

2nd April 2021

APPLICATION TO VARY CONDITION 7 (DELIVERY HOURS) OF APPROVED PLANNING APPLICATION 2020/0429

Former Foulstone School Site, Nanny Marr Road, Darfield, Barnsley, S73 9AB

This covering letter has been prepared by Urbana Town Planning on behalf of the applicants, Ackroyd & Abbott Limited, in support of an applicant to amend conditions to accompany an application to vary condition 7 of previously approved application 2020/0429 by Barnsley Metropolitan Borough Council (BMBC).

Condition 7 of planning permission 2020/0429 currently states:

The use hereby permitted shall be carried on only between the hours of 07.00 to 23.00 (everyday). Deliveries shall be carried out only between 08.00 to 18.00 Mondays to Fridays and 09.00 to 14.00 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

It is proposed that the condition is amended to state:

The use hereby permitted shall be carried on only between the hours of 07.00 to 23.00 (everyday). Deliveries shall be carried out only between 08.00 to 18.00 Mondays to Fridays and 09:00 to 14:00 on Saturdays, Sundays, or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

The stated additional hours of delivery are required so as to ensure that there are sufficient deliveries across the operational hours of the approved units, in line with the types of goods and produce being traded.

As stated in the noise impact assessment submitted in support of the required amendments, the currently approved delivery hours represent a hindrance to businesses that will be operating at capacity on Sundays and Bank Holidays. Particularly, those units operating as food stores will require a daily delivery of some form of fresh produce, such as baked goods or other items with a limited shelf life. If limited to the approved days of delivery, there are scenarios in which businesses would not be able to replenish stocks of fresh produce for up to three days whilst open to the public. As such, allowing for a limited period in which deliveries would be allowed on Sundays and Bank Holidays would avoid any detrimental impact on the ability of the operators to serve their customer base.

The supporting noise impact assessment demonstrates the lack of any harm to amenity that would result from deliveries undertaken within these additional windows on Sundays and Bank Holidays. Resultantly, the required changes would preserve the amenity of nearby residents whilst allowing for essential additional delivery periods for business operating out of the approved units. Therefore, it is respectfully

requested that the proposed amendments to condition 7 of the approved scheme are accepted by BMBC. In accordance with this request, the applicant and their representatives look forward to a positive and productive engagement with officers.