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**2017/1716**

**Applicant:** Lidl UK GmbH Pipestone Ltd., C/o DDP

**Description:** Erection of food store with associated access and car park.

**Site Address:** Land off Wakefield Road, Mapplewell, Barnsley

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Objections from 4 local residents, Asda and the Co-op. Cllr Miller has concerns with the number of new accesses proposed to be created by developments along this section of the A61 Wakefield Road. The application is linked to application 2017/1718 which proposes the development of up to 102 dwellings (outline) on the adjoining land.

### **Site Location and Description**

The site is located off Wakefield Road just north of the Bar Lane / Wakefield Road junction. It is part of the former William Freeman employment site. The factory building has been demolished with much of the brickwork left on site and the development platform largely in place.

The site falls sharply from Wakefield Road but beyond this the development platform is relatively flat. There is existing vegetation around the site edges with a line of tall conifers along the southern boundary with Tipsey Cottage, Wakefield Road. A high voltage line runs north / south to the east of the site as does a dismantled railway.

The land to the immediate east and north of the site is scrubland with various trees and shrubs scattered across it. Beyond this are agricultural fields. To the south and west are the residential areas of Athesley North and Mapplewell.

### **Proposed Development**

The application has been submitted for full planning permission for a new Lidl Foodstore. This would see the redevelopment of part of the site with a 2,125m<sup>2</sup> gross internal area (1,325m<sup>2</sup> net useable sales area).

The store would be served with a 127 no. space customer/staff car park including 9 no. disabled spaces, 8 no. parent and child spaces, 2 no. Electric Vehicle Charging places and 4 no. cycle spaces. Servicing to the building would be to the east of site, with access taken across the car park.

The building would be single storey with a powder coated aluminium monopitch roof; the principle materials would be white washed render and silver cladding. The building is sited at a right angle to Wakefield Road with the western side elevation (facing Wakefield Road) incorporating large elements of glazing which would be complemented by an entrance canopy. This canopy would wrap around the building onto the southern elevation where the entrance is located. The front elevation (southern) is largely blank render, although the plans show billboard signage used to provide interest.

The development platform is raised to allow the access from Wakefield Road to meet highway safety / design standards. This has resulted in the store being set at a level which is closer to that of Wakefield Road and higher than the surrounding land. Retaining walls around the site vary from 0.5m in height to 3.1m in the south eastern corner (adjacent the former railway banking).

Landscaping would comprise of structured tree and shrub planted verges, these would be located along the site and car parks perimeter.

In addition to regenerating the site itself, the applicant suggests that the proposals would support approximately 40 full and part time jobs.

To meet with the local and national validation requirement the application has been accompanied with the following reports:

- Planning, Design and Access Statement
- Noise Impact Assessment
- Air Quality Assessment
- Travel Plan
- Statement of Community Involvement
- Transport Assessment
- Phase 1 Desk Study Report
- Arboricultural Survey and Impact Assessment
- Ecology Assessment
- Flood Risk Assessment

### **Planning History**

2009/1076 – Erection of 83no. residential dwellings (including means of access and layout) and industrial units use class B1, B2 and B8 with means of access (Outline). Withdrawn

### **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 48 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).

### Core Strategy

- CSP1 Climate Change
- CSP2 Sustainable Construction
- CSP3 Sustainable Drainage Systems
- CSP4 Flood Risk
- CSP5 Including Renewable Energy in Developments

CSP19 Protecting Existing Employment Land  
CSP25 New Development & Sustainable Travel  
CSP26 Development & the Highway Network  
CSP29 Design  
CSP31 Town Centres  
CSP36 'Biodiversity and Geodiversity'  
CSP37 'Landscape Character'  
CSP39 'Contaminated and Unstable Land'  
CSP40 'Pollution Control and Protection'  
CSP42 'Infrastructure and Planning Obligations'

#### Saved UDP Policies

ED7 Existing employment areas  
DT4/3 Employment Policy Areas 'William Freemans'

#### SPDs/SPGs

Parking  
Residential Amenity & the Siting of Buildings

#### Emerging Local Plan

The site is allocated as a housing site (AC3) with an indicative number of 131 dwellings. Policies H1, The Number of New Homes to be Built, H2, The Distribution of New Homes, H3, Housing Site Policies and GD1, General Development are all relevant.

Emerging Policy TC3 Thresholds for Impact Assessments is also relevant.

