



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2024/1060

To nineteen47
6 Pat Midgley Lane
Park Hill
Sheffield
S2 5PN

DESCRIPTION Alterations to existing car park and provision of new public open space and landscaping with associated works.

LOCATION Lower Car Park, The Seam, County Way, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 15/01/2025 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 amended plans:
Site Location Plan, Drawing No: SEAM-ONE-ZZ-XX-DR-L-00007, Rev: P02, Received: 17/2/2025
Landscape Site Plan, Drawing No: SEAM-ONE-ZZ-XX-DR-L-00001, Rev: P31, Received: 27/3/2025
Arboricultural Report- Elliott Consultancy Ltd, Ref: ARB/AE/3428, dated: November 2024 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 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application, Biodiversity Net Gain Assessment- Version 4 by OS Ecology reference 24103 V4 and dated February 2025 (Received 24/2/2025).
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 Prior to the commencement of development, a Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:
- a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
 - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, and approved in writing by, the local planning authority.
 - f) A timetable for implementation and completion of creation and enhancement works.
 - g) Notice in writing shall be given to the Council within 10 working days of the implementation of the HMMP
 - h) Notice in writing shall be given within 10 working days of the completion of the habitat creation and enhancement works as set out in the HMMP and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
 - i) Thereafter the created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP] for a period of 30 years following the completion of the development.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Local Plan Policy BIO1 and Schedule 7A of the Town and Country Planning Act 1990.

- 5 Prior to the commencement of development a Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with the Highway Authority for the M1 motorway). Once agreed, construction of the development shall then be carried out in accordance with the submitted Construction Traffic Management Plan.

Reason: To mitigate any adverse impact from the development on the M1 motorway in accordance with DfT Circular 01/2022.

- 6 Prior to the commencement of development details of measures to permanently restrict the vehicular access to County Way via the servicing route shall be submitted and approved in writing by the Local Planning Authority. Once agreed, the details shall be implemented prior to the development being brought into use and permanently retained thereafter.

Reason: In the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.

- 7 Prior to the commencement of development, details of the temporary access and servicing arrangements (during the construction period) for DMC01; Courthouse Public House; 20 and 22 Regent Street shall be submitted to and approved in writing by the Local Planning Authority. Once agreed, the details shall be implemented upon commencement and retained throughout the construction period.

Reason: In the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.

- 8 Prior to the commencement of development a survey of the condition of the adopted highway condition to be used by construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Local Highway Authority prior to the survey being undertaken. The survey must consist of:
- A plan to a scale of 1:1250 showing the location of all defects identified;
 - A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.
- On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.
- Reason: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.**
- 9 Prior to the commencement of development, elevational drawings including materials and colours of the proposed substation building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the substation building shall be constructed in complete accordance with the approved details and maintained as approved for the lifetime of the development .
- Reason: To provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.**
- 10 Prior to the commencement of development, full foul and surface water drainage details, including Yorkshire Water Permission to discharge, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.
- Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3: Flood Risk.**
- 11 Prior to the commencement of development, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the period of engineering operations and construction. The Statement shall provide for:
- i. The parking of vehicles of site operatives and visitors;
 - ii. Means of access for construction traffic
 - iii. Loading and unloading of plant and materials;
 - iv. Storage of plant and materials used in constructing the development;
 - v. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - vi. Wheel washing facilities, or other measures to prevent mud and debris being carried onto the highway
 - vii. Measures to control noise levels during construction
 - viii. Details of the provision of an on-site water supply or water storage facility;
 - ix. Measures to control the emission of dust and dirt during construction, earthworks or cut/fill;
 - x. 24 hour emergency contact number

- xi. Any necessary temporary traffic management arrangements
- xii. Methods of communicating the Construction Management Plan to staff visitors and neighbouring residents and businesses
- xiii. A copy of the communication strategy in relation to closure of car park during construction period

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 and in the interests of highway safety in accordance with Local Plan Policy T4: New development and Transport Safety.

- 12 Prior to the commencement of development full details of the 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, shrubs and/or hedgerows to be retained shall be submitted to and approved in writing by the local planning authority. The approved landscaping details shall be implemented in the first planting season following the completion of any engineering/construction works in their immediate vicinity which may impact on them when planted.

