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**2016/1399**

**Applicant:** Aldi Stores Ltd and Barnsley Developments Ltd

**Description:** Erection of a retail unit (Use Class A1) with car parking, landscaping and associated works.

**Site Address:** Land to the east of Old Mill Lane Barnsley S71 1LL

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90 representations in support of the development. 3 objections. In addition Cllr Bruff is opposed to the proposed development.

### **Site Description**

The application site comprises vacant land located to the north of Barnsley Town Centre which occupies the space between the A61 Old Mill Lane to the west, Old Tannery Road to the south, Wickes DIY and Builder's Merchants to the north and Burton Road to the north west.

The site is located in an area where main roads and commercial properties dominate. Other commercial premises located in the immediate vicinity of the site include Asda, Carphone Warehouse and Tile Giant. The nearest residential properties are located to the north east of the site on Burton Road.

The overwhelming majority of the site is covered by hard surfaced material originating from historical land uses making this a brownfield site. There are few other features within the site other than post and wire fences around the perimeter, small amounts of vegetation and weed growth. Prior to the site being remediated following a planning application made in 2006, the site had been occupied by a gas works since the end of the 19<sup>th</sup> century and a depot since the 1960's. All buildings and structures have been cleared from the site within the last 10 years.

The site is relatively flat within the site other than where it banks upwards in the easternmost corner of the site adjacent the roundabout constructed to serve the new road. Land levels are however below Old Tannery Road which runs along the length of the southern site boundary. A spur off this roundabout wraps around the northern perimeter of the site and is proposed to be used as the means of access to the site. This particular service road is currently in use to serve Wickes.

### **Proposed Development**

Planning permission is sought to construct a new Aldi foodstore. The plans comprise a single building containing 1765sqm of gross internal floorspace, which would be located on the eastern half of the site in a position near to the new roundabout. Access to the development would be via a central location in the northern part of the site off the service road currently in use to serve Wickes. A new 93 space car park would be constructed on the western half of the site. The plans also include provision for soft landscaping located around the perimeter of the development.

The plans are for a building which would of a very modern style of architecture. The building would have a single slope roof measuring 8m at the highest point and 5m at the lowest. The building would measure approaching 60m in length on the roadside elevation adjacent Old Tannery Road and approaching 40m in length on the east and west side elevations. Facing

materials would consist of a mixture of glazing and cladding with a base constructed using bricks and mortar. The cladding panels would be a mixture of different blues, greys and silver. The blues would combine to create feature walls.

The supporting statement advises that the development would create 40 full and part time jobs once operational.

## **History**

Previous planning applications at the site comprise:-

B/76/0338/BA - Construction of vehicular access. 15/04/1976.

B/77/1969/BA - Use of land for storage of Calor gas. 01/09/1977

B/86/1005/BA - Outline for erection of supermarket, DIY store and garden centre. Refused 05/11/1986.

B/97/1552/BA - Outline application for the erection of non-food retail warehouse with ancillary facilities, access and car parking. Refused permission 15/04/1998

B/99/1289/BA - Erection of replacement palisade fencing. 10/12/1999

B/02/1755/BA/TF - Fell trees within TPO 5/1996. 04/02/2003

HSC/00/0002/BA - Continuation of hazardous substance consent. 06/06/2000

2006/1616 - Erection of retail warehouse with associated car parking and access (Outline). Outline planning permission granted with conditions 17/10/2008.

2006/1911 - Remediation of land. Planning permission granted with conditions 09/08/2007.

2010/1367 - Erection of a retail warehouse with associated car parking and access (Outline). (2006/1616 Extension of time limit). Extension of time limit granted 18/04/2011.

2012/0777 - Demolition of existing retail warehouses & erection of foodstore (A1), retail warehouse unit (A1), community kiosk (A1/A3/A5/B1/D2), petrol filling station and community riverside park with associated parking, landscaping, servicing and access (Outline). The application was withdrawn by the applicant prior to a decision being made by the Council.