#### 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.

In respect of this application, relevant policies include:

Section 2 Achieving sustainable development  
Section 6 Building a strong, competitive economy  
Section 7 Ensuring the vitality of town centres  
Section 8 Promoting healthy and safe communities  
Section 9 Promoting sustainable transport  
Section 12 Achieving well-designed places

#### **Consultations**

BMBC Drainage: The proposal is on a previously developed site with a high impermeable area. The proposals therefore would not significantly increase the amount of run off from the site; accordingly there are no drainage concerns.

Coal Authority – No objection subject to a condition requiring further site assessment in line with the applicant’s geo-environmental report.

Enterprising Barnsley – Support

Forestry Officer: No objections subject to conditions

Highways DC: No objections subject to conditions

Regulatory Services: No concerns to resident’s amenity subject to the recommended conditions raised within the noise survey.

Sheffield Area Geology Trust (SAGT) – No objections subject to an informative advising the applicant to contact them pre-commencement and allow site visits to record geology on site during ground works.

SYMAS – No objections subject to conditions

Yorkshire Water: No objections subject to the recommended conditions.

Ward Councillors: Councillor Miller has raised concerns about the number of additional accesses on Wakefield Road associated with this site and the residential scheme to the north.

## **Representations**

The application has been advertised by way of a site and press notice and properties within the vicinity have been consulted directly in writing. 4 letters of comment have been received the details for which are summarised as follows:

- Highway safety concerns related to increased traffic, location of the access and existing high levels of traffic on Wakefield Road.
- Increased disturbance associated with noise and light from cars entering and existing the site.
- Disruption during construction from noise and dust which will directly impact residents opposite the site.
- The site should be returned to its natural state and not developed. There is already too much development in Mapplewell and Royston.
- More landscaping is needed.
- There are already enough supermarkets in the area and town.
- Changes on Wakefield Road to the verge will affect the ability of the neighbouring resident to access their property safely.
- The opening hours will lead to disturbance and should be limited to 10pm.

Asda have submitted an objection that the Transport Assessment provided is deficient, the applicant has not demonstrated that there is no reasonable prospect that employment use will come forward on the site or that the most suitable alternative use is for residential and arguing that draft policy TC3 of the Emerging Local Plan should be applied and an impact assessment required (given the proposed exceeds the 500 sqm threshold). In addition, the impact of the store on residential amenity including in relation to the allocation must be considered.

The Co-op has also objected on the grounds that the development is not sustainable development, the sequential test is deficient and that there is a suitable and available site in

a sequentially preferable location available. They also argue the policy TC3 of the Emerging Local Plan and the associated impact test should be applied.

Amended plans – consultation has been undertaken on the amended plans internally and with residents who have previously commented. It was not considered necessary to consult with Asda or the Co-op as their comments focus on the principle of the development rather than design considerations. This approach is considered to strike the right balance between the need to consult and not unduly delaying the application (NPPG paragraph 026).

## **Assessment**

### Principle of Development

The NPPF (2018) confirms planning law requires that applications for planning permission be determined in accordance with the development plan (in this case the saved UDP and Core Strategy) unless material considerations indicate otherwise. Weight can be afforded to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the framework<sup>1</sup>.

Arguments that an application is premature are unlikely to justify a refusal of planning permission unless it is clear the development is so substantial or its cumulative effect would be so significant that to grant permission would undermine the plan making process or the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area. The site is located in Urban Barnsley where priority is given to development in accordance with Core Strategy Policy CSP 8 – The Location of Growth. It is also part employment policy area, part employment proposal in the UDP therefore policies ED7 Existing Employment Areas and DT3 – Proposed Employment Sites as well as Core Strategy policy CSP19 – Protecting Existing Employment Land apply. More recently the site has been proposed to be allocated (as part of a wider allocation) for residential development in the emerging Local Plan and taking account of paragraph 48 of the NPPF (2018) some weight can be afforded to this allocation.

Taking the employment policies first, in the production of the emerging Local Plan the suitability of the site for employment use has been considered, concluding that there is no reasonable prospect of the site being developed for employment use and that the proposed employment site is not required to achieve the employment land requirement for the borough as there are more preferable sites proposed for allocation. This assessment is in accordance with the previous and current NPPF with regards building a strong, competitive economy, therefore, although UDP (ED7 & DT3) policies indicate that planning permission should not be granted for the proposed retail use on this site it is concluded that the degree of conflict with these policies is not sufficient to justify refusal. Furthermore, the assessment undertaken as part of the Local Plan process supports that the redevelopment of this site would comply with the criteria set out in Core Strategy Policy CSP19.

