeaway on the eastern side of Hill Street. The car park is situated to the north of the buildings. The site slopes from the highway down to the rear boundary and from the north boundary down to the south. The building is also located in the Elsecar Conservation Area.

The pub is a three-bay brick building with tooled voussoired lintels and a central doorway with a simple Tuscan-style door surround. The interior was updated and improved in the 1960s, when a women's toilet was introduced, and a new central bar was created between the smoke and tap rooms. This arrangement still survives today. Even though of slightly lesser aesthetic value to the Crown to the south the frontage and the general arrangement have heritage value.

In October 2024, the LPA was made aware of the intention of the owner to demolish the building due to its poor structural condition. Planning, Conservation and Enforcement colleagues were made aware, and the owner was advised planning permission was required. Despite this warning, the roof has now been removed due to concerns voiced by the owner of collapse during past stormy weather. Without the roof the building is clearly now at risk.



## Relevant Planning History

There are two recent planning applications associated with the site.

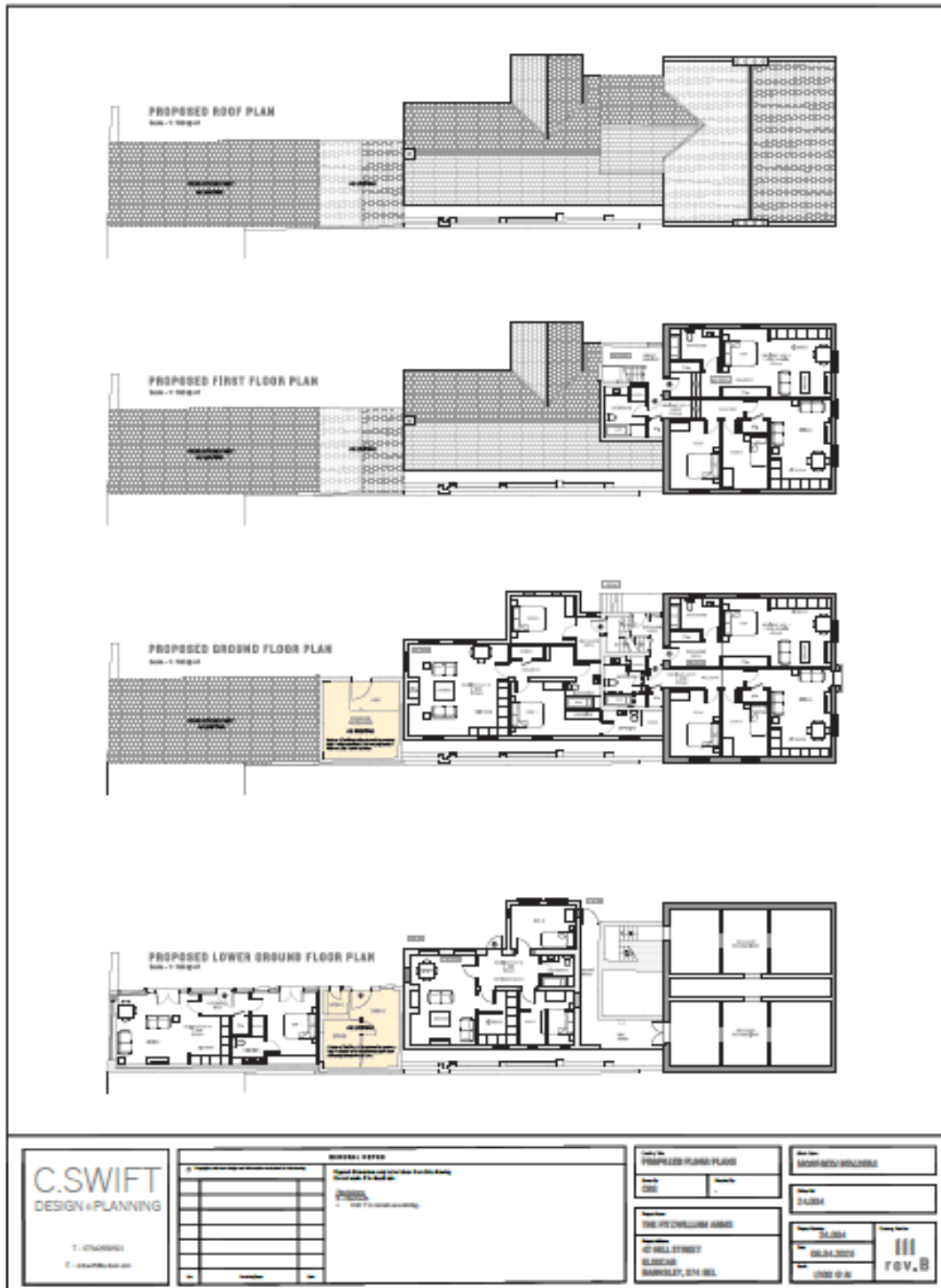
Application Reference	Description	Status
2007/0333	Erection of gazebo and external decking to form smoking area	Approved with Conditions
2012/0996	Erection of three storey and two storey rear extensions to building	Approved with Conditions

