

FAO Elaine Ward

Planning and Building Control
Barnsley MBC
PO Box 634
Barnsley
S70 9GG

Our ref.
Your ref. 2019/1573

29 June 2022

Submitted via Planning Portal only

Dear Ms Ward

PLANNING PERMISSION REF. 2019/1573
"GATEWAY 36" EMPLOYMENT DEVELOPMENT AT DEARNE VALLEY PARKWAY, HOYLAND
APPLICATION FOR DISCHARGE OF CONDITION 39
PLANNING PORTAL REF. PP-11178189

Please find enclosed application, submitted on behalf of Harworth Group, to seek discharge of the following condition of hybrid planning permission ref. 2019/1573 for employment development.

The submission comprises the following plans:

Condition	Submitted Material
39	• Explanatory notes (appended to this letter) • 'Tree Planting and Tree Canopy Cover' report ref. 7890.01.001B (TEP) • G36 (Ph3) Off-Site Habitat Creation and Management Plan April 2022 (FPCR)

The application fee of £116 has been paid via the Planning Portal.

I trust that the above document satisfies the requirements of this condition and will allow it to be discharged without delay.

If you have any queries or there are any matters that it would assist to discuss further, then please contact me by email or by the telephone number above. Otherwise, I would be grateful to receive confirmation of the validation of this application and the target date for determination.

Yours sincerely

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cc. Harworth Group

Condition 39

Condition 39 of planning permission 2019/1573 regarding off-site tree planting states:

Prior to construction of any building, a detailed scheme for off-site tree planting shall be submitted to the Local Planning Authority for approval in writing. The scheme shall detail a tree planting strategy for off-site tree planting in accordance with mitigation measures in para 4.28 The amended Arboricultural Impact Assessment version 2.0 dated 12th February 2020 by The Environment Partnership, submitted on 3rd June 2020. The scheme shall include location of planting, area of planting, planting specification, size, species and programme of planting and maintenance for a period of 40 years. The agreed scheme shall thereafter be implemented in full.

Explanatory Notes

As stated above, condition 39 requires that any scheme for off-site tree planting must accord with paragraph 4.28 of the approved Arboricultural Impact Assessment (AIA), which states:

Off-site mitigation should include:

- i. Sufficient tree planting to deliver a net gain of tree cover and associated benefits within the borough and secured for 40 years; **or***
- ii. Tree planting as part of a scheme delivering biodiversity gains across but focussing on a broader range of habitat priorities; **and***
- iii. Measures to enhance the connectivity of existing woodland or trees.*

In effect, this allows **either** an increase in tree cover area without consideration of biodiversity gain or habitat priorities, **or** a net decrease in tree cover area if the planting forms part of a scheme to deliver biodiversity gains focussed on a broader range of habitat priorities with enhanced connectivity of woodland or trees.

Net change in tree canopy cover

The 'Tree Planting and Tree Canopy Cover' note prepared by TEP dated 30 March 2022 and hereby submitted appraises the extent of tree/hedge removal from the site (as approved by permission ref. 2019/1573) against the extent of tree/hedge planting to be delivered on-site and off-site.

This indicates an on-site net loss of tree canopy cover of -5.556 ha, an on-site net gain of hedge canopy area of 0.374 ha and an off-site net gain of tree canopy cover of 4.270 ha; resulting in an overall net loss of -0.912 ha of tree/hedge canopy cover area.

Change to off-site context

Harworth Group owns land in the vicinity of the site at Barrow Colliery which is identified as a site for habitat enhancement (to achieve biodiversity net gain) and off-site tree planting.

Since the grant of permission ref. 2019/1573, the Dearne Valley Wetlands SSSI has been designated and includes land at Barrow Colliery previously identified or available for habitat enhancement and off-site tree planting related to this development.

