

**Application Reference:** 2023/1016

**Site Address:** Premdor, Birthwaite Business Park, Huddersfield Road, Darton, Barnsley, S75 5JS

### **Introduction:**

This application seeks full planning permission for the erection of 2no. B2/B8 employment units (11,010 sq.m gross) with associated parking, service yard, pallet store, relocation of security hut, vehicle canopy, hard and soft landscaping and associated works.

### **Relevant Site Characteristics**

The application site extends to approximately 5.17ha and comprises of areas of land with scrub and other self-seeded vegetation coverage. There is a significant change in levels between the application site and Huddersfield Road to the south and the southern boundary of the site is formed by a wooded embankment which screens the site from view.

The planning application relates to two plots of land flanking the main access road serving the Masonite site, which lies to the north of Huddersfield Road to the northern edge of the settlement of Kexborough.

The site forms part of the established Birthwaite Business Park with the existing manufacturing and warehouse buildings within the site, lying to the immediate north of the application site. The wider business park lies to the east of the site and accommodates a range of industrial and warehousing units, as well as the existing Masonite head office which will be relocated to the buildings proposed as part of this proposed application.

The western boundary of the site is adjoined by agricultural land beyond which lies the Grade II listed Birthwaite Hall, lying approximately 200m to the west of the application site. The A637 (Huddersfield Road) adjoins the southern boundary of the site beyond which lies housing to the northern edge of Kexborough.

### **Site History**

| <b>Application Reference</b> | <b>Description</b>                                                                      | <b>Status<br/>(Approved/Refused)</b> |
|------------------------------|-----------------------------------------------------------------------------------------|--------------------------------------|
| B/91/0286/DT                 | Erection of industrial and warehousing units, with associated offices                   | Approved                             |
| B/92/0210/DT                 | Re-positioning of unit 1 and extension to industrial curtilage                          | Approved                             |
| B/92/0376/DT                 | Display of illuminated sign                                                             | Approved                             |
| B/92/0380/DT                 | Erection of a 25m high chimney                                                          | Approved                             |
| B/92/0782/DT                 | Erection of boundary wall and railings                                                  | Approved                             |
| B/92/1189/DT                 | Erection of link between units 2 and 4 and re-arrangement of parking / servicing layout | Approved                             |

|              |                                                                       |          |
|--------------|-----------------------------------------------------------------------|----------|
| B/92/1345/DT | Illuminated signs to Unit 3 (Regent Doors PLC)                        | Approved |
| B/93/1500/DT | Two signboards                                                        | Approved |
| B/97/0565/DT | Display of electricity sub-station and single storey compressor house | Approved |
| 2019/0200    | Proposed Canopy                                                       | Approved |
| 2019/0541    | Installation of new extract and filtration plant and associated work  | Approved |
| 2022/1161    | Extension to existing pallet store                                    | Approved |

### Proposed Works

The proposal seeks planning permission for the development of 2 no. units with a combined floor area of 11,000sqm for B2/B8 employment use on a 5.17Ha site. 264 parking spaces are to be provided within the site along with turning areas for HGVs. This is an extension of the applicant's existing facilities which are adjacent the application site.

The application documents provide the following justification for the scheme and state that 'the proposals relate to the erection of new manufacturing/warehousing space on the land to the south of the existing Masonite site located within Birthwaite Business Park. Masonite are one the UK's leading door manufacturers and the current proposals will deliver additional manufacturing and warehousing space, as well as the relocation of Masonite UK's existing headquarters office accommodation from a nearby location on Huddersfield Road to support the continued expansion of the business, which is an important employer in the local area.'

Unit A will be sited within the western development plot providing a large manufacturing / warehousing area with ancillary office and welfare space. The building will be served by a large number of rooflights and PV panels to reduce energy consumption and green roofs will be incorporated to the entrance canopy and the fork lift truck (FLT) canopy.

Unit B will be sited within the eastern plot and will again provide a large, open and flexible warehousing / manufacturing floor and will also accommodate the relocated head office function. Unit B will also incorporate rooflights and PVs.

The proposed units will be approximately 16m in height to the eaves with an overall height of approximately 18m. The industrial function, machinery and storage required has driven the scale of the buildings proposed along with taking comparisons of existing buildings and the location of the units on lower land levels to the surroundings.

The proposals are also accompanied by a detailed landscaping scheme illustrating the provision of areas of soft landscaping throughout the site, which will include informal wooded walkways; formalised active green routes; social spaces and waterbodies.

