BARNSLEY
Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/1522

To Development Planning Partnership
Suite 1D
Josephs Well
Hanover Walk
Leeds
LS3 1AB

DESCRIPTION Erection of extensions and installation of mezzanine floor to store, alterations to car park, access, servicing and landscaping and change of use to form park and ride facility.

LOCATION Tesco Store and Land adjacent to Tesco Store Car Park, Wombwell Lane, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 06 September 2006 and described above.

The approval is subject on compliance with the following 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 plans, specifications, supporting reports comprising: Transport Assessment by Fairhurst Consulting Structural and Civil Engineers, dated August 2006, and the Surface Water Drainage Report by Fairhurst Consulting Structural and Civil Engineers, dated August 2006, as approved unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

3 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 UDP Policy BE6, Design Standards.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed
Assistant Director, Planning and Transportation

Dated 10 January 2008

Planning and Transportation Service
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4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. In particular, this shall include the treatment of the northern and western boundaries of the new park and ride car park. The boundary treatment shall be completed before the development is brought into use or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with U.D.P. Policy BE6, Design Standards.

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, 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.
Reason: In the interests of the visual amenities of the locality.

6 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, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

7 Construction or remediation work associated with the park and ride facility 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 and Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with UDP Policy ES1, Pollution.

8 No development shall take place until noise and dust action plans, indicating how the impacts of noise and dust during the construction phase of the development will be minimised, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved plans.
Reason: In the interests of amenity.

9 Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the water main, which crosses the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times.

10 Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 6.5 (six point five) metres either side of the centre line of the 1200mm sewer, which crosses the site and unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the smaller diameter sewers, which also cross the site.
Reason: In order to allow sufficient access for maintenance and repair work at all times.

11 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
Reason: In the interest of satisfactory and sustainable drainage.

12 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. The drainage works shall be completed in accordance with the details and timetable agreed.
Reason: To ensure that the development can be properly drained.

13 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

14 Surface Water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage shall not be passed through any interceptor.
Reason: In the interests of satisfactory drainage.

15 All on-site vehicular areas shall be hard surfaced and drained in an approved manner prior to the development being brought into use.
Reason: To prevent mud/debris from being deposited on the public highway to the detriment of road safety.

16 The parking/manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interest of road safety.

17 Development shall not commence until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the Local Planning Authority, and such measures shall be retained for the entire construction period.
Reason: In the interest of road safety

18 Development shall not commence until details of all areas for the parking of all employees' vehicles, the storage of building materials and plant have been submitted and approved in writing by the Local Planning Authority, and such areas shall be retained for the entire construction period.
Reason: In the interest of road safety.

19 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.

20 Development shall not commence until details of the means of access for construction traffic have been submitted to and approved, in writing, by the Local Planning Authority, and such an access shall be retained for the entire construction period.
Reason: In the interests of road safety.

21 Development shall not commence until details of the phasing of the development has been submitted and approved in writing by the Local Planning Authority, to ensure a safe and adequate highway network.
Reason: In the interest of road safety.

22 The net retail sales area of the store shall not exceed 7,421 sq metres.
Reason: To ensure that the proposals have no significant negative impact on the vitality and viability of Barnsley Town Centre and other local centres in accordance with Planning Policy Statement 6: Planning for Town Centres.

23 The net comparison goods sales area of the store shall not exceed 2913 sq metres.
Reason: To ensure that the proposals have no significant negative impact on the vitality and viability of Barnsley Town Centre and other local centres in accordance with Planning Policy Statement 6: Planning for Town Centres.

24 Unless otherwise agreed in writing with the Local Planning Authority, the retail development hereby approved shall not be open to trade to the public unless and until the Park and Ride car park comprising 300 parking spaces, associated bus access and passenger waiting facilities, as shown on the submitted site layout plan ref. No. 4016 PO4 A, has been constructed and made available for public use as a Park and Ride site.
Reason: In order to allow the expansion of the store in an out of centre location and facilitate joint shopping trips to the Town Centre in the interests of sustainable transport.

Informative(s)

1 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan, set out below, and to all relevant material considerations, including Supplementary Planning Guidance and the particular circumstances summarised below:

The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan, set out below, national policy guidance and to all relevant material considerations, including Supplementary Planning Guidance and the particular circumstances summarised below:

PPS6 - Planning for Town Centres

Policy S1 - shopping and commercial centres

Policy S3 - retail development outside district centres

Policy S4 - sets out criteria for considering new retail development

Policy S5 - retail developments and comparison goods

Policy BE6 relates to design standards for all new development.

Policy T2 relates to new development and the highway network.

In reaching this decision the Planning Regulatory Board were mindful of the particular circumstances of this application, namely:

This is a major proposal for the extension of an existing retail superstore including the provision of a Park and Ride facility on a site allocated as an Other Shopping/Commercial Area on the Council's Adopted UDP.

2 Retail Policy Issues: Retail policy guidance requires developers to address a number of key issues in their proposals for new retail development, namely that there is a need for the development; the site is the most suitable for the development; there will be no unacceptable impact on existing centres; the development is an appropriate scale; and site is accessible by a range of means of transport.

In this case it has been demonstrated that there is a need for the proposals and there are no sequentially preferable locations available. The proposal relates to part of a well planned existing retail site; it will improve choice for people in the locality; there is a need for convenience shopping provision in the catchment area;
the site is accessible by public transport; the scheme includes the provision of a park and ride scheme; the park and ride scheme will remove 3 ha of land allocated for retail development in the UDP. The development of this land with individual units would have a similar impact to the proposed extension, thus reducing the net impact of the Tesco extension. On balance it is considered that the benefits of the proposals in this case, in particular the provision of the park and ride facility that enhances sustainability of the location, are sufficient to outweigh policy concerns regarding the scale and location of the development.

3 Visual Amenity issues: the design and layout of the proposed development is to a good standard and would reflect that of the existing established store. It is a relatively contemporary store with much of its architectural treatment in the front elevation (north east), which would largely be unaffected by the proposed extensions. New planting, particularly along significant boundaries, will compliment the new layout and provide an attractive setting for the store. Overall it is considered that the development can be accommodated within the site without any significant visual impacts.

4 Residential Amenity Issues: It is considered that the proposed development would not have any significant additional impact on residential amenity compared to the operation of the existing store, which already operates on a 24 hour basis. The park and ride area would bring activities closer to the established residential properties on Wombwell Lane than at present. However these properties have long rear gardens/yards with a separation of about 35 metres to the boundary with the new park and ride facility. The landscape buffer will provide an effective visual barrier between to the store and car park.

5 Highway Safety Issues: The Transport Assessment examines capacity and the impact of the proposed development, particularly at critical peak periods. Whilst the extensions would result in some increase in vehicle trips to/from the store this would in part be counteracted by a reduction in flow at Stairfoot Roundabout due to a re-assignment of traffic due to the operation of the Park and Ride Facility. In particular, during the Friday pm peak, a significant number of low occupancy car trips leaving the town would be replaced by the Park and Ride buses. It is concluded that the proposed development would have no significant adverse impact on operating conditions at the junctions surrounding the site and no mitigation is necessary on the local road network for capacity of safety reasons.

6 Overall it is considered that the benefits of the proposed development on this site outweigh any retail policy concerns such that there is sufficient reason to warrant the grant of planning permission