In considering the proposed housing allocation some weight can be afforded to this given the advanced stage of the Local Plan, albeit this is reduced by the ongoing minor modifications consultation which includes changes to the site specific policy for this site (following representations). Policy H3 of the emerging Local Plan requires development of housing sites to comply with Policy GD1 – General Development and the site specific policies which in the case of allocation AC3 include an indicative number of 102 dwellings and the retention of the diverse grassland to the east of the site, abutting the railway line. An application for residential development on the wider site has been submitted in tandem with this planning application. This demonstrates, following a number of amendments to both schemes, that the remaining site is capable of delivering a residential scheme which complies with

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<sup>1</sup> The Local Plan is tested against the previous NPPF (March 2012) in accordance with the transitional arrangements

emerging local plan policies and does not undermine the ability to deliver the housing allocation. The impact of the proposal on ecology (and specifically the grassland) as well as the wider principles of emerging policy GD1 is covered in more detail below.

It is therefore concluded that a recommendation for refusal cannot be justified based on the UDP employment designations on the site, nor can a recommendation of refusal be based on the emerging Local Plan housing designation on the site.

Turning to the retail issues arising from the proposal, firstly it is concluded that the submitted sequential assessment has demonstrated that there are no sequentially preferable sites within the 5 minute drive time of the application site. The submission made by an objector to the planning application maintains that there is an edge of centre site which is sequentially preferable. However, since that site is consented for industrial development, it is not considered to be demonstrably suitable or available. Accordingly it is the Council's view that there are no sequentially preferable sites which are suitable and available for the proposed development.

Secondly it is concluded that given the scale of the development proposed, which does not exceed the threshold set out in the NPPF, no retail impact assessment is required. Two objectors have submitted comments to the planning application stating that significant weight should be afforded to the emerging Local Plan policy TC3 and that a retail impact assessment should be required. However, accepting that some weight can be afforded to the emerging Local Plan in accordance with paragraph 48 of the NPPF, taking account of the current status of the Local Plan and ongoing consultation on the Minor Modifications to the Local Plan (which include amendments to this policy following objections and discussion at the EiP process) it is not considered that applying the thresholds in the policy would be reasonable or proportionate at this time. Accordingly the proposed is acceptable under current retail planning policy.

The proposal must therefore be assessed in accordance with the presumption in favour of sustainable development and impacts on visual and residential amenity (to existing and future residents).

### Residential Amenity

The application has been amended following concerns regarding the impact of the proposed on residential amenity in relation to the layout of the site, the scale of building and proposed changes in levels on the site. In addition, the original scheme left an isolated parcel of land to the south of the Lidl site.

In order to create a level development platform land levels moving east across the site are proposed to be raised with retaining walls along the northern, eastern and southern boundaries varying in height from 0.5m to 3.1m in height. This created a number of concerns both in relation to the scale and massing of the proposed Lidl on the northern boundary, nearest to the proposed residential development and in relation to the proposed green space to the south of the Lidl which was not overlooked and was accessed via a narrow footpath around the eastern boundary of the site. The indicative layout submitted with the residential scheme showed houses backing onto the northern boundary with the property and gardens overshadowed by the retail building and retaining walls. The footpath to the greenspace was located on a thin strip of land between the existing railway cutting and a 3m high retaining structure. Not only would the footpath have been uninviting, the layout and levels would have created an isolated area of greenspace which would likely feel unsafe and would not be an attractive / useable greenspace for the proposed residential development. Therefore, the impact on the proposed housing allocation in terms of residential amenity was not

acceptable and the proposed did not promote good design in accordance with Core Strategy Policy CSP 29.

The scheme as amended shows the proposed store and car park shifted to the south, incorporating the previously undeveloped land. The applicant has consulted with National Grid and confirmed that there are no objections to amended site layout. The overall height of the retaining structures has also been reduced along this boundary. As a result the bulk of the store is reduced and it is possible to undertake a more cohesive approach to the design of the residential scheme on the wider allocation, the parameters plan for which a substantial buffer zone of landscaping along the boundary (demonstrating compliance with SPD Residential Amenity and the Siting of Buildings is achievable) as well as better designed greenspaces and an ecology buffer. This approach is now in compliance with Core Strategy Policy CSP29 and emerging Policy GD1 in relation to the impact on future residential amenity and the future use of neighbouring land.