2013/1387 - Erection of supermarket with associated petrol filling station, car park, community park, access, servicing and landscaping (Outline). The application was withdrawn by the applicant prior to a decision being made by the Council.

## **Policy Context**

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and the saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

### Saved UDP Policies

UDP notation: Utility Company & Green Belt

### Local Development Framework Core Strategy

CSP3 'Sustainable Drainage Systems

CSP4 'Flood Risk'

CSP8 'The Location of Growth'

CSP26 'New Development and Highway Improvement'

CSP29 'Design'

CSP31 'Town Centres'

CSP34 'Green Belt'

CSP36 'Biodiversity and Geodiversity'

CSP39 'Contaminated and Unstable Land'

CSP40 'Pollution Control and Protection'

### SPD's

-Residential amenity and the siting of buildings

-Parking

### Publication version of the Draft Local Plan

Proposed allocation: Urban Fabric

### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are

out-of-date, granting permission unless:

— any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or  
— specific policies in the Framework indicate development should be restricted.

80. Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

87. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

89. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:-

- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

## **Consultations**

Air Quality – No objections taking into account of the proposed mitigation measures which would need to be conditioned to ensure implementation.

Coal Authority – No objections subject to intrusive investigation work being carried out to inform any mitigation measures which are necessary to ensure that the proposal is free from land instability risks associated with shallow coal workings.

Contaminated Land – No objections subject to conditions.

Civic Trust – Comments received are broadly supportive of the proposed development based upon the following summary of reasons:-

- considerate design
- regeneration of an important gateway at the northern end of the town centre
- the product range of the applicant which it is considered would add choice to consumers.
- Increased employment opportunities
- Increased footfall in the area

However the Civic Trust request that the drainage and congestion implications of the proposed development are fully assessed.

Dearne and Dove IDB – No objections subject to conditions.

Drainage – The application is not objected to subject to the imposition of the standard condition requiring full surface and foul water drainage details to be provided prior to the commencement of development.

Environment Agency – No objections on flood risk and land contamination grounds subject to conditions and informatives being imposed on the decision.

Enterprising Barnsley – Express support for the application on the grounds that it would secure investment, generate a business rate income and lead to an increase in employment opportunities.

Highways – No objections subject to conditions including a limit on the foodstore accepting deliveries during peak times.

Regulatory Services – No objections having considered the findings of the noise assessment subject to the imposition of conditions limiting delivery times.

Tree Officer – No objections as no existing trees would be impacted by the development. In addition the planting scheme proposed as part of the landscaping plan would provide a good volume and variety of species and is acceptable.

Urban Design Officer – Is supportive of the application from an urban design point of view. Considers that design is innovative and is appropriate for its setting.

SYMAS – No objections subject to conditions to safeguard against the risks posed by shallow coal workings.

Ward Councillors – Councillor Bruff has objected to the proposed development based upon the following summary of reasons:-

- Demise of town centre footfall
- Increase in traffic – near residential area
- Increase in traffic causing grid lock at peak times
- Air pollution caused by increase in traffic
- Potential hazard to children as site is situated close to school and walk to school routes
- Site is between 3 major access roads into town all of which have overuse and 2 have dedicated bus routes on them
- Other sites in / close to town centre available

Yorkshire Water – No comments have been received at the time of writing.

## **Representations**

The application was advertised by neighbour notification letters, site and press notice. 90 representations have been received in support of the proposed development. The main reasons in support of the proposed development are as follows:-

Consumer choice - Views are expressed that the development would broaden consumer choice for local people and offer foodstore goods at an affordable and competitive price which would be of benefit to senior citizens in particular. In addition it is considered that the development would create healthy competition with the existing foodstores which might end up being reflected in the prices of the goods on offer elsewhere.

Locational factors/sustainability – Opinions have been stated that the site benefits from good accessibility compared with other foodstores in and around the town centre, or the Tesco Extra located near to Stairfoot. In addition the site is stated to be in walking distance of residential properties located to the north of the site and is on a bus route. A number of senior citizens have written in to express such views.

