



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2025/0284

To PB Planning Ltd
PO Box 778
York
YO1 0LT

DESCRIPTION Development of six residential dwellings with landscaping and associated infrastructure

LOCATION Land West of Millstones, Oxspring, Penistone, S36 8WF

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 28/04/2025 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 plans (Nos) and specifications as approved unless required by any other conditions in this permission.

- Amended existing site plan with levels drawing number MSO-001c
- Amended site plan July 2025 drawing number MSO-002m
- Amended drainage and levels plan July 2025 drawing number MSO-003g
- 3 bedroom semi detached floor plans drawing number MSO-130a
- 2 bedroom semi detached elevations drawing number MSO-121c
- 2 bedroom semi detached floor plans drawing number MSO-120b
- 3 bedroom semi detached elevations drawing number MSO-131c
- Amended four bed detached elevations July 2025 drawing number MSO-142b
- Amended four bed detached first floor plans July 2025 drawing number MSO-141c
- Amended four bed detached ground floor plans July 2025 drawing number MSO-140c
- Boundary treatment plan drawing number MSO-111
- Double garage plan drawing number MSO-110

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted to and agreed in writing by the Local Planning Authority. The report shall, amongst other matters, include the following:-

- Results of intrusive site investigations to determine the thickness, extent and geo-environmental nature of made ground as advised the Phase 1 Land Quality Assessment prepared by Roberts Environmental Limited (ref: 140314A.R.001 dated March 2014).
- A survey of the extent, scale and nature of contamination.
- An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
- An appraisal of remedial options, and proposal of the preferred option(s).
- A remediation statement summarising the works to be undertaken (if required).

The development shall thereafter be undertaken in full accordance with the submitted report. In the case of further enabling works being required, the condition will not be discharged until validation report for the works has also been submitted. Responsibility for securing a safe development rests with the developer and/or landowner.

Reason - To protect the environment and ensure the site is suitable for the proposed use in accordance with Local Plan Policy POLL1 and land stability NPPF sections 187 e and f, 196 a, b and c; and 197.

4 No development shall take place before full details of the proposed no dig method of constructing the access road have been submitted to and agreed in writing by the Local Planning Authority and thereafter the development shall only proceed in accordance with the agreed details.

Reason: In order to protect the tree roots of the ancient woodland to the north, in the interests of the continued wellbeing of the trees and the amenity of the locality.

- 5 No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:
- o A risk assessment of potentially damaging construction activities;
 - o The identification of 'biodiversity protection zones';
 - o An invasive non native species management plan to ensure Himalayan balsam and Japanese knotweed are not spread in the wild;
 - o Practical measures (both physical measures and precautionary working practices) to avoid or reduce impacts during construction to habitats and species (which may be provided as a set of method statements, to include soft felling measures);
 - o The location and timing of sensitive works to avoid harm to retained biodiversity features (including trees) (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - o The use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
 - o The times during construction when specialist ecologists need to be present on site to oversee works;
 - o Responsible persons and lines of communication;
 - o The role and responsibilities on site of an Ecological Clerk of Works (EcoW) or similarly competent person(s);

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

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

- 6 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:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

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.

7 Upon the commencement of development, cross sections through typical windows and doors to show the depth of recess in the reveal to give visual articulation shall be submitted to and agreed in writing by the Local Planning Authority and thereafter only the approved details shall be implemented.

Reason: In the interests of the satisfactory appearance of the completed development and in accordance with Local Plan Policy D1 High Quality Design and Place Making and the SPD Design of Housing Development.

8 Notwithstanding the submitted details, the doors of the garages shall be constructed from wood and full details of the proposed doors shall be submitted to and agreed in writing by the Local Planning Authority upon commencement of development. Thereafter only the approved details shall be implemented.

Reason: In the interests of the satisfactory appearance of the completed development and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

9 Upon the commencement of development, full details including materials and positions of the boundary walls and fences shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be fully implemented before the first occupation of the house to which each boundary wall or fence relates.

Reason: In the interests of the satisfactory appearance of the completed development and of the residential amenity of the proposed dwellings in accordance with Local Plan Policy D1 High Quality Design and Place Making.

10 Upon commencement of development, full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees; 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.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

11 Prior to the commencement of superstructure works of any dwelling hereby approved a scheme for the parking of bicycles complying with LTN 1/20 Cycle Infrastructure Design has been submitted to and approved in writing by the Local Planning Authority. The scheme 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.

12 The development shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures, for which a scheme shall be submitted to and approved in writing by the local planning authority, prior to development above damp-proof course. The scheme will include the measures listed below and shall be implemented prior to the first occupation of each dwelling. The features shall thereafter be permanently retained.

- o Integrated bat and bird boxes shall be installed in suitable locations within 100% of the dwellings on site;
- o Invertebrate boxes to be installed on suitable trees on site, and
- o Hedgehog highways to be installed in all boundary fencing, including fences between dwellings. The hedgehog highways will be signposted to prevent residents blocking the gaps.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

- 13 Prior to the first occupation of each of the dwellings hereby permitted, the proposed accesses, driveways, on-site car parking and vehicle turning that serve that dwelling 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.

