



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2024/0917**

**To** Miss Charlotte Hatton  
Avant Homes (West Yorkshire) Ltd  
Wentworth Trustee Company Ltd and G H and M Stansfield and Sons Unit 2  
Mariner Court  
Peel Avenue  
Wakefield  
WF4 3FL

**DESCRIPTION** Residential development of 104no. dwellings including associated works  
(Amended Plans & Description)

**LOCATION** Land off High Street, Great Houghton, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 02/12/2024 and described above.

**THIS DECISION IS SUBJECT TO THE TERMS OF THE AGREEMENT MADE UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).**

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: Layout – 4206-200 Rev L, Boundary Treatment Plan – 4206-260 Rev C, Materials Plan – 4206-250 Rev C, Landscape Plans: 4025/2 Rev B (Part 1 of 2) 4025/3 Rev B (Part 2 of 2), Housetype Pack – May 2025 – Second Issue 21069/GA/03 Rev A - Proposed site access and crossing arrangements, 21069/IN/02 Rev B – Proposed High Street Accesses Junction Visibility Splays, 21069/IN/10 Rev A – Junction and Forward Visibility Splays, 21069/ATR/10 Rev (first issue) – Swept Path Analysis Refuse Vehicle Tracking, 21069/ATR/12 Rev (first issue) – Swept Path Analysis Delivery Vehicle Tracking, 21069/ATR/11 Rev (first issue) – Swept Path Analysis Fire Tender Tracking, Transport Assessment dated July 2025 (rev 4) Ecological Impact Assessment V3, Energy Statement, Flood Risk Assessment, Archaeological and Heritage Desk Based Assessment, Noise Impact Assessment, Design and Access Statement, Planning Statement, Drainage Strategy, Construction Method Statement, Landscape and Visual Impact Assessment, Statement of Community Involvement, Travel Plan, Arboricultural Report with Impact Assessment, Arboricultural Method Statement and Tree Protection Plan, Arboricultural Report, SI Report, Parts 1 and 2) and specifications as approved unless required by any other conditions in this permission.

**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 Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway works as indicated on drawing 21069/GA/03 Rev A, has been submitted to and approved in writing by the LPA.

**Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety in accordance with Local Plan Policy T4.**

4 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 in accordance with Local Plan Policy T4.**

5 No development shall take place until a survey of the condition of the adopted highway condition 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:

- 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 in accordance with Local Plan Policy T4.**

6 Prior to the occupation of the dwellings, an updated addendum Travel Plan shall be submitted, approved and signed off by the LPA.

**Reason: In the interests of highway safety in accordance with Local Plan Policy T4.**

- 7 Prior to the commencement of any development involving offsite highway works, a Stage 1 Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority. The audit shall be carried out in accordance with the requirements of DMRB, GG119 – Road Safety Audit. Subsequent Road Safety Audits (Stages 2, 3, and 4) shall be undertaken at the appropriate stages of design and construction, in accordance with GG119. The brief of each audit shall be submitted to the Local Planning Authority for approval prior to the audit being undertaken.

All recommendations arising from each stage of the Road Safety Audit shall be addressed through a Response Report and Audit Team Statement to be agreed by the local Highway Authority as Overseeing Organisation, and any agreed mitigation measures shall be implemented in full.

**Reason: In the interests of highway safety in accordance with Local Plan Policy T4.**

- 8 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.

**Reason: In the interests of highway safety in accordance with Local Plan Policy T4.**

- 9 The development shall be carried out in accordance with the details shown on the submitted plan, "'Drainage Strategy' 48439-ECE-XX-XX-DR-C-0002 (revision P03) dated 29/02/2024 that has been prepared by Eastwood", unless otherwise agreed in writing with the Local Planning Authority.

**Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy POLL1.**

- 10 No development shall take place unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, 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 POLL1.**

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 metres, measured horizontally, of any watercourse.

**Reason: To prevent damage to the existing culverted watercourse in accordance with Local Plan Policy POLL1.**

- 12 Upon commencement of the development, detailed plans shall be submitted of the proposed substation as shown on the submitted layout plan and approved in writing by the Local Planning Authority.

**Reason: In the interests of Visual Amenity in accordance with Local Plan Policy D1.**

- 13 Before use of the development commences, the contaminated land mitigation measures described in report 'Geotechnical and Geo Environmental Site Investigation' produced by Eastwood Consulting Engineers dated 17 September 2024, ref: 48417-ECE-XX-XX-RP-C-0002, shall be implemented so that ground contamination does not cause significant adverse impacts on health or the quality of life as required by planning policy, to those living and working in the development. This includes:

Where the made ground below the yard is to remain below gardens and landscaped areas, it is considered that a minimum 600 mm thick clean capping layer, including a minimum 100 mm topsoil, will need to be provided. Alternatively, the made ground may be excavated and placed below plots or hardstanding areas to cut off the pathway between site end users and the material.

A 1 m thick capping is required for gardens and soft landscaped areas where coal or coalrich materials are present within the upper 1 m; if levels are to be raised slightly, this capping will not be required. Similarly, electricity cables should not be lain in coal or coal-rich soils. DS-2 AC-3z sulphate precautions are required where sub-surface concrete is in contact with made ground, and DS-4 AC-4 for concrete in contact with coal. No sulphate precautions are required where concrete is in contact with the natural ground only.