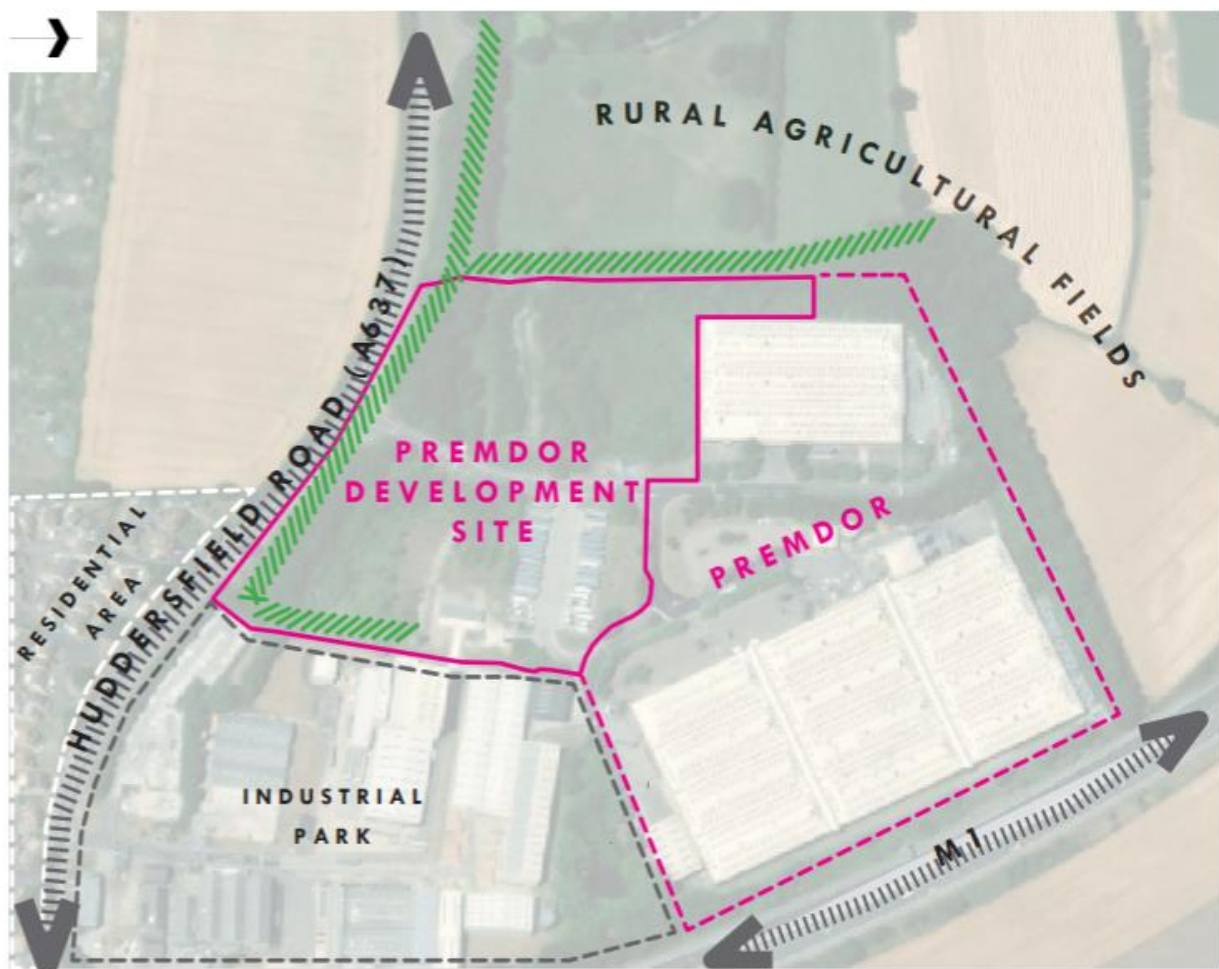
The following plans and documents have been submitted in support of the proposal:-

- Planning Statement
- Design and Access Statement

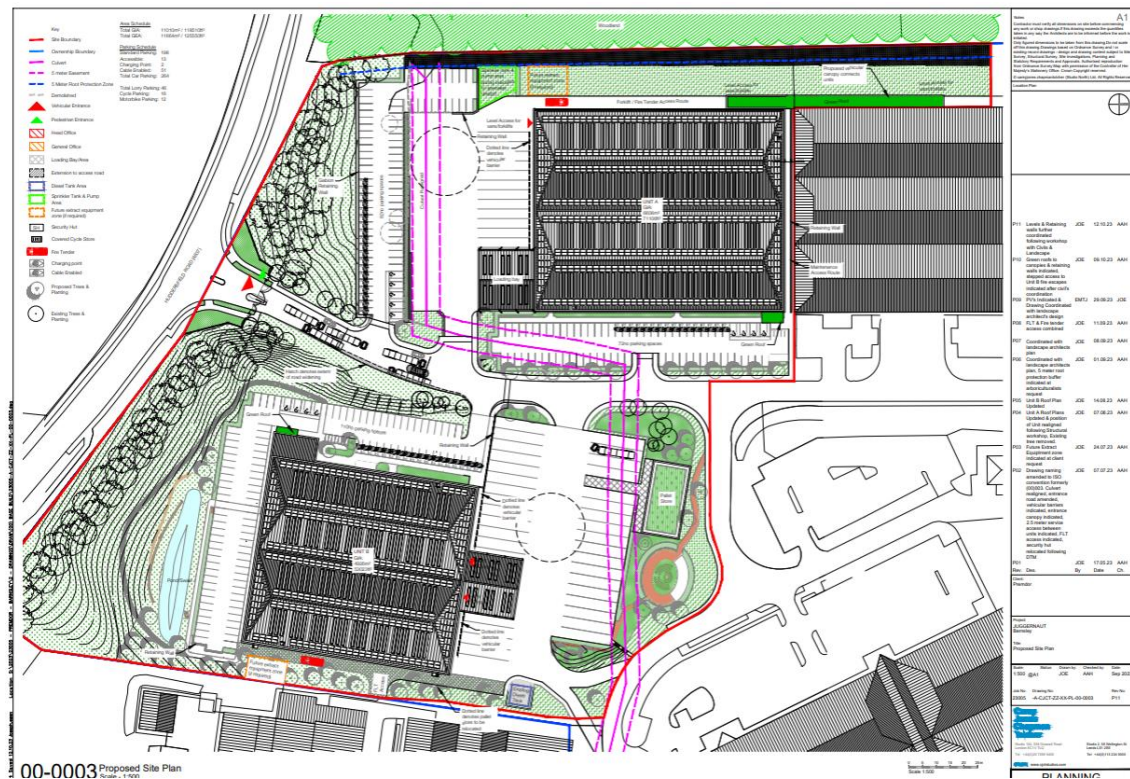
- Arboricultural Report and Impact Assessment
- Butterfly, Breeding Bird, Badger and Bat surveys/reports
- BNG Metric and Assessment
- Archaeological Desk Based Assessment
- Preliminary Ecology Report
- Coal Mining Risk Assessment
- Landscaping scheme
- Flood Risk Assessment and Drainage Assessment
- Heritage Impact Assessment
- Transport Assessment
- Phase 1 Environmental Report
- Travel Plan
- Noise Impact Assessment
- Air Quality Assessment