## Proposed Development

The applicant is seeking permission for the change of use of a public house to 7no. holiday lets, including demolition of part of existing building. The proposal can broadly be summarised as follows:

- Main public house building first floor – two holiday lets (one bed studio & two bed)
- Ground floor main accommodation – three holiday lets (one bed studio, two bed & two bed)
- Lower ground floor rear of building – two holiday lets (one bed & two bed)

The proposal also involves the re-build of the public house which has fallen into disrepair.



## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019). The Local Plan review was approved at the full Council meeting on 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.

### **Local Plan Allocation – Urban Fabric / Elsecar Conservation Area**

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

**Policy SD1: Presumption in favour of Sustainable Development** – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

**Policy 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. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

**Policy 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.

**Policy HE1: The Historic Environment** – Positively encourage developments that help in the management, conservation and understanding of the historic environment.

**Policy HE3: Developments affecting Historic Buildings** – Proposals involving historic buildings should conserve and where appropriate enhance, respect historic precedents, and capitalize on opportunities to reveal significance.

**Policy I2: Educational and Community Facilities** – We will support the provision of schools, educational facilities and other community facilities. New schools, educational and community facilities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship, should be located centrally to the communities they serve, in places where they will be accessible by walking, cycling and public transport. Such uses will be protected from development unless it can be demonstrated that the sites and premises are no longer required by the existing or an alternative community facility.

**Policy Poll1: Pollution Control and Protection** – 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.

**Policy T3: New development and Sustainable Travel** – Expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cycles. Also sets criteria in relation to minimum levels of parking; provision of transport statements and of travel plans.

**Policy 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.

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

### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied.

The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places
- Section 16 - Conserving and enhancing the historic environment

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

### Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case are:

- Biodiversity
- Parking
- Sustainable Travel

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

### Other Guidance

- South Yorkshire Residential Design Guide

## **Consultations**

Barnsley CAMRA - No objections

Biodiversity - No objections subject to conditions

Conservation - No objections subject to conditions

Demolition - No objections

Enterprising Barnsley - No objections

Highways Development Control - No objections subject to conditions

Highways Drainage - No objections

Hoyland Milton Councillors - Comments regarding the demolition of the building without permission

Mining Remediation Authority - No objections subject to an informative

Pollution Control - No objections subject to conditions

South Yorkshire Archaeology Service - No objections

South Yorkshire Mining Advisory Service - No objections subject to an informative

Waste Management - No objections

Yorkshire Water - No objections

## **Representations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015. Neighbour notification letters were sent to surrounding properties, a site notice erected at the site and a press notice issued, seven objections were received and in summary raised the following material planning considerations.

- Character of Elsecar and public house fabric should be retained
- House of multiple occupancy (HMO) use
- Impact on local community of Elsecar
- The building should remain as a public house which is a valued community asset
- Underlying issues with the land
- Works without planning permission

Furthermore, the following points that are not material planning considerations were also raised.

