



## **GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO. 2025/0775**

**To** PB Planning Ltd  
PO Box 778  
York  
YO1 0LT

**DESCRIPTION** Development of 4 residential dwellings, landscaping and associated infrastructure

**LOCATION** Land to the East of Bank View, Bower Hill Road, Oxspring, Barnsley

Permission is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 25/09/2025 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 proposed site plan drawing number BH-103 Rev K
- Amended garage plan drawing number BH-G-001 Rev B
- Amended elevations house type A (M4.2) drawing number BH-TYPE-A-001 Rev C
- Amended elevations house type B drawing number BH-TYPE-B-001 Rev C
- Existing site plan drawing number BH-104
- HGV Path analysis drawing number AMA-23444-ATR001-1.2 Rev P01
- House type A FF Plan drawing number BH-TYPE-A-003
- House Type A GF Plan drawing number BH-TYPE-A-002
- House Type B FF Plan drawing number BH-TYPE-B-003
- House type B GF Plan drawing number BH-TYPE-B-002
- Location Plan BH-100 Rev C
- Swept Path Analysis Plan drawing number AMA-23444-ATR001-2.2 Rev P01
- Topographical plan drawing number BH-105
- Visibility plan drawing number AMA-23444-SK001 Rev P01

**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 shall take place unless and until full foul and 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.**

4 Notwithstanding the details indicated on the submitted drawings, no works shall commence on site until a detailed scheme for off-site highway works has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include provision for safe pedestrian crossing facilities, which may comprise a footway and crossing point along the site frontage, or, where this is not feasible, the provision of dropped kerbs and tactile paving at an alternative location agreed with the Local Planning Authority, to ensure safe pedestrian access to and from the development.

**Reason: To ensure that appropriate highway works are designed and implemented in the interest of pedestrian and highway safety.**

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:

- 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.

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.**

- 6 No development works shall begin until the intrusive ground investigation, as detailed in "Phase 1 Geotechnical & Geo-environmental Site Investigation" report, produced by Eastwood Consulting Engineers, dated 17 July 2025, ref: 49679-ECE-XX-XX-C-0001 has been carried out and a scheme of remediation report has been submitted to and agreed in writing by the Local Planning Authority. A verification report shall be submitted to the Local Planning Authority on completion of the remediation scheme. The report shall be endorsed by a competent engineer experienced in ground contamination and remediation.  
**Reason: To ensure compliance with Local Plan Policy CL1 'Contaminated and Unstable Land'.**
- 7 Prior to commencement of development details of tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed before 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.**
- 8 Prior to the commencement of development or other operations being undertaken on site in connection with the development an arboricultural method statement (AMS) prepared in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved AMS.  
**Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.**
- 9 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.**
- 10 Upon commencement of development, full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees, planting and hedging; 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 Upon commencement of development full details of the proposed hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced in a bound, solid material and adequate measures shall be so designed into the proposed access to avoid the discharge of surface water from the site on to the highway.  
**Reason: In the interests of the satisfactory appearance of the completed development, 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.**

12 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.**

13 A Biodiversity Enhancement Management Plan (BEMP), completed by a suitably qualified ecologist will be submitted to the Local Planning Authority prior to the commencement of works on site. The BEMP shall include, but not necessarily be limited to, the following:

- A recent landscape plan detailing the location of proposed habitat creation, retention and enhancement;
- Management aims and prescriptions detailing the methods required to create, retain and/or enhance each habitat at the required quality for a period of five years;
- A timetable of delivery for each habitat;
- A schedule of actions to be undertaken in case signs of failing are identified. The schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the local planning authority.
- Incorporation of faunal features for example integral bat and bird boxes on proposed buildings and trees, hedgehog access points within proposed fencing and herptile features etc. should also be detailed.

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

14 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.**

15 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application 2025/0775 by Estrada Ecology reference Biodiversity Metric dated 11 December 2025 and Biodiversity Net Gain Report Version 5 dated 15 December 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.**

16 The development shall be completed in line with the recommendations in the Preliminary Ecological Appraisal Report (ref: SQ-3283, revision V2, 04/12/2025) and the conditions of the planning permission. All the recommendations shall be implemented in full.