In relation to impacts on the residential amenity of existing residents, the most significant impact will be on the resident of Topsy Cottage which is immediately adjacent to the site with the car park wrapping around the north and east boundaries of the cottage. The property is an unusual situation in that it has always been surrounded by employment uses with the former William Freeman factory, restaurant, garage and nursery school all located in close proximity. There is a line of tall conifer trees along the north and east boundaries screening the property which is shown as retained on the plan. As such there will be no significant overshadowing / overbearing impact on the property. In addition, the applicant has confirmed 1.8m close boarded fence will be erected providing protection from noise.

A noise report has been provided with the application which sets out that the ambient noise climate at the site is attributable to road traffic noise and the principle noise sources associated with the proposed store will be from: HGV deliveries, fixed external plant and the customer car park. The delivery yard is located to the north eastern corner adjacent an area identified as green space. Deliveries are expected once or twice a day and between the hours of 7am – 11pm. The yard is designed so that the store itself provides substantial screening in relation to noise with an additional 3m acoustic fence provided around the perimeter of the delivery area and plant compound. Taking account of this attenuation the impact on residents associated with noise from deliveries and plant noise is assessed as low. Noise from the car park is assessed to be below the ambient noise level; however, the applicant has proposed a 1.8m acoustic fence around the site in any case to further reduce any noise disturbance.

A lighting assessment has also been provided demonstrating that luminance spill from the site will be limited to 0.5-1 lux. This is accepted as sufficiently low to not cause a significant disturbance to the residents (existing or future) or to the wildlife corridor along the railway cutting.

It is therefore accepted that the proposed retail scheme will not have an unacceptable impact on residential amenity.

### Visual Amenity

The layout of the scheme has been informed by various factors including: the levels on the site, a desire to make the best use of the sites prominent location, access considerations and impact on the neighbouring residential development. The current layout has evolved through the consultation process and is considered to be the best solution achievable. An area of trees and scrub will be lost as a result of the proposed; however, whilst these have a visual amenity value their loss is not detrimental and can be mitigated through appropriate landscaping.

As the site has an operator confirmed the approach to the store design has been led by their specific requirements rather than a detailed assessment of the wider area. Nevertheless the modern rendered and glazed building will not appear out of place in this location and the monopitch roof helps to reduce the overall bulk of the building. The landscaping design incorporates some heavy standard trees along the frontage, native hedgerows and a wildflower mix which will soften the appearance of the proposed and provide some visual interest.

Finally the proposed store and car park layout ensures maximum visibility and surveillance across the site which along with the proposed boundary treatments will reduce antisocial behaviour on the site. As such the proposed design is in compliance with Core Strategy Policy CSP 29.

### Highways

A Transport Assessment has been submitted to support this application, and consideration has been had to the cumulative impact of the adjoining residential development (taking into account their Transport Assessment). The Transport Assessment for this development covers five junctions and establishes the present day situation, then adds normal traffic growth for five years in the future, the residential impact is then assessed alone and finally the residential impact and the proposed Lidl store, assuming the residential development is approved.

The TA demonstrates that the impact of the Lidl Store and the residential traffic on the network is minimal. It should be noted that the assessment of the impact of the Lidl and the residential development is a worst case scenario. This is due to the fact that every trip to the Lidl has been assumed to be a new trip on the network making the assessment extremely robust. In reality some of the trips to the Lidl would already be on the network and would call in as they pass by or make a small diversion during a journey they were already making. The NPPF states that "development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." It is clear that the residual cumulative impact could not be classed as severe. Access into the site is proposed to be a priority junction with a right turn lane and visibility splays which will be designed to the requirements of the Design Manual for Roads and Bridges, accordingly there is no unacceptable impact on highway safety. However, it is demonstrated that some of these junctions begin to operate close to or above capacity at peak times. This is due to normal predicted traffic growth and not as a result of this development; therefore, highway improvement schemes will be investigated and implemented in the usual manner.

Consequently, there are no objections to the proposed development in a highway context, subject to the following conditions

### Ecology

A detailed ecological appraisal has been submitted to support this application and the adjacent residential development. It includes species specific surveys in relation to reptiles and amphibians (including Great Crested Newts) which concluded that the site was a suitable habitat but that none were present. In terms of mitigation the applicant has included an appropriate landscaping scheme along with reptile refugia and bird and bat boxes. This has been accepted by the Council's Ecology Officer.



## Sustainability

The design and access statement includes a sustainability section which confirms Lidl's approach to sustainability including low energy and timer controlled lighting, a refrigeration waste heat recovery system will be used to heat the building and all plant proposed is energy efficient. In addition two vehicle charging points are provided in the car park and cycle parking. In addition, the proposed building will be required to meet current building regulation standards in relation to sustainability.