Harworth Group's ecologist (FPCR) has been familiar with the nature and objectives of the SSSI designation since its inception. The features of interest in this particular location are noted to be breeding willow tit and breeding bird assemblage of lowland scrub. The supporting habitats for these features of interest include reedbeds, fen, wet grassland, scrub and wet woodland, damp woodland margins, scrubby wetland margins and occasionally mixed damp scrub along the edges of young plantations.

Discussion with Stakeholders

The interrelated matters of tree planting, habitat enhancement and the SSSI designation were discussed in a meeting between FPCR, Natural England and Barnsley Council's ecology and forestry officers on 13th January 2022.

In that meeting, the principle of this 'optimised approach' to biodiversity net gain, tree planting and SSSI enhancement was discussed and it was agreed that an 'under-provision' in the land area for tree planting was warranted to facilitate an overall and broader biodiversity enhancement.

Biodiversity Off-Setting Scheme

The off-site planting and habitat management proposals are set out in the Biodiversity Off-setting Scheme Rev.A (April 2022) by FPCR which was submitted in relation to the Phase 3 site reserved matters application (ref. 2021/1691).

This has been carefully prepared to achieve additionality in relation to the SSSI objectives, an overall biodiversity net gain of +10% (in relation to the development), and to maximise tree planting in locations where it will not compromise the SSSI/BNG objectives.

Accordingly, tree planting is proposed only in specific suitable locations beyond the boundary of the SSSI, namely three parcels of modified grassland east of Short Wood totalling 3.63 ha and two parcels of cultivated/disturbed arable land south of Lower Lewden totalling 0.74 ha.

In these locations, 3.63 ha of broadleaved woodland and 0.64 ha of wet woodland are proposed (with 0.1 ha ponds) to be created.

Besides this new woodland planting, a further area of 2.75 ha mixed mainly broadleaved woodland will be enhanced from moderate to good condition.

Woodland Planting and Maintenance Scheme

The submitted 'Off-Site Habitat Creation and Management Plan' (April 2022) includes the tree planting details required by condition 39. In particular, at paragraphs 3.6-3.9 and tables 1 and 2 regarding tree planting at the modified grassland parcels (area/parcel 2), and paragraphs 3.10-3.13 and table 3 regarding wet woodland planting at the arable land parcels (area/parcel 3) as identified in figure 2. This includes the location of planting, area of planting, planting specification, size and species.

As set out in the 'Tree Planting and Tree Canopy Cover' note the proposed off-site tree planting (as well as that on-site) serves to enhance the connectivity of existing woodland and trees, particularly between the woodland at Barrow Colliery and the Short Wood ancient woodland.

The submitted 'Off-Site Habitat Creation and Management Plan' includes a comprehensive management plan at table 5 and paragraph 4.5, which indicates that the plan covers a period of five years, with the programme of works required over this period summarised in Table 6. After this initial period ongoing management shall be reviewed and updated every 5 years, for the remainder of the 40-year management period.

It is proposed that woodland planting and maintenance works commence in Autumn 2022, broadly as follows:

	Woodland Planting	Woodland Maintenance
Autumn/winter 2022	Ground preparation (chain harrowing, native seeding, pond excavation etc); allow c.9 months to establish	Commence woodland maintenance works
Autumn/winter 2023	Tree planting	On-going maintenance as per management plan
Thereafter...	On-going maintenance as per management plan	On-going maintenance as per management plan

Conclusion

A net reduction in the overall area of trees is allowed under condition 39 where tree planting is to be provided as part of a scheme to deliver biodiversity gains focussed on a broader range of habitat priorities with enhanced connectivity of woodland or trees.

The net shortfall resulting from these planting and habitat enhancement proposals has been minimised at -0.912 ha, as all suitable available land for tree planting is identified for this purpose.

All other land is not suitable for substantial tree planting of this nature given its SSSI designation and the particular management objectives. In these locations a scheme of enhancement through careful management is proposed which compatible with, and additional to, requirements inherent to the SSSI.

As such, the scheme hereby proposed is considered to fully satisfy the requirement of condition 39 in accordance with paragraph 4.28 of the AIA.