

CP/01/n2379

Jessica Duffield
Barnsley Metropolitan Borough Council
Planning and Building Control
Barnsley MBC
Barnsley
S70 9GG

28th April 2025

Dear Jessica,

Discharge Of Planning Condition 3, 4, 17, 18 and 19 Pursuant to Planning Permission ref: 2024/1060 for the Alterations to existing car park and provision of new public open space and landscaping with associated works at the Lower Car Park, The Seam, County Way, Barnsley.

nineteen47 are instructed on behalf of Barnsley Metropolitan Borough Council to submit the aforementioned discharge of conditions application pursuant to Planning Permission ref: 2024/1060, which was granted at planning committee on 8th April 2025.

A summary of the information that is being submitted as part of this discharge of condition application is provided below.

Condition 3

The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application, Biodiversity Net Gain Assessment- Version 4 by OS Ecology reference 24103 V4 and dated February 2025 (Received 24/2/2025).

The wording of condition 3 doesn't require submission or formal approval of the Biodiversity Gain Plan by the LPA. Nevertheless, as the plan is referenced in Condition 4, it is submitted for discharge for completeness as follows:

- 24103 Biodiversity Gain Plan v1

The above information is considered to be acceptable for 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.

Condition 4

Prior to the commencement of development, a Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to and approved writing by the Local Planning Authority. The HMMP shall include:

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- 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.

The following information has been provided to discharge condition 4:

- 24103 HMMP v1
- 24103 Biodiversity Gain Plan v1

The above information is considered to be acceptable 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.

Condition 17

Prior to the commencement of development, details of lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be reviewed a suitably qualified ecologist to 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:

- a. Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;
 - b. A drawing showing dark corridors and buffer areas;
 - c. A report and drawings showing how and where 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:
 - i. Technical descriptions, design or specification of lighting to be installed including shields, cowls or blinds where appropriate;
 - ii. A description of the luminosity of lights and their light colour;
 - iii. A plan showing the location and where appropriate the elevation and height of the light fixings;
 - iv. Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR));
- and*

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

All 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.

The following information has been provided to discharge condition 17:

- Ecology Lighting Review

The above information is considered to be acceptable to protect ecological species and habitats in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

Condition 18

Prior to the commencement of development, a scheme for biodiversity enhancement, such as the incorporation of permanent bat roosting features, and nesting opportunities for birds, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the following details:

- a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken;*
- b) Materials and construction to ensure long lifespan of the feature/measure*
- c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.*
- d) When the features or measures will be installed within the construction, occupation, or phase of the development. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme.*

The following information has been provided to discharge condition 18:

- 24103 Biodiversity Enhancement Plan v1

The above information is considered to be acceptable to protect ecological species and habitats in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

Condition 19

Prior to the commencement of development, a Construction Environmental Management Plan - Biodiversity (CEMP-B) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP-B shall include, but not necessarily be limited to, the following:

- a) Risk assessment of potentially damaging construction activities;*
- b) Identification of 'biodiversity protection zones';*
- c) An Invasive Non Native Species (INNS) protocol to ensure INNS are not spread in the wild;*
- d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);*
- e) 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);*
- f) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;*
- g) Responsible persons and lines of communication;*

h) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s).

The following information has been provided to discharge condition 19:

- 24103 CEMP-B v1

The above information is considered to be acceptable to protect ecological species and habitats in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

I trust the submitted information is satisfactory however please do not hesitate to get in touch should you require further information.

Yours faithfully



Clare Plant
Director

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