## Plans

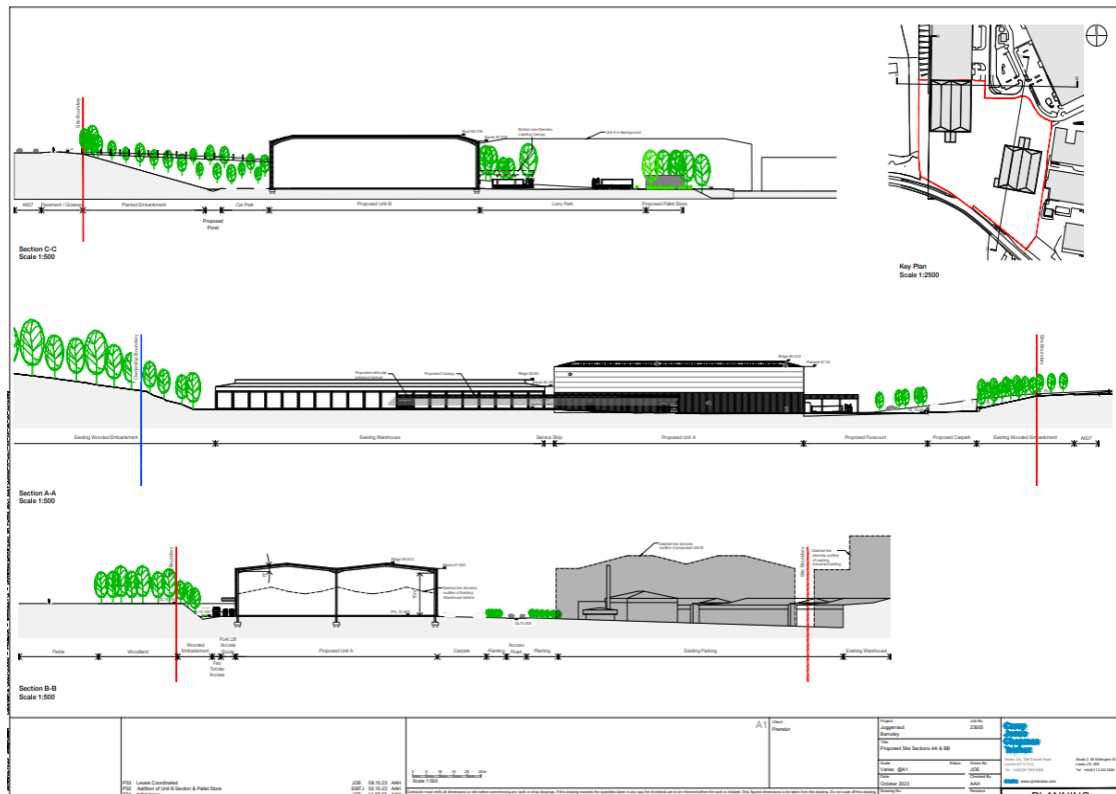
Location Plan and Indication of Development Site:



Proposed site plan:

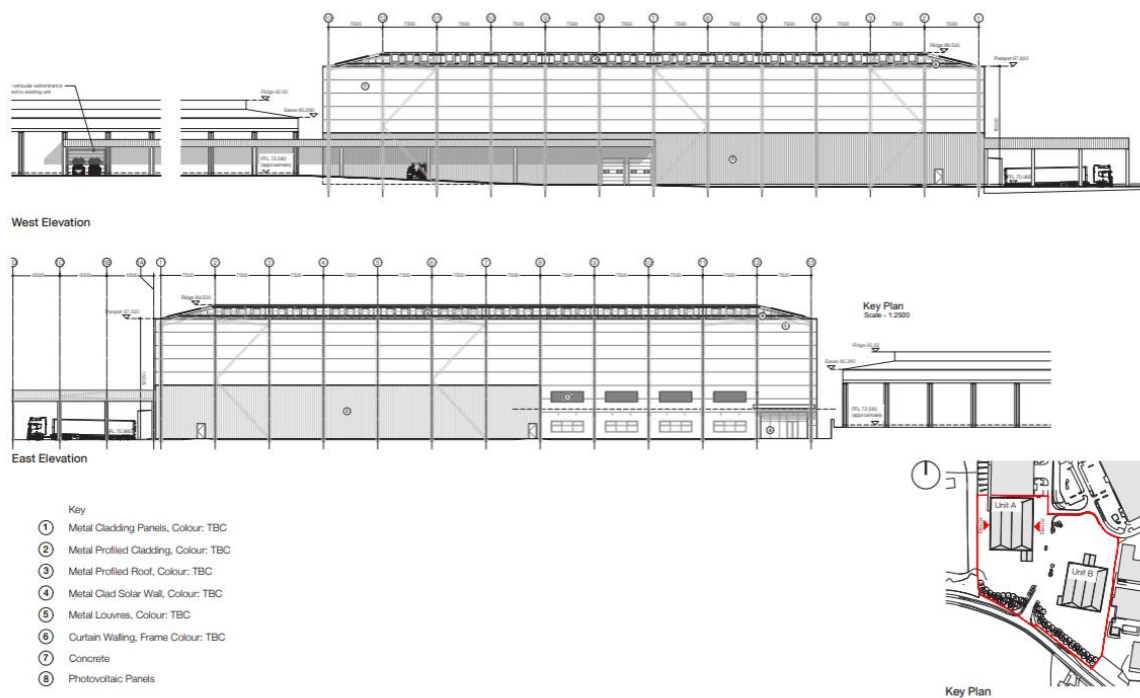


Proposed Elevations in relation to other existing buildings and land levels:



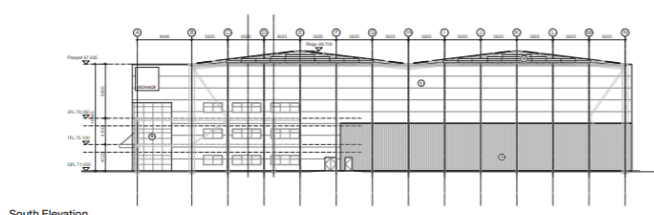
## Unit A Elevations:

### 5.13 Unit A - West & East Elevations

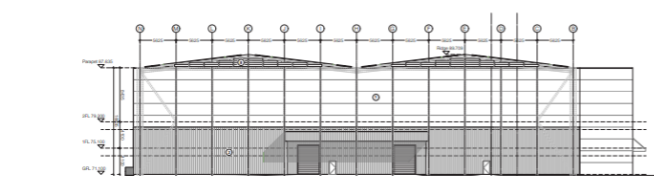


## Unit B Elevations:





South Elevation



North Elevation

- Key
- ① Metal Cladding Panels, Colour: TBC
  - ② Metal Profiled Cladding, Colour: TBC
  - ③ Metal Profiled Roof, Colour: TBC
  - ④ Metal Clad Solar Wall, Colour: TBC
  - ⑤ Metal Louvers, Colour: TBC
  - ⑥ Curtain Walling, Frame Colour: TBC
  - ⑦ Concrete
  - ⑧ Photovoltaic Panels



Key Plan

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Premdor - Barnsley

## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

The site is allocated as Employment Allocation under Local Plan Policy ES1: Birthwaite Business Park.

The following Local Plan policies are relevant in this case:

- Policy GD1 'General Development'
- Policy LG2 'Location of Growth'
- Policy T3 'New Development and Sustainable Travel'
- Policy T4 'New development and Transport Safety'
- Policy D1 'Design'
- Policy HE1 – The Historic Environment
- Policy HE6 - Archaeology
- BIO1 'Biodiversity and Geodiversity'
- Policy CC1 'Climate Change'
- Policy CC2 'Sustainable Design and Construction'
- Policy CC3 'Flood Risk'

- Policy CC4 'Sustainable Drainage Systems'
- Policy RE1 'Low Carbon and Renewable Energy'
- Poll1 'Pollution Control and Protection'
- Policy E1 Providing Strategic Employment Locations
- Policy E2 The Distribution of New Employment Sites
- Policy E3 Uses on Employment land
- Policy E4 Protecting Existing Employment Land

#### Relevant Supplementary Planning Documents

- Parking
- Trees and Hedgerows
- Biodiversity and Geodiversity
- Residential Amenity and the siting of buildings
- Planning Obligations
- Sustainable travel

#### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 6 - Building a strong, competitive economy

Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

#### **Consultations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website. A site notice was also posted at the site along with a press notice.