Reason: In the interests of the visual amenities of the locality and to provide a high quality development in accordance with Local Plan Policy D1: High Quality Design and Place Making.

- 13 Prior to the commencement of development, full details of the boundary treatments; surface materials of all external areas and any other hard landscaping including seating areas and footpaths shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, design, materials, height and colour palette. Once agreed, the development shall be carried out in accordance with the approved details and maintained as approved for the lifetime of the development.

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

- 14 Prior to the commencement of development, full details of the proposed central pathway design shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the design, features, materials and colour palette. Once agreed, the development shall be carried out in accordance with the approved details and maintained as approved for the lifetime of the development.

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

- 15 Prior to the commencement of development, full details of the proposed street furniture and signage within the public park shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) Details of all benches/seating/litter bins;
 - b) Way finding signs and links to other footpaths and locations;
 - c) Location, type, design, materials, colour palette, size, for each of the above;
- Once agreed, the development shall not be brought into use until the furniture and signage are implemented in accordance with the approved details maintained as approved for the lifetime of the development.

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

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

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

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

- 17 Prior to the commencement of development, details of lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be reviewed a suitably qualified ecologist to demonstrate that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:

- a. Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;
- b. A drawing showing dark corridors and buffer areas;
- c. A report and drawings showing how and where lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent species using their territory or having access to breeding sites/resting places, this should include;
 - i. Technical descriptions, design or specification of lighting to be installed including shields, cowls or blinds where appropriate;
 - ii. A description of the luminosity of lights and their light colour;
 - iii. A plan showing the location and where appropriate the elevation and height of the light fixings;
- iv. Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
- v. Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

All lighting shall be installed in accordance with the specifications and locations set out in the approved details. They shall be maintained thereafter in accordance with these details.

Reason: To protect ecological species and habitats in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

- 18 Prior to the commencement of development, a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting features, and nesting opportunities for birds, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the following details:

- a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- b) Materials and construction to ensure long lifespan of the feature/measure
- c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- d) When the features or measures will be installed within the construction, occupation, or phase of the development.

The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.

Reason: To protect ecological species and habitats in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

- 19 Prior to the commencement of development, a Construction Environmental Management Plan - Biodiversity (CEMP-B) shall be 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;
 - b) Identification of 'biodiversity protection zones';
 - c) An Invasive Non Native Species (INNS) protocol to ensure INNS are not spread in the wild;
 - d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - e) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - f) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
 - g) Responsible persons and lines of communication;
 - h) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s).

Reason: To protect ecological species and habitats in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

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

Reason: To ensure that the development and landscaped areas are appropriately managed and maintained to ensure the safety of all users in accordance with Local Plan Policy D1: High Quality Design and Place Making.

- 21 Upon commencement of development, a detailed scheme for signing and lining of the car park, servicing route and public realm shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the layout of all parking bays, pedestrian routes, directional signage and any other necessary markings or signage required to ensure safe and efficient use of the development. The approved scheme shall be fully implemented before the development is brought into use and maintained in a good condition thereafter.

Reason: In the interest of highway safety, in accordance with Local Plan Policy T4: New development and Transport Safety.

- 22 The development hereby approved shall not be brought into use until a landscape management and maintenance plan has been submitted to and approved in writing by the local planning authority. The plan shall include the long-term design objectives; management responsibilities of all landscaping and the maintenance schedules for all landscape areas, as well as details of aftercare for a minimum of 5 years following practical completion of the landscape works. Any part of the scheme which fails to achieve independence in the landscape or is damaged or removed within five years of planting shall be replaced during the next available planting season.

Once agreed, the landscape management plan shall be carried out in accordance with the approved document.