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**

- 14 During construction or demolition works, activity 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: 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.**

- 15 Upon the commencement of the development, samples of the external materials to be used in the development shall be submitted 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.**

- 16 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**

- 17 All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.**

- 18 All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.  
**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'**
- 19 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application.  
**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.**
- 20 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with the approved Biodiversity Gain Plan has been submitted to and approved 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**
- 21 The development shall be completed in line with the Ecological Impact Assessment 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 Biodiversity in accordance with Local Plan Policy BIO1.**

22 Notwithstanding the submitted details, prior to first occupation of the site, details of external/internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be reviewed and produced by a suitably qualified ecologist and clearly 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:

- Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;
- A drawing showing dark corridors and buffer areas;
- A report and drawings showing how and where external 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;
- Technical descriptions, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- A description of the luminosity of lights and their light colour;
- A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
- Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

**Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.**

23 All external/internal 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 in accordance with Local Plan Policy BIO1.**

24 Notwithstanding the submitted details, 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 Risk assessment of potentially damaging construction activities;
- o Identification of 'biodiversity protection zones';
- o An Invasive Non Native Species (INNS) protocol to ensure INNS are not spread in the wild;
- o Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts to during construction (may be provided as a set of method statements e.g. small mammals, amphibians etc.);
- o 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);
- o Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- 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).

**Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.**

- 25 Prior to the commencement of any development on site a Biodiversity Mitigation and Enhancement Scheme should be submitted to and approved in writing by the Local Planning Authority.

The scheme should include the following on an appropriately scaled plan.

- The number, type and location of bat and bird boxes
- The location of hedgehog highways within the development; residents to be provided within information to prevent the blocking of gaps;
- The location of refuge habitat for small mammals;
- The number, type and location of barn owl boxes.

**Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.**

- 26 The erection of fencing for the protection of any retained tree/hedgerow shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

**Reason: To safeguard existing trees, in the interest of visual amenity in accordance with Local Plan Policy BIO1.**

- 27 The following requirements, as set out in the Building Regulations 2010 (as amended), shall be achieved on the plots specified:

Part M4(2) – Accessible and adaptable dwellings: Plots 1–13, 20–22, 37–38, 47, 65–67, 81, 92–93, 96, 103

Part M4(3)(2)(b) – Wheelchair accessible dwellings: Plots 85–90

**Reason: To comply with the SPD 'Design of Housing Development' (2023), paragraph 6.1.**

## 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 the developer is to make discharge flows to the existing watercourse he must gain the written agreement of the Land Drainage Authority to discharge flows at an agreed rate – [highwaydrainage@barnsley.gov.uk](mailto:highwaydrainage@barnsley.gov.uk)

If the developer is to carry out works within or in the proximity of any watercourse he must gain the relevant permissions from the Lead Local Flood Authority – [highwaydrainage@barnsley.gov.uk](mailto:highwaydrainage@barnsley.gov.uk)

- 2 Safe public access on the right of way should remain available at all times, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary.

If safe public access is not possible at any time then a temporary closure must be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact [publicrightsofway@barnsley.gov.uk](mailto:publicrightsofway@barnsley.gov.uk)

- 3 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

- 4 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](mailto:HighwaysDC@barnsley.gov.uk) or call to 01226 773555.

- 5 Whilst no information is given at this stage about the method of disposal of highway drainage, the developer must be mindful of restrictions on surface water disposal and the emphasis on the use of sustainable solutions. The use of a soakaway system has to be located outside the carriageway and at least 5m from any building which may affect the layout shown. It should be noted that a commuted sum to be used towards the future maintenance costs of each highway drain soakaway, shall be agreed with and paid to the Council, prior to the issue of the Part 2 Certificate.

- 6 The development hereby approved is subject to Independent Road Safety Audits to be carried out in accordance with the requirements of the Local Highway Authority and Design Manual for Roads & Bridges GG119 Road Safety Audits. All relevant technical information is to be made available to the Road Safety Audit team. Audit briefs are to be approved by the Local Highway Authority prior to the relevant audit being undertaken.

- 7 Street lighting design and installation is undertaken by the Local Highway Authority. There is a fee payable for this service and the applicant should make contact with the authorities Street Lighting Team, Tel 01226 770770. Email. [Streetlightingdesign@barnsley.gov.uk](mailto:Streetlightingdesign@barnsley.gov.uk) as soon as possible.

- 8 Any highways structures will require technical approval in accordance with the approval procedure based on DMRB CG300 – Technical Approval of Highways Structures. If an AIP is required, the developer will be responsible for preparing and submitting the AIP, with the technical approving body being the Highway Authority. The completed design, including proprietary designs, cannot be implemented until Highway Authority is in receipt of certified confirmation that the implementation documents are accurate and fully in compliance with the requirements of the AIP. Designs that do not require an AIP (typically category 0 but not limited to) will also need to be submitted to Highway Authority for review in accordance with DMRB CG300
- 9 The Yorkshire Common Permit Scheme applies to all streets in Barnsley and is designed to minimise any delay, disruption and inconvenience to road users caused by roadworks. Anyone carrying out works in a street must apply for a permit. Agreement under the Yorkshire Common Permit Scheme's provisions must be granted before any works can take place. There is a fee involved for the coordination, noticing and agreement of the works. Details relating to the scheme, fees and payment methods are available via [www.barnsley.gov.uk/services/roads-travel-and-parking/roadworks-and-road-maintenance/yorkshire-comm...](http://www.barnsley.gov.uk/services/roads-travel-and-parking/roadworks-and-road-maintenance/yorkshire-comm...)

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: 29 April 2026



**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 given 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 12<sup>th</sup> February 2024 and to all non-major applications submitted after 2<sup>nd</sup> April 2024, unless exempt.

The onus is on the applicant/agent to notify the Local Planning Authority at [developmentmanagement@barnsley.gov.uk](mailto: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>