BARNSLEY
Metropolitan Borough Council

Place Directorate
Regeneration and Property
Planning and Building Control

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2017/1716

To DPP
Floor 2
1 City Square
Leeds
LS1 2ES

DESCRIPTION Erection of food store with associated access and car park
LOCATION Land off Wakefield Road, Mapplewell, Barnsley

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 16 January 2018 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 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
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
R-2049-1D Landscape Details
DWG 01 Proposed Lighting Layout
Lidl_Mapplewell_Carpark_ltg_Results_12.03.18
NIA/7491/17/7603/v1/Lidl/Mapplewell Noise Impact Assessment
Lidl Mapplewell FRA Rev A March 2018
Ecological Impact Assessment 180302
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 (if 40mph speed limit), 2.4m x 90m (if 30mph speed limit);
-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 directly 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 deposiited 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 (if required), 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 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.

14 Upon commencement, 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.

15 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.

16 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.

17 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.

18 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.

19 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.

20 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.

21 Prior to commencement of development full details of the mitigation measures identified in the Preliminary Ecological Appraisal Report along with the agreed Reptile Refugia, and 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

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- *a fine of up to £50,000 and*
- *up to six months imprisonment on conviction*

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.

1 The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on website at:
www.gov.uk/government/organisations/the-coal-authority

2 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore the consent of all relevant landowners is required before proceeding with any development including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

3 If the developer is to make discharge flows to the existing watercourse he must gain the written agreement of the Land Drainage Authority to discharge flows at an agreed rate - Contact Wayne Atkins (01226 772182)

4 If the developer is to carry out works within or in the proximity of any watercourse he must gain the relevant permissions from the Lead Local Flood Authority - Contact Wayne Atkins (01226 772182)

5 The proposed site is immediately adjacent to a Barnsley RIGS site, to the east, along the line of the old railway cutting, now a footpath. The contractors are asked to contact SAGT on sageologytrust@gmail.com to discuss allowing qualified geologists from SAGT onto the site to investigate and record any temporary exposures before they are re-covered.

Signed Dated 26 October 2018
Joe Jenkinson
Head of Planning and Building Control

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

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.