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

- 23 The development hereby approved shall not be brought into use until the means of access for pedestrians has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall be retained thereafter for the lifetime of the development.
Reason: In the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.
- 24 The development hereby approved shall not be brought into use until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall be retained thereafter for the lifetime of the development.
Reason: In the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.
- 25 The development hereby approved shall not be brought into use until a service route management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide for a regular monitoring regime and a system for identifying and correcting issues should they arise.
Once approved it shall be strictly adhered to at all times.
Reason: In the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety.
- 26 Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 50 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.
Reason: To prevent pollution of the aquatic environment and protect the public sewer network.
- 27 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include but not be exclusive to the means of restricting the discharge to public sewer to the existing rate less a minimum 30 % reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.
Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.
- 28 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: Pollution Control and Protection.
- 29 The parking/manoeuvring facilities, shown on the approved plan(s), shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times
Reason: In the interests of highway safety and in accordance with Local Plan Policy T4: New development and Transport Safety

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 1 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.
- 2 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

- 3 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

- 4 Road Licences - You are advised that should the development hereby permitted requires you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers), or to place any equipment, materials in, on, above or abutting a highway requires you to have a licence. Further details are available on the BMBC website at: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/> or by contacting Streetworks@barnsley.gov.uk

- 5 A Traffic Regulation Order (TRO) is necessary. You must submit a plan to a scale of 1:1250 of the indicative scheme, along with timescales for the commencement and completion of the development hereby approved. Please be aware that the process is statutory and involves public advertisement of the proposals and the resolution of objections. The outcome of the process cannot be guaranteed. Time based fees are payable for the administrative process, including legal costs, and are separate from the costs of lining, signing and resurfacing required by the TRO. You should expect a minimum of twelve months to elapse between the LHA's Traffic team confirming that it has all the information necessary to enable it to proceed and the TRO is advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed. For more information and arrangements contact Traffic by emailing Traffic@barnsley.gov.uk
- 6 Fees associated with the required condition survey together with any necessary remedial works are to be borne by the developer. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk for further information prior to commencement.
- 7 The contractor shall ensure that no vehicle leaving the development hereby permitted enter the public highway unless its wheels and chassis are clean. It should be noted that to deposit mud and debris on the public highway is an offence under provisions of the Highways Act 1980.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:

Dated: 8 April 2025



Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

STATUTORY BIODIVERSITY NET GAIN CONDITION

DEEMED CONDITION

(As required Schedule 7a of the Town and Country Planning Act 1990 (as amended) and inserted by the Environment Act 2021)

Development may not be begun unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority; and
2. The Local Planning Authority has approved the plan.

The Biodiversity Gain Plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development; and
- f) any such other matters as the Secretary of State may by regulations specify.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- g) name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- h) a description of the development and planning permission reference number (to which the plan relates);
- i) the [relevant date](#), for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- j) [the completed biodiversity metric calculation tool\(s\)](#), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the [relevant date](#), and post-development biodiversity value;
- k) a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- l) (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- m) pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the [relevant date](#), and drawn to an identified scale and showing the direction of North;
- n) a description of any [irreplaceable habitat](#) on the land to which the plan relates which exist on the [relevant date](#), and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and
- o) if [habitat degradation](#) has taken place:
 - i. a statement to this effect,
 - ii. the date immediately before the degradation activity,
 - iii. the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
 - iv. any available supporting evidence for the value.

INFORMATIVE 1

When calculating the post-development biodiversity value of a habitat, the Local Planning Authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation, or conservation covenant

INFORMATIVE 2

The General Biodiversity Gain Condition has a separate legal basis in contrast to other planning conditions and will apply to all planning permissions, unless exempt. The General Biodiversity Gain Condition will therefore not appear on the decision notice along with the list of planning conditions imposed on the application, rather it will be referenced separately.

The General Biodiversity Gain Condition cannot be varied or removed by an application under section 73 of the Town and Country Planning Act. It also cannot be discharged as part of the grant of planning permission.

INFORMATIVE 3

A Biodiversity Net Gain Template can be found here:

<https://www.gov.uk/government/publications/biodiversity-gain-plan>

INFORMATIVE 4

The statutory deemed condition above is relevant to all major applications submitted since 12th February 2024 and to all non-major applications submitted after 2nd April 2024, unless exempt. The onus is on the applicant/agent to notify the Local Planning Authority at 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>