The following representations have been received:-

2 comments/objections:-

- In principle do not object to the development and believe it would be good to have more employment in the area
- However concerns have been raised with regard to road safety.
- Speed limit is too high and should be reduced
- Large HGV's
- Additional crossing places required
- Close proximity to school
- More cycling infrastructure should be built
- Impact on wildlife and loss of habitat
- Impact on birds
- Potential noise disruption and impact on home and garden

### **Consultee responses**

Highways – No objections subject to conditions

SYMCA – No objections subject to developer contribution to bus stop improvements £19,000 for the supply and installation of replacement solar bus shelters at stops 55168 and 55039 – prior to occupation.

Pollution Control – No objections subject to conditions

Ward Cllrs – Cllr Hunt – 'Supportive of the development to create additional employment in the area. Consideration should be given to reducing the speed limit past Premdor from 50mph to 30mph in recognition of the extra traffic. Could the applicant pay for the costs of the TRO through a planning condition?'

Drainage – No objections subject to informatives

SYMAS – No objections subject to conditions

SYAS – No comments received

Conservation Officer – No objections subject to condition

Coal Authority - The application site falls partly within the defined Development High Risk Area. The Coal Authority's information indicates the application site lies in an area where historic unrecorded coal mining activity is likely to have taken place at shallow depth – No objections subject to a condition requiring intrusive site investigations and remedial works'

Yorkshire Water – No comments received

Tree Officer – No comments received

Ecology Officer – No objections subject to conditions and Legal Agreement to include Biodiversity requirement for no net loss offsite, either through land that they own or a third party provider, or the council can accept a commuted sum of £25,000 per habitat unit, totalling £413,250.00.



Enterprising Barnsley - Enterprising Barnsley support this application as this development will help the company to further increase their output and in the long term create future employment opportunities (jobs) as per the existing strategic economic and corporate plans.

Environment Agency – No comments received

## **Planning Assessment**

### Principle

The site is allocated as employment allocation, ES1- Birthwaite Business Park, under Barnsley's Local Plan.

The site policy states the following:

- The development will be expected to safeguard the setting of the Listed buildings at Birthwaite Hall.
- Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:

Information identifying the likely location and extent of the remains, and the nature of the remains; An assessment of the significance of the remains; and consideration of how the remains would be affected by the proposed development.

In addition to the site specific policy, Local Plan Policy E3 is of relevance and states that 'on allocated employment sites the following uses will be allowed:

- Research and development, and light industry;
- General industrial; or
- Storage or distribution'

As such, the uses proposed are appropriate in line with policy and as the site is allocated as an employment allocation within the local plan The site is therefore supported in principle subject to meeting the requirements of the allocation and other material considerations assessed below.

### Visual Amenity

Policy D1 of the adopted Barnsley Local Plan states that development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive local character and features of Barnsley. Policy D1 also sets out a number of design principles that new development should adhere to in terms of its layout and design.

The site is set adjacent to existing industrial uses and the proposal will be seen as an extension to this existing site. The roadside view of the site is currently well screened by mature trees and these are being retained. There is also a change in levels from Huddersfield Road down to the ground level for the employment units. Whilst the buildings are purpose built and of a height of approximately 18m , they have been designed this way in order to provide sufficient height internally to provide space required for the operation of machinery and storage and the height of the buildings will be comparable to other buildings within the wider estate The extensive existing and proposed landscaping within the site, along with the buildings being set at a lower level than the main road will ensure that there will be limited views available of the unit from beyond the site boundary. For easterly views from the neighbouring Green Belt land, there is a belt of existing woodland trees which also allow the site to be screened from the open countryside.

Materials are to be confirmed via condition and in agreement with the Conservation Officer. The proposals are also accompanied by a detailed landscaping scheme which is acceptable and illustrates the provision of areas of soft landscaping throughout the site, which will include informal wooded walkways; formalised active green routes; social spaces; waterbodies and appropriate species rich planting to deliver useable green spaces and havens for wildlife.

Overall the proposal is acceptable in terms of visual amenity and design and in accordance with Local Plan Policy D1.

### Conservation

In terms of the impact upon the Listed Buildings at Birthwaite Hall, a detailed Heritage Impact Assessment has been provided which sets out the various elements that contribute to the significance of Birthwaite Hall. The Conservation Officer has considered these and has no objections and has stated that 'Regarding the impact on the setting of The Hall and its ancillary buildings, I do agree that due to their elevated position and substantial screening by trees, little to no intervisibility is possible to the application site. Consequently, I'd suggest the harm to the immediate setting of Birthwaite Hall is likely to be exceedingly minor to nil. However, some glimpsed views of the existing business park are possible looking east from The Hall access lane. I'd also suggest the development will be visible when looking east if viewed from the fields to the west of the red lined area. I do agree that the parkland has long since ceased to function and be associated with the Hall and is certainly well outside the curtilage. However, I do feel that the parkland is still a legible feature in the landscape and although the contribution is much eroded, I believe a positive contribution still exists. As a result, I would attribute some minor harm to the setting from the development. This is primarily due to the potential for glimpsed views from within the former parkland and landscape adjacent to Unit A.