- Elsecar is not a holiday destination
- Historic refusal of applications nearby
- Illegal construction on site
- Lack of consultation
- Misleading use
- Potential for crime

Additionally, two comments in support of the application were also received.

## Assessment

The main issues for consideration are as follows:

- The acceptability of the alterations and change of use
- The impact on the character of the host building
- The impact on the setting of the conservation area
- The impact on residential amenity of the proposed units and of the neighbouring residents
- The impact on highway safety
- The impact on biodiversity

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

### Principle of Development

The site is located within an area of Urban Fabric where it is required that development should be compatible with its surroundings. In this case the street is largely residential and as such the use of this site for residential uses in the form of holiday lets would be in keeping with the locality. This weighs significantly in favour of the proposal.

In addition to the above, all new units must ensure that living conditions and overall standards of residential amenity are provided for or maintained to an acceptable level both for new residents and those existing. Also, development will only be granted where it would maintain visual amenity and not create traffic problems or reduce highway safety. Additionally, there should also be no harm to the Elsecar Conservation Area.

Regarding the change of use to holiday lets, the Local plan states the following when talking about the spatial strategy for Hoyland Principle Town *“Hoyland is accessible to the M1 and the Dearne Valley Parkway which forms part of the A1-M1 link road. Hoyland also includes Birdwell, Blacker Hill, Elsecar, Hemingfield and Jump. There is a train station at Elsecar on the Wakefield to Sheffield line which has the tourism assets of the Elsecar Heritage Centre and the Trans Pennine Trail”* and continues *“The Elsecar Heritage Centre is an important tourism and cultural asset in this area that the Local Plan will safeguard and promote”*. The Elsecar Heritage Centre is in walking distance of the proposed holiday lets. This weighs moderately in favour of the proposal.

Furthermore, Policy I2 of the Local Plan seeks to protect local services and community facilities where possible. It does state that planning permission for the change of use of local services and community facilities such as meeting places, public houses, cultural buildings and places of worship, will only be allowed if the business cannot be economically successful or the change of use would not have a significant effect on the ability of local people to access local services.

A sequential test has been provided which states that the public house is not economically viable and the income generated would not meet the cost of the demolition and rebuild necessary for the safety of the building. The area is also well provided with alternative public houses in the locality:

- The Crown Inn, Hill Street – 90m
- The Official Cobcar, St Helens Street – 190m
- The Milton Arms, Armroyd Lane – 400m
- Elsecar Sports & Social Club – 470m
- Market Hotel, Forge Lane – 540m
- Bars within the Elsecar Heritage Centre – 640m
- The Queens Head, King street – 690m
- The Furnace, Milton Lane – 900m

Therefore, it is not considered that the change of use would have a significant effect on the ability of local people to access a similar service elsewhere. The loss of the public house via the change of use is therefore acceptable in principle where it will not have a detrimental impact on the amenity of surrounding residents, visual amenity, Elsecar Conservation Area and highway safety. This weighs significantly in favour of the proposal.

### Design, Heritage and Visual Amenity

There will be no significantly harmful impact to visual amenity and the character of the Elsecar Conservation Area from the proposed change of use. This is due to the state of the building at present. A Structural Engineers Report (Buckingham Assoc) in 2022, and a more recent single page statement from 2024. Both report that the building has undergone significant structural issues, and the only course of action is demolition. The Buckingham report is more extensive and lists the various failures, including significantly out of plumb walls, chimneys (now removed), and the risk of collapse.

The case officer has no reason to doubt this conclusion, as even to a casual onlooker it is clear the building is in a poor structural condition. However, there was still concerns that the loss of this conservation area building, without the most robust justification, could result in an extremely negative precedent. As such the 2022 structural report was updated with a 2025 version. This was in light of recent works to the building, being the removal of the roof without planning permission and to ensure no other course of action other than demolition was possible. As this was provided and further outlined the issues with the building the option of demolition and rebuilding was in this specific circumstance acceptable.

