



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2025/0161

To AXIS Architecture + Design Management Ltd.
Talbot Chambers
2-6 North Church Steet
Sheffield
S1 2DH

DESCRIPTION Mixed use scheme consisting of: Conversion of Grade II listed Coal Drops into Class E retail; new build extension to Coal Drops with Class E restaurant unit; Conversion of existing Regency House into Air BnB unit; and new build office and light industrial units (Class E) - (Amended Plans - Minor alteration to the red-line boundary to include access road)

LOCATION Penistone Coal Drops, Regency House, Land at St Mary's Street, Penistone, Sheffield, S36 6DT

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 25/04/2025 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 and specifications as approved and as follows unless required by any other conditions in this permission:

- Location Plan - Drawing No 27845 A(00) 01 Rev P01
- Proposed Site Plan – Drawing No 27845 A(01) 02 Rev P06
- Proposed Office Block (GF Plan) Drawing No 27845 A(02) 11 Rev P03
- Proposed Office Block (FF Plan) Drawing No 27845 A(02) 12 Rev P03
- Proposed Office Block (Roof Plan) Drawing No 27845 A(02) 13 Rev P03
- Proposed Office Block (Elevations 1 of 2) Drawing No 27845 A (04) 11 Rev P03
- Proposed Office Block (Elevations 2 of 2) Drawing No 27845 A (04) 10 Rev P02
- Proposed Industrial Block (GF Plan) Drawing No 27845 A(02)20 Rev P02
- Proposed Industrial Block (FF Plan) Drawing No 27845 A(02)21 Rev P02
- Proposed Industrial Block (Roof Plan) Drawing No 27845 A(02)22 Rev P02
- Proposed Industrial Block (Elevations 1 of 2) Drawing No 27845A(04)21 Rev P02
- Proposed Industrial Block (Elevations 2 of 2) Drawing No 27845A(04)20 Rev P02
- Proposed Coal Drops (Elevations 1 of 2) Drawing No 27845 A (04)04 Rev P01
- Proposed Coal Drops (Elevations 2 of 2) Drawing No 27845 A (04)03 Rev P01
- Proposed Coal Drops (Roof Plan) Drawing No 27845 A (02) 05 Rev P01
- Proposed Coal Drops (LGF Plan) Drawing No 27845 A (02) 03 Rev P01
- Proposed Coal Drops (UGF Plan) Drawing No 27845 A (02) 04 Rev P02
- Proposed Signal House (Floor Plans) Drawing No 27845 A (02) 10 Rev P01

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 All new external materials shall match or harmonise with the existing or historic materials. No above ground construction works shall commence until a representative sample of all new external materials has been submitted to, and approved in writing by, the Local Planning Authority, and the development shall proceed in strict accordance with these details as approved.

Reason: In the interests of the preserving and enhancing the architectural or historic interest of the area in accordance with Local Plan Policy HE3

4 The stone used at the eastern end of the Office Building and within the stone plinth to this building shall be in coursed pitched face natural sandstone.
No above ground construction works shall commence until a one-metre-square sample panel of stonework showing the pointing and coursing has been constructed on site and the details approved in writing by the local planning authority. The approved panel shall be retained on site until construction of the building has been completed. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the preserving and enhancing the architectural or historic interest of the area in accordance with Local Plan Policy HE3

- 5 The re-pointing used in the Coal Drops and Regency House shall be a pure lime / aggregate mix. Pointing used in the Office Block and Industrial Block shall match (visually) with the lime pointing of the Coal Drops / Regency House. Raking out of OPC shall utilise handheld plugging chisels or Arbortech's with slim line heritage blades to a depth of 35mm. Raking out shall not utilise angle grinders due to the risk of overcuts to arises. Once prepared the joints shall be brushed back by hand and thoroughly wetted to the back of the open joint with a hand spray to avoid suction and cracking. Thereafter the joints shall be pointed with either:
- 1 part NHL3.5 lime to 3 parts washed river or well graded grit sand). The joints should be flush pointed followed by stippling or brushing back to reveal the texture of the aggregate and the arises of the stone blocks to aid curing and create a slightly concave joint.
- Or
- 1 part unslaked powdered quicklime (or 15mm kibble) to 3 parts well graded reiver sand. The aggregate will require sieving to ensure compatibility with the joint width / height. The mortar shall be as dry as possible before pointing at the top of the wall and working downwards to allow cleaning below. The mortar should be packed as tightly as possible into the back of the joint using and pointing key or spatula and finished to a flush or slightly rebated joint. Thereafter pointing should be mist sprayed to control drying and shall be protected from sun, wind, and rain with hessian etc.
- Reason: In the interests of the preserving and enhancing the architectural or historic interest of the area in accordance with Local Plan Policy HE3**
- 6 Prior to the Coal Drops building being brought into use, details of the proposed Interpretation board/ interface, that explains the historic significance of the site, are to be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- Reason: In the interests of the preserving and enhancing the architectural or historic interest of the area in accordance with Local Plan Policy HE3**
- 7 Stone from the part demolished retaining wall shall be retained where practically possible and re-used to construct the new retaining wall adjacent to Regency House / Office Block. Any new stone required is to match in profile, coursing pattern and pointing.
- Reason: In the interests of the preserving and enhancing the architectural or historic interest of the area in accordance with Local Plan Policy HE3**
- 8 Details of the boundary treatment to the north of the site bounding the TPT are to be submitted to, and approved in writing by, the Local Planning Authority, before that part of the development commences. The scheme shall then proceed in accordance with the approved details
- Reason: In the interests of the preserving and enhancing the architectural or historic interest of the area in accordance with Local Plan Policy HE3**
- 9 Details of the proposed buffer stops, including material and methods of construction, are to be submitted to and approved by the Local Authority before that part of the development commences. The scheme shall then be implemented in accordance with the approved details
- Reason: To ensure an authentic replication of the original in accordance with Policy GD1**