It is worth noting that these units are extended upwards (compared to the existing units). The units sit in a landscape depression so this will mitigate some visual impact. Some trees are proposed for removal due to construction access, but none are on the western boundary of the site as the red lined areas does not include the belt of woodland to the west. Even so, I feel that some less than substantial harm could occur to the wider (landscape) setting. As such, I would suggest mitigation is required in the form of appropriate decoration and colour of the units – particularly Unit A. The proposed elevations show the metal cladding of the building panels including the roof as all to be confirmed. Given this will need confirming (in any event) I would suggest we either condition this detail to be agreed or agree the cladding colour before determination. My choice for the colours of the units (primarily Unit A) would include dark grey and dark green to camouflage the building in the landscape and from the west.'

As such subject to a condition regarding the submission of material samples to be agreed with the Conservation Officer the proposal is not considered to have a detrimental impact on the setting of the nearby listed buildings in accordance with Policy HE1.

### Archaeology

This application seeks permission to erect two employment units on the ES1 Local Plan allocation which is approximately 250m to the east of the Listed Buildings at Birthwaite Hall. The Local Plan archaeological scoping review assessed the land as having 'uncertain archaeological potential'. The adopted Local Plan includes the following site policy:

The development will be expected to safeguard the setting of the Listed buildings at Birthwaite Hall.

Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:

- Information identifying the likely location and extent of the remains, and the nature of the remains.
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development.

The application includes a detailed archaeological Desk Based Assessment which concludes:

'It is judged there is potential for archaeological remains from the post medieval period onwards; however, these may have been truncated by extensive late 20th century construction activity. Remains, if present, are likely to be associated with agrarian activity and later construction activity; they would be of limited significance.' SYAS have been consulted and have not commented on the application. The submitted evidence does not indicate the presence of archaeological remains which could preclude development and it is anticipated that archaeological fieldwork, should be secured via condition, and undertaken as mitigation works in accordance with a Written Scheme of Investigation (WSI).

Therefore, subject to a suitable condition, the proposal would not have a significant impact upon archaeology in accordance with Policy HE1 and HE6 of the Local Plan.

#### Impact on Trees/Ecology

Detailed Ecology Surveys have been carried out on the site for bats, butterflies, birds and badgers. The Ecology Officer has considered the reports and Preliminary Ecological Report and has no objections to the proposal subject to conditions and mitigation. The development can be conditioned to be completed in line with the recommendations within the Preliminary Ecological Appraisal (November 2024), the BNG report, the Defra Metric and the conditions of the planning permission. Conditions can also be imposed to secure the details of external and internal lighting, a Biodiversity Mitigation Scheme (BMS), a Construction Environmental Management Plan - Biodiversity (CEMP-B), and a Habitat Management and Monitoring Plan.

The Ecology Officer has also requested a commuted sum towards Biodiversity Net Gain which should be secured by a Section 106 Agreement. The Ecology Officer states that 'I am content with the baseline description of habitats within the PEA and biodiversity metric. The metric shows that there is a significant loss of habitat on site, 43.86% (-16.53 habitat units) and the trading rules have not been met. As this application was validated prior to the commencement of statutory BNG for major developments a 10% net gain is not required. However, as per the NPPF and the Biodiversity and Geodiversity SPD, the LPA will not support applications that would damage the ecological network and cause a net-loss in biodiversity. As such, the applicant can either seek to secure the requirement for no net loss offsite, either through land that they own or a third party provider, or the council can accept a commuted sum of £25,000 per habitat unit, totalling £413,250.00. This can be secured through a S106 agreement with the LPA.'

In terms of trees, a tree survey has been submitted with the application and the Tree Officer has been consulted as part of the proposal and has not provided any formal comments. In terms of the impact upon trees, the works are restricted to the existing development platforms and as such do not encroach into the banked areas where the more established trees are. There are trees located on the areas to be developed but these are relatively young self-set specimens. The arboricultural reports states that the majority of the trees proposed for removal are considered to be low-quality (C category) specimens, many of which are self-seeded. There are some B Category trees to be removed of moderate quality. These trees have developed into established specimens, but offer limited amenity value to the wider area and will be replaced as part of the extensive proposed landscaping scheme. No pruning works shall be required to enable the construction of the proposed development. As such there are

no objections from an arboricultural perspective subject to the protection of existing trees to be retained on site during construction works and the conditioning of a suitable landscaping scheme.

#### Drainage

The Drainage Officer has been consulted and has no objections to the proposal and detailed drainage proposals have been submitted. The entire site is located in Flood Zone 1 as defined by the Environmental Agency and is therefore at a low risk of flooding.

#### Impact on Residential Amenity

Given the scale and type of use proposed, a Noise Impact Assessment has been submitted with the application. Pollution Control have considered the noise assessment and have no objections to the proposal subject to conditions. A condition will be required to ensure the levels of night-time noise from the operation of the development will not exceed background levels at the nearest noise sensitive receptor.

The proposed units are set a significant distance from the neighbouring dwellings and should have no significant impact upon amenity subject to the suggested conditions being complied with, in accordance with Local Plan Policy POLL1.