This is with the caveat that requires rigorous conditioning of materials and methods of the rebuild via conditions. A historic building recording including a photographic record has also been provided prior to determination. As such there is no harm and it is deemed that the proposal will not be significantly impactful upon the conservation area nor harmful to the visual amenities of the locality. This weighs significantly in favour of the proposal.

### Residential Amenity

In terms of noise from surrounding uses, it is noted that the proposed holiday lets will be located on a predominantly residential street however existing commercial uses are present. In addition, the LPA's Pollution Control team have raised no objections to the scheme. This weighs moderately in favour of the proposal. The holiday lets will be assessed against the internal spacing standards within the South Yorkshire Residential Design Guide (SYRDG) to ensure that if the building was to be converted into residential flats in the future that they would be compatible. It is also to ensure the require standards of residential amenity for the lets themselves.

The proposed internal dimensions for all seven holiday lets meet the overall spacing standards for each flat type within the SYRDG. On the first floor let 3 is a one bed studio with the minimum floorspace to be 33sqm and the proposed floorspace is 40sqm and let 4 is a two bed roomed flat with the minimum floorspace to be 62sqm and the proposed floor space is 71sqm. The two bed roomed flat is also compliant with specific room sizes.

On the ground floor let 1 is a one bed studio with the minimum floorspace to be 33sqm and the proposed floorspace is 40sqm, let 2 is a two bed roomed flat with the minimum floorspace to be 62sqm and the proposed floor space is 64sqm and let 6 is a two bed roomed flat with the minimum floorspace to be 62sqm and the proposed floor space is 84sqm. The two bed roomed flats are also compliant with specific room sizes.

On the lower ground floor let 8 is a one bed roomed flat with the minimum floorspace to be 47sqm and the proposed floorspace is 52sqm and let 5 is a two bed roomed flat with the minimum floorspace to be 62sqm and the proposed floor space is 66sqm. Both flats are also compliant with specific room sizes, although it is noted that in let 5 the double bedroom falls short by 0.5sqm. This weighs significantly in favour of the proposal as the required floorspace for all the holiday lets is achieved.

Shared private amenity space for flats should be a minimum of 50sqm plus and additional 10sqm per unit either as a balcony space or added shared private space. This equals a total of 120sqm for this scheme. There is access to a communal lawn area which in terms of size far exceeds the recommended amount of space. This weighs significantly in favour of the proposal.

With regards the building work to take place. The building is to be taken down by hand with no heavy machinery used. The car park is to remain hard standing /tarmac during construction and with no digging to take place, mud will not be exposed on the site. Water is accessed via the existing building which is to remain.

The noise is to be controlled via the proposed site hoarding which is indicated on the construction management plan. Also, the site will generate limited noise due to the nature of the build. The applicant owns a road sweeper which will be onsite at all times during construction to clean the existing car park/ construction yard. In the event there's an overspill to the highway, this will be cleaned right away.

The proposal is not expected to be detrimental to the residential amenity of the neighbours nor the future occupiers in line with the standards set within the SPD and the SYRDG. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity. This weighs significantly in favour of the proposal.

#### Highways Safety

There will be no impact upon highway safety. From a highway perspective, the principle of development is acceptable in terms of location, servicing, and access given the extant use of the site. The site has the requisite parking and during the course of the application two parking spaces have been removed at the request of Highways DC to aid vehicular access. It is therefore considered that the proposals do not adversely impact upon the highway and are acceptable from a highways perspective. This weighs significantly in favour of the proposal.

#### Impact on Biodiversity

During the course of the application amended plans were submitted showing that the building identified as having low bat potential (building 3) is to be unaffected by the proposals and possibly subject to a future planning application once bat activity surveys are completed. On this basis, the remaining buildings were all assessed as having negligible potential for bats and therefore no impact upon such species is anticipated. This weighs significantly in favour of the proposal.

#### Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

## Recommendation

Approve subject to conditions

## Justification

### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Amendment to number of proposed holiday lets
- Amendment to parking layout and cycle store
- Confirmation of materials
- Historic Building record

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

## Conditions

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.**

The development hereby approved shall be carried out strictly in accordance with the amended plans:

24.004 Dwg No. 105 Rev. B  
24.004 Dwg No. 110 Rev. E  
24.004 Dwg No. 111 Rev. B  
24.004 Dwg No. 112 Rev. B  
24.004 Dwg No. 113

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.**

The rebuild of the Fitzwilliam Arms (indicated green area on plan 24.004 Dwg No. 105 Rev. B (dated 08.04.25) shall refer to and replicate the results and photographs of the level 2 building recording in terms of the materials used, the arrangement of front facing openings, the method of brick coursing, the re-statement of voussoirs over the windows, and the arrangement and appearance of the central ground floor door surround.

**Reason: In the interests of conservation.**

All external materials used in the development (including material reclaimed from the demolition) shall be agreed and approved in writing once development commences.

- Generally, the walls shall be constructed in Flemish bond red brick, with slightly recessed pointing in the joints;
- The roof shall be covered with reclaimed natural blue / grey Welsh Slate with matching ridge tiles;
- The verges shall be dressed with natural sandstone coping and shall terminate with the reclaimed kneeler stones from the existing building or (following approval in writing) an alternative kneeler stone in natural sandstone;
- The rebuilt chimneys shall utilise a smooth red engineering brick, and shall include stone tabling and terracotta pots;
- The decorative detailing above the central ground floor door and the Tuscan door surround shall be retained and re-instated (or recreated with reference to the photographic building record), exactly as existing;
- The front door shall be recreated in timber as a four panel coffered door;
- The windows shall be genuine sliding sash and mounted a minimum of 85mm in the reveal. Plans showing the detailed arrangement and design of these windows will be submitted and agreed in writing and shall include elevations at 1:20 and sections at 1:5;
- Guttering shall be ogee section in metal and shall rest on a profiled corbel as existing. Downpipes and gutters shall be in metal and all shall be decorated black;
- The existing patress plates shall be retained and re-used and re-installed in the existing position.

**Reason: In the interests of conservation.**

Details of the proposed hanging sign and lighting shall be submitted and approved in writing once development commences.

**Reason: In the interests of conservation.**

Prior to first occupation, the scheme for the parking of bicycles complying with LTN 1/20 Cycle Infrastructure Design, which has been submitted to and approved in writing by the Local Planning Authority, shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

**Reason: In the interests of encouraging the use of sustainable modes of transport in accordance with Local Plan Policy T3.**

Prior to the first occupation of the development hereby permitted, the proposed accesses, driveways, on-site car parking and vehicle turning shall be laid out in accordance with the approved plan. Driveways and vehicle parking areas accessed from the approved streets 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; 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 and in accordance with Local Plan Policy T4 New Development and Transport Safety.**

The submitted bin storage, bin presentation points and access for collection of wastes from the dwellings, submitted to and approved in writing by the Local Planning Authority shall be provided before first occupation and shall be so retained thereafter.

**Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.**

The development shall be completed in line with the recommendations in the Bat Survey Report, Fitzwilliam Arms, Elsecar, January 2025. All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained.

**Reason: For the purposes of biodiversity conservation.**

During works, construction or demolition related 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.**

The holiday lets hereby approved shall be used for holiday purposes only and not as a permanent residence without planning permission.

**Reason: To ensure the property is used appropriately to increase the supply of holiday accommodation in the Borough.**

The holiday lets shall only be occupied as a holiday let and shall not be occupied by any individual family or group for more than 4 weeks in any one period of 12 months.

**Reason: To ensure the property is used appropriately to increase the supply of holiday accommodation in the Borough.**

**Informatives**

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.

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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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://MiningRemediationAuthority.gov.uk).

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The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any 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)).

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

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidancenotes-for-applicants-for-incidental-coal-agreements>.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>.

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If a protected species (such as any bat, great crested newt, badger, reptile 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.

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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.

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It is recommended that measures are taken to prevent a nuisance/or affect 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, odour, light 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, light, odour, dust or smoke nuisance from being created.