Additional positive comments include:-

- Creation of job opportunities for local people
- Local economic benefits/Payment of business rates
- Regeneration of previously developed land

Only a small number of objections have been received from persons totally opposed to the development (3). Within those the following concerns have been identified and this is also the case even within a small percentage of the representations received in support of the proposal:-

Network capacity – Concerns are raised that the development may contribute additional traffic congestion problems on Old Mill Lane and Wakefield Road which already occur at many hours throughout the day.

Harm to local businesses – Concerns are raised that increased congestion levels would negatively affect trade to existing businesses, which are already facing problems during peak hours. In addition it is stated that the development could dilute trade affecting existing food based retailers in the locality, including Pound Stretcher, Coop, Farm Foods, Iceland, B&M, Range and ASDA who all service this area already as well as a knock on effect on smaller local independent retail stores. In addition concerns are raised that units are becoming empty at the Peel Centre retail park, with Pizza Hut now coming for sale.

Concerns about an increase in traffic posing a risk to parents and children accessing Burton Road Primary School and Dearne Valley Park.

## **Assessment**

### Principle of Development

The existing land use planning policy designations affecting the site date back to the UDP which was adopted back in the year 2000. They divide the site into 2 designations, with approximately half being land designated as utilitarian land dating back to when it was in use by National Grid and Green Belt on the remainder. During the intervening period there have been a number of physical changes affecting the site itself and the surrounding land, including the vacation and clearance of the site by National Grid, implementation of a remediation scheme for the land, and the construction of Old Tannery Road as a new relief link road connecting Old Mill Lane and Burton Road. This means that the site is now a cleared and vacant brownfield site which has clearly defined boundaries on all 4 sides. The existing UDP policy designations affecting the site are now substantially out of date therefore. This is reflected in the publication version of the emerging Local Plan, now submitted to the Secretary of State which is proposing that the site is removed from the Green Belt, and that the utility company protection designation is taken away for the land to

be designated within the Urban Fabric of the Town. Whilst full weight cannot be afforded to the new Local Plan prior to it becoming adopted, the weight that can now be afforded has increased given the stage that the plan has reached in being submitted to the Secretary of State for Examination. Moreover, although there have been numerous objections to the Green Belt review, there have been no objections to the removal of this particular site from the Green Belt.

In addition to the above planning permission has previously be granted for the Council for the development of a retail warehouse unit, initially in 2006 and renewed in 2010. Both of these decisions have established that the Council is supportive in principle of the site being redeveloped.

The NPPF does allow for the redevelopment of previously developed land within the Green Belt. However, as the previous buildings have long since disappeared, it would not be possible to apply this exception as there is now nothing existing to offset the harm that would occur to openness as a result of the development. Consequently, the proposal represents inappropriate development which, by definition, is harmful to the Green Belt and should not be approved unless very special circumstances have been demonstrated.

In this particular case the very special circumstances are considered to be a combination of factors that are relatively unique to this site in particular that the development would bring back into use a prominent and sustainably located brownfield site on a key route into the town centre. The proposal would also provide economic benefits as a result of direct job creation and would increase consumer choice for convenience goods without harming designated centres.

The proposal would undoubtedly have an impact on openness of the Green Belt at a narrow point along the river valley but as both sides of the valley are within Barnsley Sub Regional Town, there would also be minimal conflict with the five purposes of including land within the Green Belt. Moreover, the purpose of assisting in urban regeneration, by encouraging the recycling of derelict and other urban land' would be directly achieved as a result of the development.

Overall and considering everything in the round the combination of the lack of objections to the site being removed from the Green Belt in the emerging Local Plan, the previous planning permissions on the site for retail use, the fact the proposal would bring back into use a prominent and sustainably located brownfield site on a key route into the town centre and that the proposal provide economic benefits are sufficient to clearly outweigh the substantial harm associated with inappropriate development in the Green Belt, particularly given the lack of conflict with the purposes of including land in the Green Belt. As such, subject to no other harm being identified that could be afforded sufficient weight to shift the balance, very special circumstances are considered to exist.