- 10 Details of how the original timber beams are to be visually represented, within the archway units, and from the terrace above, are to be submitted and approved by the Local Authority prior to construction. The scheme shall proceed in accordance with the approved details.
Reason: In the interests of the preserving and enhancing the architectural or historic interests of the structure in accordance with Local Plan Policy HE3
- 11 No development shall take place unless and until full surface water drainage details, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the 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 CC1
- 12 No building (or use) hereby permitted shall be occupied or (use commenced) until a car park management plan setting out how the car park will be managed has been prepared, submitted to and approved in writing by the LPA. The measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.
Reason: To ensure the safe operation of approved car park(s).
- 13 The development hereby permitted shall not be commenced until an updated addendum Travel Plan has been submitted, approved and signed off by the LPA.
Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 14 No development shall take place until a survey of the condition of the adopted highway to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:
- i. A plan to a scale of 1:1250 showing the location of all defects identified
 - ii. 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
- Reason: In the interests of highway safety in accordance with Policy T4 of the Local Plan**
- 15 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 in accordance with Policy T4 of the Local Plan.
- 16 Prior to the first occupation of the development hereby permitted, the proposed accesses, on-site car and cycle parking, and turning shall be laid out in accordance with the approved plan. 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 in accordance with Local Plan Policy T4

- 17 Prior to the commencement of any works, the applicant shall submit to the Local Planning Authority for their approval a noise management plan detailing how they will control noise during construction. Once approved the applicant shall adhere to the noise 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.
- 18 Prior to the commencement of any works, the applicant shall submit to the Local Planning Authority for their approval 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.
- 19 Prior to the 'short let accommodation' being brought into use, the mitigation measures described in report 'Proposed Mixed Use Development Coal Drops, St Mary's Street, Penistone, S36 6DT' produced by Environmental Noise Solutions Limited dated 4 March 2025, ref: NIA-11677-25-11902-v1 Coal Drops, Penistone, shall be implemented. The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.
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
- 20 Before any part of the development is brought into use, a Noise Impact Assessment confirming details of the fixed plant associated with the proposed development shall be carried out. The Noise Impact Assessment shall demonstrate that the cumulative noise rating level of fixed plant and equipment will not exceed the levels specified in report 'Proposed Mixed Use Development Coal Drops, St Mary's Street, Penistone, S36 6DT' produced by Environmental Noise Solutions Limited dated 4 March 2025, ref: NIA-11677-25-11902-v1 Coal Drops, Penistone. Should these levels not be achieved, required mitigation measures shall be identified in order to reduce the impact.

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

The results of this assessment shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the building is first occupied or the use commences and shall be thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority.

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

- 21 No development shall commence until a Phase 2 contaminated land investigation and associated Phase 3 remediation strategy, together with a timetable of works, has been submitted to and approved by the Local Planning Authority (LPA).

The Phase 2 contaminated land investigation should include the elements as described in "Phase 1 Environmental Desk Study Report" carried out by Rogers Geotechnical Services Ltd, dated 20 September 2025 ref: C3669/23/E/5578 and a report provide to the Local Planning Authority to include: geotechnical recommendations, contamination assessment, contamination remediation strategy, any recommendations for further work if required and include validation reports where site remediation is necessary.

The approved Phase 3 remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works, contamination is encountered which has not previously been identified, then all associated works shall cease until the additional contamination is fully assessed and an appropriate remediation scheme approved by the LPA.