The site is located within Urban Barnsley where the majority of new development is proposed, it is accessible by a variety of transport methods, located in close proximity to existing and proposed residential developments with good crossing facilities on Wakefield Road, on a main bus route and close to a cycle link with the town centre.

As such the proposed is sustainable development and accords with the NPPF and existing and emerging Local Planning Policy.

## Conclusion

In summary the proposed development is not objected to in land use planning policy terms for the reasons set out in this report. In addition the assessment of the other material considerations including residential and visual amenity, highway safety, biodiversity and flood risk has concluded that there are no other impacts that would substantiate anything other than a recommendation to grant planning permission for the proposal. Accordingly the recommendation is one of approval, subject to the conditions and limitations set out within the recommendation.

## **Recommendation**

**Grant** subject to 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 amended plans and specifications as approved:

1744 P400 Rev N Site Layout  
1744 P100 Rev B Floor Plan  
1744 P101 Rev B Roof Plan  
1744 P102 Building Areas Plan  
1744 P201 Rev F External Elevations  
1744 P401 Rev J Surfacing Plan  
1744 P402 Rev K Boundary Treatments Plan  
1744P403 Rev C Levels Plan  
1744 P403 Rev G Levels Plan  
1744 P404 Rev A Existing Site Plan  
1744 P405 Rev A Site Location Plan  
1744 P600B Proposed Site Section  
1744 P601B Proposed Site Section  
1744 P602 Proposed Site Section  
DWG 01 Proposed Lighting Layout  
Lidl\_Mapplewell\_Carpark\_Itg\_Results\_12.03.18

unless required by any other conditions in this permission.

**Reason: In the interests of the visual amenities of the locality accordance with Core Strategy Policy CSP 29, Design.**

- 3 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: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**

- 4 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:

- Provision of right turn lane on Wakefield Road including pedestrian islands;
- Provision of visibility splays having the dimensions 2.4m x 120m;
- Provision of 2m wide footway on the site frontage;
- Relocation of 30mph speed limit and associated Traffic Regulation Order;
- Relocation of SCOOT loop and any necessary revalidation of the Bar Lane signal controlled junction;
- Any necessary signing/lining;
- Provision of/any necessary alterations to street lighting;
- Provision of/any necessary alterations to highway drainage,
- Any necessary reconstruction/resurfacing;
- Reinstatement of any redundant vehicular footway crossings.

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 interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**

- 5 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 interests of highway safety and the free flow of traffic in accordance with Core Strategy Policy CSP 26.**

- 6 Vehicular and pedestrian gradients within the site shall not exceed 1:12 to ensure safe and adequate access.

**Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy Policy CSP 26.**

- 7 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
  - Measures to prevent mud/debris being deposited on the public highway.
- Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**
- 8 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
- Reason: In the interests of highway safety in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 9 Within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved shall be fully implemented, in the interests of sustainable development.
- Reason: In the interests of sustainable travel in accordance with Core Strategy policy CSP 26.**
- 10 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, once approved it shall be strictly adhered to at all times. The plan shall include for the management of all delivery vehicles, customers vehicles, pedestrians, the use of banksmen, and shall provide a regular monitoring regime and a system for identifying and correcting issues at each delivery, in the interests of road safety.
- Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26.**
- 11 No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:
- Tree protective barrier details
  - Tree protection plan
  - Arboricultural method statement
- Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.**
- 12 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, 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.**