#### Retail Planning Policy

The proposal site is located in an out of centre location. Therefore in accordance with national and local planning policies the application is accompanied by a sequential assessment which seeks to demonstrate that there are no sequentially preferable sites to locate the development on than the proposal site. The findings have determined there are no premises available within Barnsley Town Centre to accommodate the proposed development. The assessment did identify 5 potential sites, including Courthouse/County Way car parks, the Transport Interchange, the former CEAG site, the markets site and

Heelis Street. However none of the sites were identified to be available, suitable or viable at the present time. As a result Planning Policy have previously determined that there are no sequentially preferable sites than the proposal site within the agreed 5 minute drive time threshold.

The outcome of this exercise therefore is that the proposed development does not conflict with the town centre first aims of national and local planning policies. In addition there has not been a need to carry out an impact assessment on the Town Centre given that the retail floor space size of the development falls below the threshold stated within the National Planning Policy Framework.

### Visual Amenity

The site is located in a highly visible location adjacent to one of the gateways into the town centre. It is therefore pleasing that the applicant has included some customised design features rather than using a standard off the shelf set of plans. The initial design has been improved further following comments made by the Council's Senior Urban Design Officer in his initial consultation response on the application. The effect of the shape, cladding type and colours would be to create a building which would have an attractive, smart and sophisticated appearance.

In addition it is considered that the scale and size of the building is proportionate to the scale of the site and could be absorbed into the area as a positive addition, rather than dominating its surroundings. My only slight reservations is that hard surfaced material would have the potential to dominate the development. However the Council's Arboricultural Officer is content that the species choices involved with the proposed soft landscaping scheme would be appropriate in relation to their size, location and species choice. Overall the proposals have been assessed to achieve the high standard of design aimed for by policy CSP29 'Design'.

### Residential Amenity

The separation distances between the proposed building and the nearest residential properties is such that the building would not give rise to any issues with regards to over dominance, or overshadowing. The proposed development complies with the Siting of New Buildings and Residential Amenity SPD in this regard therefore.

The main potential for harm to occur once the development is operational has been identified as movements to and from the site from service vehicles. Regulatory Services have therefore determined that it would be necessary for a condition to be imposed to limit delivery times to 6am to 11pm on Monday to Saturdays and between 8am and 11pm on Sundays.

The usual conditions would need to be imposed to limit the effects of noise and disturbance during the construction period.

### Highway Safety

The potential effect of the development on the highway network is one of the most sensitive issues with the application given the existing problems with traffic congestion and network capacity in the Old Mill Lane/Wakefield Road/Harborough Hill area. Government planning policy stated within the NPPF is only to refuse planning permission if the residual cumulative impacts of a development would be severe. The application is accompanied by a Transport Assessment which summarises the forecasted effects of the development on the public



highway network. In addition the Council have commissioned consultants to undertake a modelling exercise.

Starting with the applicants Transport Assessment modelling was undertaken at the following locations:-

- A61 Old Mill Lane/ Unnamed road (bypass)/ Carphone warehouse –signalised junction
- A61 Old Mill Lane/ Wakefield Road/ Burton Road – signalised junction
- Unnamed Road (bypass)/ Wickes site access – roundabout junction
- Burton Road/ Unnamed road (bypass) – roundabout junction

The peak hours were identified as being 16:00 – 17:00 hrs for the weekday peak and 14:00 – 15:00 hrs on Saturdays.

Peak hours forecast for visitors to the Aldi of 16:00-17:00 hrs on weekdays and 11:00-12:00 on Saturdays. The number of arrivals during these times are expected to be around 61 per hour during the weekday peak and 94 on the Saturday peak. Departures are expected to number 62 and 91 during these same times. However the work undertaken asserts that many of these trips would already be travelling on the highway network that in reality the number of net new journeys on the highway network as a result of the development would be much lower. In addition the site has been assessed to be highly accessible by all non-car modes of transport including public transport, walking and cycling. Furthermore the development is proposed to be the subject of a travel plan for staff which sets a target of a 10% reduction in single occupancy staff car journeys over a 5 year period, via encouraging car sharing and encouraging staff to travel to work via non car means. Taking everything into account the modelling exercise has determined that the various junctions would continue to operate within capacity.