The buildings are not immediately adjacent to any residential properties and are separated from them by the main Huddersfield Road. The buildings will be well screened by existing vegetation and therefore should not cause any significant impact in terms of overshadowing or loss of outlook to the neighbouring properties.

#### Highways

Concerns have been raised by objectors and Cllr Hunt in terms of the proposals impact upon Highway Safety. A Transport Assessment and Travel Plan have been submitted with the application and has been assessed by the Highways Officer. Traffic generation assessments were calculated using the actual traffic movements from the site. The Highways Officer has stated that the proposed scheme is acceptable to Highways and it would not be reasonable to expect 106 contributions for the impact the proposals will have on the existing network (in particular the Church Street / Churchfield Road / A637 junction). Sufficient parking, turning and suitable access is provided for the two units in accordance with the SPD Parking and Policy T4 of the Local Plan.

In terms of sustainable travel, SYMCA have been consulted and have requested a developer contribution for the supply and installation of replacement solar bus shelters. The applicant has agreed to the developer contribution to bus stop improvements of £19,000 for the supply and installation of replacement solar bus shelters at stops 55168 and 55039.

Given the above, the proposal is acceptable when measured against policy T4 of the Local Plan and is acceptable in terms of highway safety impacts.

#### Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant site specific policy, relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be an acceptable and justified form of development.

#### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**

**Recommendation:- Approve with conditions and subject to a Section 106 Agreement to secure the following:-**

- Biodiversity requirement for no net loss offsite, either through land that they own or a third party provider, or the council can accept a commuted sum of £25,000 per habitat unit, totalling £413.250.00.
- SYMCA £19,000 developer contribution for the supply and installation of replacement solar bus shelters at stops 55168 and 55039.

**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.

- The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos. Location Plan (23005-A-CJCT-ZZ-XX-PL-00-0001 Rev P01), Unit A Ground Floor Plan (23005-A-CJCT-01-00-PL-20-2100 Rev P02), Unit A First Floor Plan (23005-A-CJCT-01-01-PL-20-2101 Rev P02), Unit A Roof Plan (23005-A-CJCT-01-01-PL-20-2102 Rev P02), Unit A North & South Elevations (23005-A-CJCT-01-01-PL-20-2102 Rev P03), Unit A West & East Elevations (23005-A-CJCT-01-XX-EL-20-2002 Rev P02), Unit B Proposed Ground Floor Plan (23005-A-CJCT-02-00-PL-20-2110 Rev P02), Unit B First Floor Plan (23005-A-CJCT-02-01-PL-20-2111 Rev P02), Unit B Second Floor Plan (23005-A-CJCT-02-02-PL-20-2112 Rev P02), Unit B Roof Plan (23005-A-CJCT-02-03-PL-20-2113 Rev P03), Unit B North & South Elevations (23005-A-CJCT-02-XX-EL-20-2003 Rev P04), Unit B West & East Elevations (23005-A-CJCT-02-XX-EL-20-2004 Rev P03), Proposed Site Sections (23005-A-CJCT-XX-XX-SE-20-2210 Rev P03), Proposed Site Plan (23005 -A-CJCT-ZZ-XX-PL-00-0003 Rev P11), Bike Stores & Site Access Cabin (23005-A-CJCT-ZZ-DR-20-2140 Rev P01), Landscape Illustrative Masterplan (23005-ALA-00-XX-DR-L-0001 Rev P02), Landscape General Arrangement (23005-ALA-00-XX-DR-L-0002 Rev P02), Detailed Landscape General Arrangement 1 of 4 (23005-ALA-00-XX-DR-L-0003 Rev P02), Detailed Landscape General Arrangement 2 of 4 (23005-ALA-00-XX-DR-L-0004 Rev P02), Detailed Landscape General Arrangement 3 of 4 (23005-ALA-00-XX-DR-L-0005 Rev P02), Detailed Landscape General Arrangement 4 of 4 (23005-ALA-00-XX-DR-L-0006 Rev P02), Tree Retention & Removal Plan (23005-ALA-00-XX-DR-L-0007 Rev P02), Planting Strategy (23005-ALA-00-XX-DR-L-0008 Rev P02), Site Sections 1 of 2 (23005-ALA-00-XX-DR-L-0011 Rev P02), Site Sections 2 of 2 (23005-ALA-00-XX-DR-L-0012 Rev P02), Proposed Drainage Strategy Unit B Parking Area (BBP-AWP-XX-XX-DR-C-3002 Rev P2), Proposed

Drainage Strategy Foul Water Unit A & Unit B (BBP-AWP-XX-XX-DR-C-3002 Rev P2), Proposed Drainage Strategy Unit A (BBP-AWP-XX-XX-DR-C-3000 Rev P5), Proposed Drainage Strategy Unit B (BBP-AWP-XX-XX-DR-C-3001 Rev P5), Proposed Finished Levels Unit A (BBP-AWP-XX-XX-DR-C-3500 Rev P4), Proposed Finished Levels Unit B (BBP-AWP-XX-XX-DR-C-3501 Rev P2) Planning Statement, Design and Access Statement, Arboricultural Report and Impact Assessment, Butterfly, Breeding Bird, BREEAM 2018 V.6 Pre-Assessment by FES Group indicating the scheme to meet 'very good' standard, Badger and Bat surveys/reports, BNG Metric and Assessment, Archaeological Desk Based Assessment, Preliminary Ecology Report, Coal Mining Risk Assessment Flood Risk Assessment and Drainage Assessment, Heritage Impact Assessment, Transport Assessment, Phase 1 Environmental Report, Travel Plan, Noise Impact Assessment, Air Quality Assessment) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