Upon completion of the Phase 3 works, a Phase 4 verification report shall be submitted to and approved by the LPA. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the LPA.

Reason: To secure the satisfactory development of the site in terms of human health and the wider environment, in accordance with the National Planning Policy Framework and Local Plan Policy CL1

- 22 Prior to the first occupation of the development, the private access road, including the area shown as "red hatched" on the approved site plan, shall be surfaced in a bound material and constructed to a standard that prevents the discharge of surface water, mud, or debris onto the public highway. Details of the materials and construction method shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of surfacing works. The surfacing shall be completed in accordance with the approved details before the development is brought into use.

Where the private road connects to the public highway, no works shall commence within the highway boundary until the developer has entered into a Section 278 Agreement with the Highway Authority to secure the necessary works to the public highway. These works shall be completed prior to first occupation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a safe connection between the private road and the public highway.

- 23 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.

- 24 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. 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. Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.

- 25 Prior to the first occupation of the Restaurant, Office Block and Light Industrial Unit hereby permitted, a Final BREEAM Certificate shall be submitted to and approved in writing by the Local Planning Authority, confirming that the development has achieved a minimum rating of BREEAM 'Very Good'. In the event that the rating is not achieved, a report shall be submitted to the Local Planning Authority identifying the reasons and setting out any remedial measures to be undertaken. The development shall thereafter be carried out in accordance with the approved remedial measures.

Reason: In the interests of sustainability in accordance with Policy CC2 of the Local Plan

- 26 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application by Middleton Bell Ecology reference dated 12/02/2025
- 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.**

- 27 The development shall be completed in line with the recommendations in the Ecological Impact Assessment Report (12th February 2025, document ref: MBE/ECO/2024/023/01) and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: In the interests of protecting and enhancing biodiversity in accordance with Policy BIO1 of the Local Plan

- 28 The premises hereby permitted shall only be open to customers and/or operate within the following hours:

Coal Drops Retail Units: 08:00 to 20:00 Monday to Sunday (including Bank Holidays)

Restaurant: 08:00 to 23:00 Monday to Sunday (including Bank Holidays)

Office Block: 08:00 to 20:00 Monday to Sunday (excluding Bank Holidays)

Light Industrial Unit: 08:00 to 20:00 Monday to Sunday (excluding Bank Holidays)

Reason: To protect the amenity of nearby residents and other occupiers, and to ensure that the development does not result in unacceptable levels of noise or disturbance outside of reasonable hours, in accordance with Policy POLL1 of the Local Plan.

- 29 The external seating area belonging to the proposed Restaurant shall not be used outside the following hours:

Monday to Sunday 9:00 - 20:00

Reason: To protect the amenity of nearby residents and other occupiers, and to ensure that the development does not result in unacceptable levels of noise or disturbance outside of reasonable hours, in accordance with Policy POLL1 of the Local Plan.

- 30 No deliveries for any part of the development shall take place outside the following hours:

8:00 - 18:00 Monday to Friday

9:00 - 13:00 Saturdays

There shall be no deliveries on Sundays or Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers by preventing noise and disturbance during unsociable hours, in accordance with Policy POLL1 of the Local Plan.

- 31 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials 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.

- 32 There shall be no burning of any material on the development site during the demolition and construction phases.

Reason: To reduce or remove adverse impacts on health and quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

- 33 The holiday let hereby approved shall be used for holiday purposes only and not as a permanent residence.

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

- 34 The holiday let unit 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

Informative(s)

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

- 1 The 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

- 2 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.

- 3 Public Rights of Way may be affected during the construction stage of this development, and you should contact the Public Rights of Way team to discuss the possible need for a temporary closure or diversion. Contact details are as follows:-
Post: Public Rights of Way, Barnsley MBC, PO Box 601, Barnsley, S70 9FA.
Telephone: (01226) 787650
Email: publicrightsofway@barnsley.gov.uk

- 4 The Town and Country Planning Act has been amended to make every grant of planning permission deemed to have been granted subject to the following General Biodiversity Gain Condition:

The development may not be begun unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority; and
- (b) the planning authority has approved the plan.

The purpose of the General Biodiversity Gain Condition is to secure the 'Biodiversity Objective', which requires the post-development biodiversity value to exceed the pre-development biodiversity value of the on-site habitat by at least 10%.

Biodiversity net gain can be achieved through habitat creation or enhancement on-site or off-site; the purchase of biodiversity units from a habitat bank; or as a last resort through the purchase of statutory credits; or a mixture of these.

- 5 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.

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

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

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

Signed:

Dated: 10 October 2025

A handwritten signature in black ink, consisting of a stylized, cursive script that is difficult to decipher, followed by a horizontal line extending to the right.

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>