The submitted Transport Assessment was assessed by both BMBC Highways and an independent highway consultant, and some queries were raised. The junctions were then then remodelled and revealed that there was an impact on the network with some junctions operating over capacity, resulting in significant queues. The developer was, therefore, asked to reassess the junctions concerned with alterations to the operation of the traffic signals. This has resulted in the junctions now operating within capacity. Furthermore, the assessment is considered to be robust as some trips have been dealt with as new to the network, when they have diverted from their journey to visit the store, and no reduction has been made for linked trips with the adjacent store. It should also be noted that these junctions have the benefit of SCOOT and MOVA which both optimise the operation of the traffic signals at peak times.

Whilst it is acknowledged that the development does have an impact on the surrounding highway network, the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The impact of this development could not be classed as severe, and a refusal of planning permission on highway grounds could not be substantiated.

However they have identified that there would be a need for a condition to prevent deliveries to the store during the weekday and Saturday peaks. In addition the plans are deemed satisfactory with regards to the design of the proposed new junction to serve the development, the internal circulation routes and parking areas taking into account of the relevant standards. Overall therefore highways have resolved not to object to the proposed development taking into account of the advice within the NPPF and considered acceptable and Core Strategy policy CSP26 'New Development and Highway Improvement'.

## **Other considerations**

### Drainage/Flood Risk

Part of the site is identified to fall within flood zone 3 of the Environment Agency flood maps potentially making flood risk an important consideration for the proposed development. The National Planning Policy Framework states that Flood Zone 3 comprises land assessed as having a 1 in 100 or greater annual probability of river flooding in any year. The nearest source of fluvial flooding is predicted within the River Dearne immediately to the south of the site. The fluvial flooding is predicted to originate from out of bank flows downstream of the Old Mill Lane bridge as a result of out of bank flows due to insufficient capacity in the main river channels

However the applicants FRA asserts that current flood maps are based upon historic survey information dated before the Old Tannery Road was built in November 2013 and that a study of a much more recent topographical survey suggests that these fluvial floodwaters would not affect the site due to the embankment formed as part of the construction of the road which would act as a barrier to prevent flooding. The report therefore asserts that the site is not at risk of flooding from the 1 in 100 year plus climate change event and is therefore should not be classed to be located within Flood Zone 3. Nevertheless, the site is still considered to be at risk during extreme flood events, greater than the modelled 1 in 100 year plus climate change event and as such the report advises that finished floor levels should be set a minimum of 300mm above the predicted 1 in 100 year plus climate change flood level of 44.850m AOD.

National planning policy advises that a sequential test should be applied in such circumstances to determine whether there are any suitable or available sites within flood zones 1 and 2 to locate the development. However as the sequential test exercise has concluded that the answer is no, national policy advice has been complied with. In addition retail developments are excluded from the need to have to comply with the exception test on sites located in flood zone 3a as this is considered to be a less sensitive land use compared with more sensitive uses such as housing.

In addition to this the report and recommendations within the FRA have been considered by the Council's Drainage section and the Environment Agency with neither resolving to object, subject to this condition being in place.

The report has also considered surface and foul water drainage considerations and commits to the development achieving a reduction in surface water run off flows via the inclusion of on site attenuation measures. A pumping station may be required because of the site being on a lower level than the existing public sewer which it is proposed to connect the development into. This matter would need further conditions imposing to ensure that the proposed details are acceptable to the drainage authorities.