2. 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 Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

3. 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 statement shall include but not be restricted to:
  - i. Site working hours and delivery hours which should avoid peak hours
  - ii. The parking of vehicles of site operatives and visitors
  - iii. Any temporary access to the site
  - iv. Loading and unloading of plant and materials
  - v. Storage of plant and materials used in constructing the development
  - vi. Arrangements to receive abnormal loads or unusually large vehicles
  - vii. Methods of communicating the Construction Management Plan to the workforce, visitors and neighbouring residents and businesses
  - viii. Measures to prevent mud/debris being deposited on the public highway.The submitted and hereby approved Construction Traffic Management Plan (CTMP) shall be adhered to throughout the construction period.

Reason: In the interests of highway safety, in accordance with Local Plan Policy T4 New development and Transport Safety.

4. No development above ground development shall commence until;
  - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance and prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of Land stability NPPF sections 183 a,b,c. 184 and 174 e & f

5. Upon commencement of development details of the proposed external materials shall be 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 Local Plan Policy D1 High Quality Design and Place Making.

6. The rating level of the operational noise emitted from the development shall not exceed the night-time background sound level of 41dB LA90 (15mins) between 23:00 and 07:00 hours at the nearest noise sensitive receptor when assessed in accordance with BS4142:2014+A1(2019).

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the units; and any trees or plants which die within a period of 5 years from first being planted, 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 Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

8. The development shall be completed in line with the recommendations within the Preliminary Ecological Appraisal (November 2024), the BNG report, the Defra Metric and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

9. Notwithstanding the submitted details, prior to first occupation of the site, details of external and internal lighting (where applicable), shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be reviewed a suitably qualified ecologist to demonstrate that lighting will not adversely impact



wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:

- Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;
- A drawing showing dark corridors and buffer areas;
- A report and drawings showing how and where lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent species using their territory or having access to breeding sites/resting places, this should include;
  - Technical descriptions, design or specification of lighting to be installed including shields, cowls or blinds where appropriate;
- A description of the luminosity of lights and their light colour;
- A plan showing the location and where appropriate the elevation and height of the light fixings;
- Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
- Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

All lighting shall be installed in accordance with the specifications and locations set out in the approved details. They shall be maintained thereafter in accordance with these details.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

10. No development shall take place (including demolition, ground works and vegetation clearance) until a Biodiversity Mitigation Scheme (BMS) has been submitted to and approved in writing by the Local Planning Authority. The BMS will set out any precautionary measures to be adopted on site during construction, such as protection of retained features and reasonable avoidance measures for protected and priority species. Incorporation of features such as bat and bird boxes, herptile and invertebrate features and hedgehog refuge habitat, etc. in line with the Biodiversity and Geodiversity Supplementary Planning Document, should also be detailed.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

11. No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the Local Planning Authority. The CEMP-B shall include, but not necessarily be limited to, the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- Responsible persons and lines of communication;

- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s).

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

12. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) has been submitted to and approved by the Local Planning Authority. The HMMP shall include:
  - a non-technical summary;
  - the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
  - the planned habitat creation and enhancement works to create or improve habitat to achieve no net loss;
  - the management measures to maintain habitat for a period of 30 years from the completion of development;
  - the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, and approved in writing by, the local planning authority.
  - A timetable for implementation and completion of creation and enhancement works.
  - Notice in writing shall be given to the Council within 10 working days of the implementation of the HMMP
  - Notice in writing shall be given within 10 working days of the completion of the habitat creation and enhancement works as set out in the HMMP and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
  - Thereafter the created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP] for a period of 30 years following the completion of the development.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

13. Prior to commencement of the development, an appropriately experienced and qualified Ecological Clerk of Works (ECoW) shall be appointed by the applicant and/or developer. The ECoW shall be in post during appropriate stages of the development, as agreed in writing with the Local Planning Authority. The ECoW's scope of work shall include monitoring compliance with the mitigation measures as detailed within the PEA Report and the submission of monitoring reports to the Local Planning Authority.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

14. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
  - The programme and method of site investigation and recording.
  - The requirement to seek preservation in situ of identified features of importance.
  - The programme for post-investigation assessment.
  - The provision to be made for analysis and reporting.
  - The provision to be made for publication and dissemination of the results.
  - The provision to be made for deposition of the archive created.
  - Nomination of a competent person/persons or organisation to undertake the works.

- The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Local Plan Policy HE1.

15. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details within the Arboricultural Impact Assessment and Arboricultural Method Statement 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 in accordance with Local Plan Policy BIO1.