- 14 Prior to first occupation of the development, details of external lighting shall be submitted to and approved in writing by the local planning authority. The scheme will aim to reduce adverse impacts on bats and otter using key corridors, foraging and commuting features and roosting sites/resting places. The details shall include, but are not limited to, the following:

- o Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;

- o A drawing showing dark corridors and buffer areas.

Details showing how and where external lighting will be installed will be agreed in order to minimise impacts on bats and otter. The lighting plan will be prepared with reference to the current Bat Conservation Trust guidance on lighting and bats and with reference to the baseline lighting levels around the site. It shall include:

- o Technical descriptions, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;

- o A description of the luminosity of lights and their light colour;

- o A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;

- o Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and

- o Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

All external 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: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

- 15 Notwithstanding the submitted details a minimum 5 metre band of scrub shall be planted abutting the southern site boundary to prevent encroachment from residents. Prior to first occupation of any of the dwellings, a Biodiversity Management Plan detailing the location of the scrub, species to be planted, planting timetable and management regime shall be submitted to the local planning authority and agreed in writing. The agreed scheme shall thereafter be fully implemented in accordance with the approved details and the scrub shall be managed for the first five years following planting in accordance with the approved details.

Reason: To ensure the banks of the River Don are protected from encroachment in the interests of the satisfactory appearance of the completed development and in the interests of Biodiversity, in accordance with Local Plan policies GD1, D1 and BIO1.

16 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application 2025/0284 by Estrada Ecology reference SQ-3269b and dated 6 June 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.

17 The development shall be carried out in accordance with the submitted flood risk assessment by Topping Engineers Ref 19347-FRA-001 Revision C, dated January 2021 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 176 metres above Ordnance Datum (AOD)
- Flood resistance and resilience measures shall be included up to 800mm above ground floor levels
- There shall be no ground floor sleeping accommodation as shown in the submitted floor plans

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

18 The development shall be carried out in accordance with the details shown on the submitted drawing no. DR-C-0100 (revision P1) dated 22/10/2020 prepared by Topping Engineers, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of satisfactory and sustainable drainage, in accordance with Local Plan Policy CC3 Flood Risk.

19 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy GD1 General Development.

20 The development shall be carried out in accordance with the details shown on the submitted arboricultural method statement ref 230511 MS.

Reason: In the interests of good arboricultural practice and to ensure that the development protects the wellbeing of the trees in the interests of the amenity of the locality.

21 If the development does not commence within 12 months of permission being granted, an update otter survey shall be undertaken. The result of which shall be submitted to and approved in writing by the local planning authority.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO 1 and SPD Biodiversity and Geodiversity.

22 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 1300 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 Policy Poll1, Pollution Control and Protection.

- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows or openings (other than those expressly authorised by this permission) shall be inserted into the east elevation of the dwelling hereby approved on plot 1.
Reason: In the interests of residential amenity of existing and proposed residents and in accordance with Local Plan Policy GD1 General Development.
- 24 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings, nor the construction of any outbuilding or fencing or other boundary treatment or the laying of any hard surfacing (other than those expressly authorised by this permission) which would otherwise be permitted by Part 1 or Part 2 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.
Reason: In the interests of maintaining satisfactory flood risk conditions; of the residential amenity of existing and proposed residents and to ensure the continued wellbeing of the trees in the interests of the amenity of the locality.
- 25 The first floor east facing window to plot number 1 shall be non opening and at all times be fitted with obscure glass and retained as such thereafter.
Reason: To safeguard the privacy and amenities of the occupiers of adjoining residential dwellings, in accordance with Local Plan Policy GD1.
- 26 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.
- 27 Upon the commencement of development full details of the proposed external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

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 General Biodiversity Gain Condition

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.

- 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.
- 3 Any vegetation clearance should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible then a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to the start of works. Should active nests be found, works should cease until the nests are no longer active and the chicks have fledged and the ecologist has deemed the area to be free of nesting birds.
- 4 If a protected species (such as any bat, great crested newt, badger, water vole, otter, 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.

- 5 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.
- 6 For further information in relation to the requirement for a phase 2 site investigation, see BMBC's Supplementary Planning Guidance 28: Developing Contaminated Land.
- 7 It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke, 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, dust or smoke nuisance from being created.
- 8 The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - on the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- 9 Flood Resistance and Resilience: The EA strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance.

- 10 Roads other than agreed shared private drives shall be constructed to an adoptable standard and offered for adoption on completion under (the provisions) Section 38 of The Highways Act (1980). Engineering and surface water drainage details shall be submitted for inspection and approval in writing by the (Local Planning Authority) Highways Authority before works commence on site. The applicant should make contact with Highways Development Control, Tel. 01226 772033/772170. Email. HighwaysDC@barnsley.gov.uk as soon as possible to arrange the setting up of the agreement.
- 11 The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.

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: 30 July 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>