### Ground Conditions

Whilst the site has previously been remediated to be made suitable for commercial development following a planning application made back in 2006, the preliminary ground investigation has identified the potential for the development to be potentially at risk from unstable land arising from shallow coal workings/made ground. In addition it states that there is the possibility that contaminated land could be unexpectedly discovered during the construction period. As a result an intrusive investigation would need to be carried out prior to the commencement of development to inform any mitigation measures which would be necessary, including specialist building foundation techniques which is likely to include piling. The recommendations within the report have been considered by Regulatory Services,

SYMAS and the Coal Authority who are all content for the application to be allowed, subject to such a condition being in place. Each of these consultees would then need to be involved with assessing the additional information when it is provided to ensure that they are agreeable to any mitigation measures which are judged to be necessary.

### Biodiversity

The Ecological report has identified that the ecological value of the site is poor. However the site is located in the vicinity of 3 local wildlife sites, including a culvert passing underneath Old Mill Lane which contains a maternity colony of Daubentons Bats. In addition, there is a possibility that any significant vibration from the construction phase of the development may indirectly impact upon bats using the roost. As such the report advises that any works that may cause significant ground vibrations, such as piling or drilling should not be undertaken between May and August which is the most sensitive time for bats when in a maternity roost. This would need to be a condition therefore. In addition the report recommends that a further condition would need to be in place to prevent the clearance of the scrub vegetation on the site during the breeding bird season (March to August inclusive). The Biodiversity Officer is content that there are no biodiversity reasons from preventing the proposed development from being allowed, subject to those conditions being in place. In addition he would require a further bat activity survey to take place post completion of the development which would also need to be ensured via a condition.

### Air Quality

The proposed development is located close to the Harborough Hill Road air quality management area (AQMA). The assessment states that "a number of mitigation options were identified in order to reduce vehicle emissions associated with the development." As a result the following mitigation measures form part of the application:-

- Inclusion of electric vehicle charging points
- Provision of a Travel Plan
- Provision of secure cycle storage
- Consideration of air quality in the site design and layout, and,
- The inclusion of soft landscaping as green infrastructure for the development

Regulatory Services have afforded consideration to the issues posed by the proposal and have determined not to object to the proposal, subject to a condition being imposed on any granting of planning permission to ensure that these provisions are followed through.

### Conclusion

In summary the land is designated as Utility Company Land and Green Belt in the UDP. The proposal therefore constitutes inappropriate development in the Green Belt. However, the combination of the lack of objections to the site being removed from the Green Belt in the emerging Local Plan, the previous planning permissions on the site for retail use, the fact the proposal would bring back into use a prominent and sustainably located brownfield site on a key route into the town centre and that the proposal provide economic benefits are sufficient to clearly outweigh the substantial harm associated with inappropriate development in the Green Belt, particularly given the lack of conflict with the purposes of including land in the Green Belt.

Having assessed all other material considerations it is clear that, subject to the imposition of the suggested conditions, there will be no other harm that would be sufficient to alter the

conclusion that very special circumstances exist. Accordingly, the proposal is considered to comply with the development plan as a whole and national planning policy.

## Recommendation

Grant planning permission with 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 following amended plans and specifications as approved unless required by any other conditions in this permission:-  
  
1210-50 'Location Plan'  
The Harris Partnership plan 1210-100 'Proposed Site Layout'  
The Harris Partnership Job/Dwg: 1210 SDAR-V102A-Elevations  
The Harris Partnership 1210-101 - Proposed GA Layout  
The Harris Partnership 1210-103 - Proposed Sections  
The Harris Partnership 1210-104 - Proposed roof  
Vector Landscaping plan 'V1210 L01 C'  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.  
**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 4 No development shall take place until full details of the proposed external materials have been 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 LDF Core Strategy Policy CSP 29, Design.**
- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 6 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:
  - The parking of vehicles of site operatives and visitors
  - Means of access for construction traffic
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding including decorative displays

- and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

**Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**

- 7 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of arrangements which secure the following highway improvement works:

- alterations to the operation of the traffic signals

The works shall be completed in accordance with the approved details and a timetable to be submitted to and approved in writing by the Local Planning Authority.

**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 8 Vehicular and pedestrian gradients within the site shall not exceed 1:12.

