

Skylark Condition Inquiry Note (CD 11.20).

Project name:	Land West of Bradmore Road and North of Wysall Road, Land West of Wysall, Wysall
Author:	NC
Date:	25 March 2026
Project number:	P25 – 1631
Reference:	BNO02nc – Appeal Ref: APP/P3040/W/25/3375110 – (CD 11.20)

1. This note has been prepared in relation to a planning appeal submitted pursuant to Section 78 of the Town and Country Planning Act 1990, concerning Land West of Bradmore Road and North of Wysall Road, Land West of Wysall, Wysall ('the Appeal Site').
2. The appeal has been considered at Public Inquiry, where in-person sessions were held on the 10th and 11th of March 2026 and at a virtual session on Wednesday 18th March.
3. At the virtual session, discussions were held on the draft conditions and the draft Unilateral Undertaking (UU). The planning Inspector agreed an adjournment of the Inquiry for the parties to progress further discussions and seek agreement on the UU in relation to skylark mitigation.
4. At that time the Inspector also requested that the parties consider draft wording for a potential planning condition to secure approval and subsequent compliance with a Skylark Mitigation Strategy.
5. The following draft planning condition has been agreed between the Appellant and the LPA, in response to this request:

*"The development shall not commence unless a skylark mitigation strategy to secure the skylark mitigation works, and monitoring and management of such works, has been submitted to and approved in writing by the Local Planning Authority in accordance with the Unilateral Undertaking dated **** and given reference ****. The approved Strategy shall be implemented before the start of the first available skylark nesting season (March–July inclusive) prior to the commencement of development and thereafter maintained in accordance with the agreed Strategy until the development is fully decommissioned."*
6. The condition has been drafted to be applied to the planning permission and sit alongside the UU, in the event of the Inspector being minded to allow the appeal.
7. The parties would be happy to address in writing any comments the Inspector may have on the draft condition prior to the reconvened virtual Inquiry session on 27 March and/or discuss the matter further at that session.