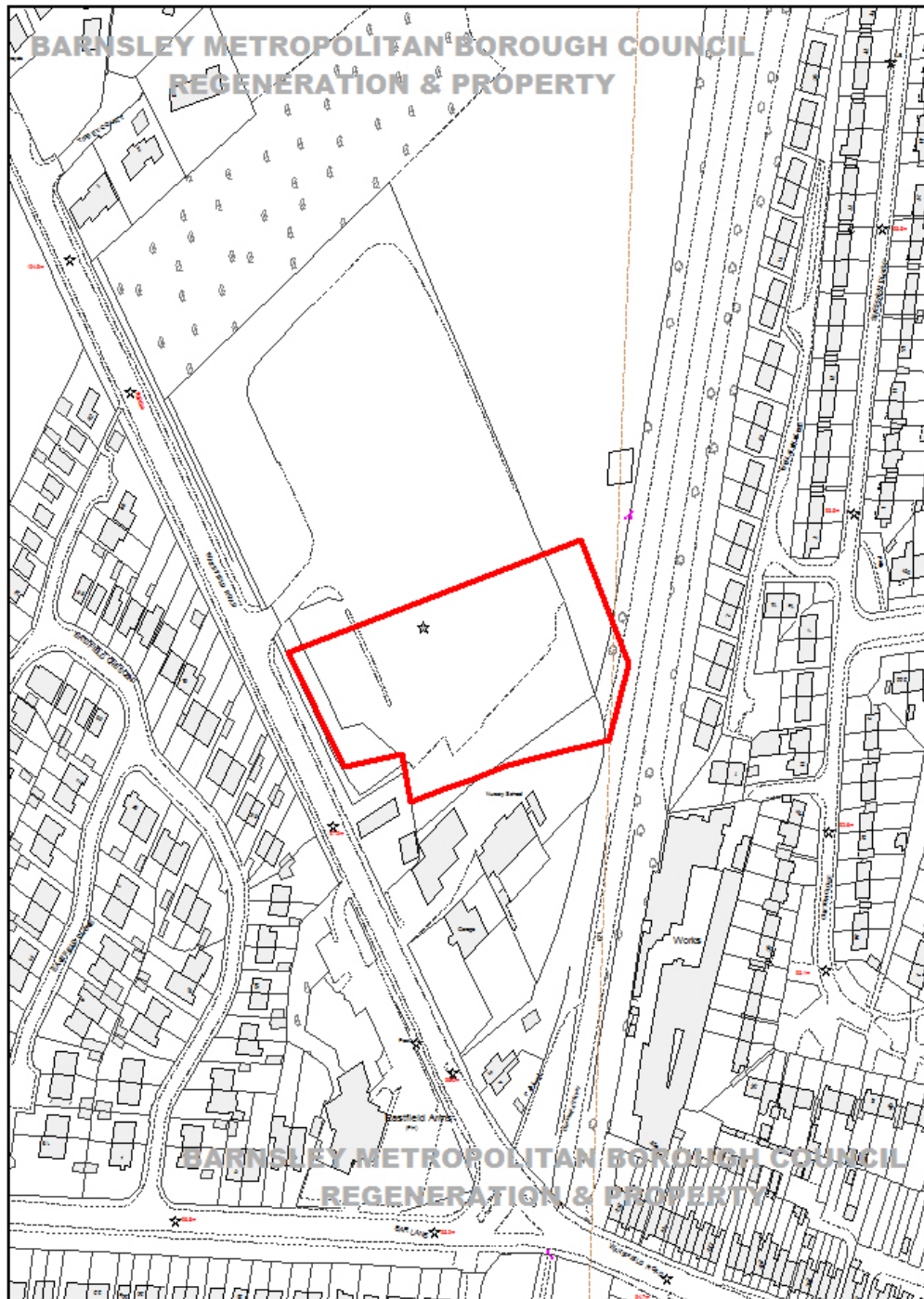
- 13 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 14 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 other of similar size and species.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 15 Prior to commencement of works onsite, the developer shall submit details of actions for mitigation of air quality impact, for agreement with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.  
**Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Core Strategy policy CSP 40.**
- 16 No development shall take place unless and until full foul and surface water drainage details, including Yorkshire Water Permission to discharge, 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 in accordance with Core Strategy Policies CSP 3 and CSP 4.**
- 17 The opening hours for the store hereby permitted shall be limited to between the hours of 0800 to 2200 Mondays to Saturdays and for 6 consecutive hours between 1000 and 1800 on Sundays or Bank Holidays.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**
- 18 Deliveries shall be only take place between the hours of 0700 & 2300.  
**Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40.**

- 19 The site has been identified to be at risk from potential coal mining legacy. An intrusive site investigation must therefore be undertaken by a suitably qualified person to evaluate the ground conditions and determine any actual mining legacy risks. The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication 32 "Construction over abandoned mine workings" where applicable. A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe development rests with the developer and/or landowner.  
**Reason: In accordance with paragraphs 178 & 179 of the NPPF.**
- 20 Prior to occupation a Validation Report to confirm remediation works have been undertaken must be submitted to the planning authority and approved in writing. The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The development shall thereafter be undertaken in full accordance with the submitted report. For further information, see BMBC's Supplementary Planning Guidance 28, "Developing Contaminated Land".  
**Reason: To accord with paragraphs 178-183 of the NPPF.**
- 21 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of 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, Pollution Control and Protection.**
- 22 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**

PA Reference:-

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Scale 1: -----