**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 9 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. 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: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

- 10 The hereby approved Travel Plan shall be implemented in accordance with an implementation strategy to be submitted and approved in writing by the Local Planning Authority prior to the occupation of the residential development hereby permitted. Reports demonstrating the progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of first occupation to the Local Planning Authority for a period of 5 years from first occupation of the residential development hereby permitted.

**Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.**

- 11 No development shall take place until full foul and surface water drainage details, including a scheme to reduce surface water run-off by at least 30% and a programme of works for implementation, 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 and the scheme shall be retained throughout the life of the development.

**Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.**

- 12 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 Core Strategy Policy CSP 29.**

- 13 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of construction materials 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: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**

- 14 Deliveries shall be only take place between the hours of 0600 & 2300 Monday to Saturdays and 0600 & 2300 on Sundays and Bank Holidays (excluding times between 0830 & 0900 Monday to Friday and 1100 & 1200 on Saturdays).

**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**

- 15 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position of boundary treatment to be erected. The boundary treatment shall be completed before the development is brought into use. Development shall be carried out in accordance with the approved details.

**Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Core Strategy policy CSP 29.**

- 16 Prior to the commencement of any development works, a remediation scheme, endorsed by a competent engineer experienced in ground contamination, shall be submitted to the local Planning Authority for approval. This report shall, amongst other matters, include the following:-

1. Methodology to address the contamination risks previously identified.
2. Measures to test and evaluate any imported soils onto the site to ensure they are suitable for the intended use.
3. Chemical testing suite, frequencies and threshold levels.
4. The subsequent validation that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied.

The development shall thereafter be undertaken in full accordance with the submitted reports.

**Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy Policy CSP 39.**

- 17 The development's carbon dioxide emissions shall be reduced by at least 15% .Upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their implementation shall be

submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.

**Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.**

- 18 The proposed development shall achieve BREEAM standard of 'very good' or equivalent. Upon completion of the development, an energy performance certificate shall be provided to the Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.  
**Reason: In the interest of sustainable development, in accordance with Core Strategy Policy CSP2.**
- 19 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.  
**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**
- 20 Development shall not commence until details of electric vehicle charging points have been submitted and approved by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details prior to the development being brought into use.  
**Reason: In the interest of air quality, in accordance with Core Strategy Policy CSP40.**
- 21 The development shall not be brought into use until a service yard management plan has been submitted to and approved in writing by the Local Planning Authority, The plan shall include for the management of all delivery vehicles, customers vehicles, pedestrians, the use of a pedestrian marshall and shall provide a regular monitoring regime and a system for identifying and correcting issues at each delivery. Thereafter the development shall proceed in accordance with the approved details prior to the development being brought into use and retained as such thereafter.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 22 Development shall not commence until details of the car park management plan have been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details prior to the development being brought into use and retained as such thereafter.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 23 All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 24 No development shall take place until an intrusive site investigation and the results to assess the risk of land instability arising from historical coal mining activity have been submitted to and approved in writing by the Local Planning Authority. In the event that the site investigations confirm the need for remedial works to treat areas of

shallow mine workings, further details shall be provided to the Local Planning Authority for approval that shall require implementation prior to the commencement of the approved development.

**Reason: In order to ensure safety and stability of the proposed development in accordance with CSP39.**

- 25 The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) dated October 2016, reference 15004-3E-00-XX-RP-C-9000, by 3E Consulting Engineers, and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 45.15m above Ordnance Datum (AOD).
- Overland flows will be directed away from any proposed or existing buildings and towards the surface water drainage and attenuation facilities.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason: To reduce the risk of flooding to the proposed development and future occupants.**