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

17 The development shall be carried out in accordance with the details shown on the submitted plan, "DRAINAGE APPRAISAL LAYOUT' 49679 – ECE-XX-XX-DR-C-0001 PO3 (revision PO3) dated 06/08/2025 that has/have been prepared by Eastwood", unless otherwise agreed in writing with the Local Planning Authority.

**Reason: in the interest of satisfactory and sustainable drainage.**

- 18 Before use of the development commences, the mitigation measures relating to sound insulation and mechanical extract ventilation, described in report 'Noise Impact Assessment for a Proposed Residential Development Bower Hill, Oxspring' produced by Environmental Noise Solutions Limited dated 12 November 2025, ref: NIA/12403/25/12587/v1/Bower Hill, 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 quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**
- 19 Before use of the development commences, the mitigation measures relating to the protection of outdoor amenity areas, described in report 'Noise Impact Assessment for a Proposed Residential Development Bower Hill, Oxspring' produced by Environmental Noise Solutions Limited dated 12 November 2025, ref: NIA/12403/25/12587/v1/Bower Hill, 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 quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**
- 20 Plots 3 and 4 shown on the approved layout plan as Part M4(2) compliant are to meet the requirements of the Building Regulations 2010 (as amended) Part M4(2) 'accessible and adaptable dwellings'.  
**Reason: To comply with the SPD 'Design of Housing Development' (2023), para 6.1.**
- 21 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 of the culverted watercourse shown on the approved plan.  
**Reason: To prevent damage to the existing culvert.**
- 22 During works, construction or demolition related activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays  
**Reason: To reduce or remove adverse impacts on health and quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.**
- 23 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.**
- 24 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.**

- 25 No trees on the east boundary of the site (as shown on the approved plan including the proposed landscaping), or their branches or roots, shall be lopped, topped, felled, or severed. The hedge on the east boundary of the site (as shown on the approved plan including the proposed landscaping) shall be maintained to a minimum height of 1.8 metres. If any tree or hedge is removed, uprooted or destroyed or dies, another tree or hedge shall be planted at the same place and that tree or hedge shall be of such a size, height and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.  
**Reason: To safeguard trees and hedges on the boundary of the site, in the interests of the visual amenities of the locality and in accordance with Local Plan Policy LC1 Landscape Character.**
- 26 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 fences, gates or walls shall be erected on the east boundary of the dwellinghouses on plots 2, 3 and 4.  
**Reason: In the interests of the visual amenities of the locality 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 proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water.

Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

- 2 Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: [www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)

What is a permit and how to get one? - <https://www.gov.uk/government/publications/permit-process/permit-process>

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

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

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

- 3 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.

- 4 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.
- 5 When discharging the drainage condition number 3 the developer shall have regard to the natural culvert or spring which a neighbour advises crosses the site and ensure that the development does not cause off site drainage problems.
- 6 If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he/she should contact Yorkshire Water Developer Services Team (telephone 03451 208 482, email: [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements
- 7 If the developer is to make discharge flows to the existing watercourse, they must gain the written agreement of the Land Drainage Authority to discharge flows at an agreed rate – Contact [Highwaydrainage@barnsley.gov.uk](mailto:Highwaydrainage@barnsley.gov.uk)
- 8 If the developer is to carry out works within or in the proximity of any watercourse, they must gain the relevant permissions from the Lead Local Flood Authority – Contact [Highwaydrainage@barnsley.gov.uk](mailto:Highwaydrainage@barnsley.gov.uk)
- 9 It is recommended that measures are taken to prevent a nuisance/or affect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke, odour, light or dust. No waste should be burnt. If a Statutory Nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, light, odour, dust or smoke nuisance from being created.

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: 23 February 2026

A handwritten signature in black ink, consisting of a stylized 'G' and 'H' 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 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>