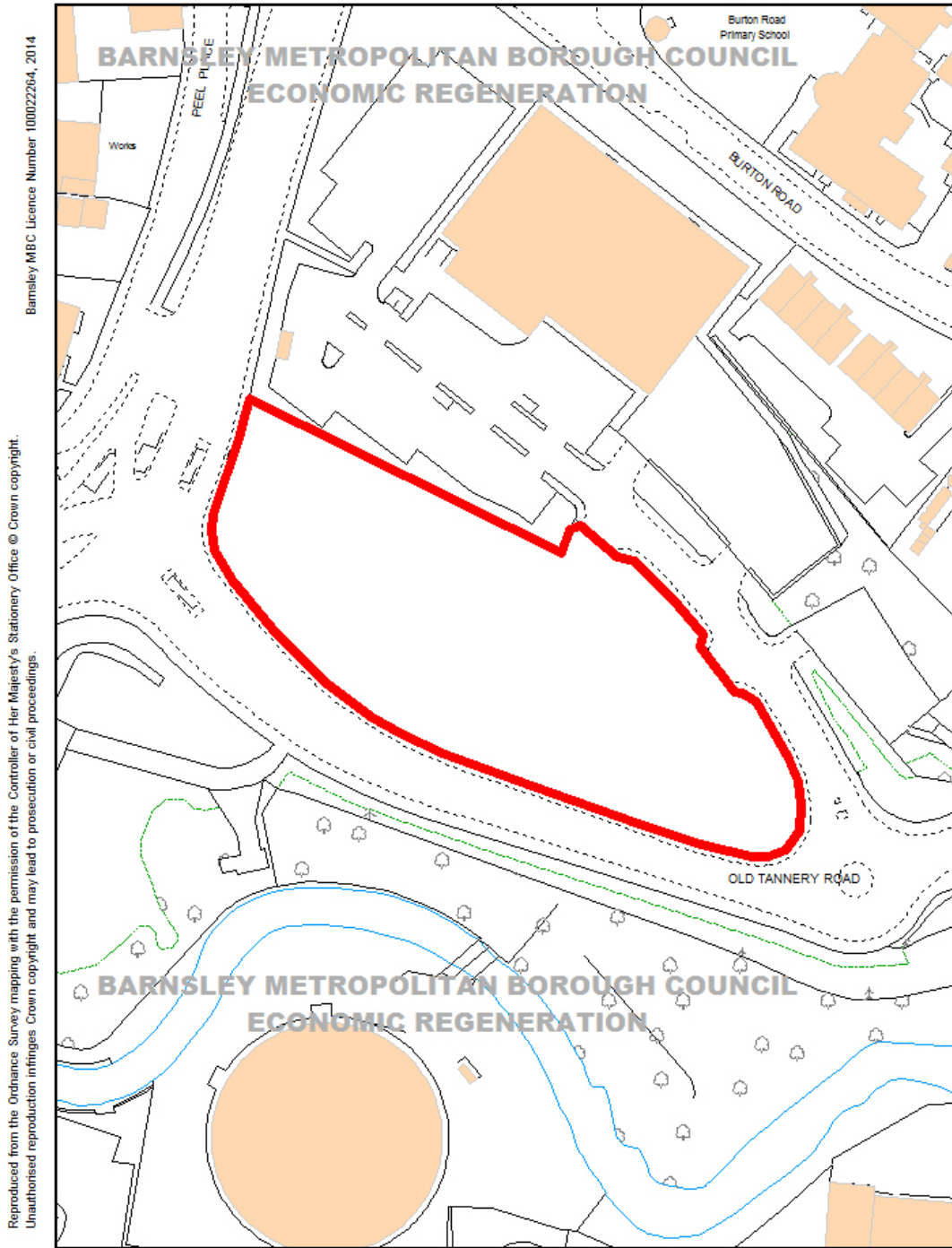
- 26 No development shall take place until a report is submitted to, and approved, in writing, the Local Planning Authority to address the potential contamination risk to adjacent River Dearne from the works. This scheme should either involve a monitoring programme to evidence no residual contamination has impacted the river, or involve detailed groundwater modelling to show the risks are minimal. Thereafter the development shall proceed in accordance with the approved details.

**Reason: To protect the environment and ensure the site is suitable for the proposed use in accordance with Core Strategy Policy CSP40.**



PA reference :-

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**NORTH**  
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