



**GRANT OF PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/0927

**To** Walsingham Planning  
Brandon House  
King Street  
Knutsford  
Cheshire  
WA16 6DX

**DESCRIPTION** Erection of a A1 retail foodstore and sub-station with associated car parking, access, landscaping, servicing and other associated works.

**LOCATION** Land at Mitchells Way, Wombwell, Barnsley,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 17 August 2015 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

1849 07A Site Location Plan  
1849 10U Proposed Site Plan  
1849 11F Site Levels  
1849 12 Floor Plan  
1849 13 Rev A Elevations  
1849 14B Surface Treatments  
1849 15B Boundary Treatments  
1849 16 Roof Plan  
R-1746-01 Landscape Details  
000-01 Sub Station

T53-T23 installation one pager v1.8 (Electric Charging Point Specification Details)  
Terra\_53-23\_Installation Guide\_EN\_1\_0 (Electric Charging Point Specification Details)  
and specifications as approved unless required by any other conditions in this permission.

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

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

Signed   
Head of Planning and Building Control

Dated 18 February 2016

- 3 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both soft landscaping works and ecological enhancements, 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. 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.**
- 4 All planting, seeding or turfing and ecological enhancements 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.**
- 5 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 in accordance with Core Strategy Policy CSP 36 Biodiversity and Geodiversity.**
- 6 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 Core Strategy Policy CSP 29, Design.**
- 7 Before the proposed building is brought into use the Electric Vehicle (EV) charging points indicated on Site Layout Plan (Rev. U) , shall be provided and thereafter retained.  
**Reason: To contribute towards a reduction in emissions in accordance with air quality objectives, and to accord with the Council's Local Development Framework Development Core Strategy Policy 40, Pollution Control and Protection.**
- 8 No building or other obstruction (including new tree planting) shall be located over or within 5.0 (five) metres either side of the centre line of the water main, which crosses the site.  
**Reason: In the interests of satisfactory drainage in accordance with CSP4.**
- 9 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water, other than the existing public sewer, have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.  
**Reason: In the interests of satisfactory drainage in accordance with CSP4.**
- 10 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 are provided, in the interests of highway safety and the free and safe flow of traffic and in accordance with Core Strategy Policy CSP26, New Development and Highway Improvement.**

11 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 pocket;
- Kerb realignment on site frontage to accommodate articulated vehicle manoeuvres;
- Provision of cycleway/footway from the site entrance to connect with the existing on Mitchells Way;
- Provision of footway around northern radius;
- Provision of pedestrian drop crossings;
- Provision of / any necessary alterations to street lighting;
- Provision of keep clear road marking at the site entrance/exit;
- Provision of / any necessary alterations to highway drainage
- Any resurfacing/reconstruction as necessary
- Any necessary signing/lining

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**

12 Visibility splays, having the dimensions 2.4m x 70m, shall be safeguarded at the drive entrance/exit, such that there is no obstruction to visibility at a height exceeding 1.0m above the nearside above the nearside channel level of the adjacent highway.

**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

13 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.**

14 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.**

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

- 16 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
  - Measures to control the emission of dust and dirt during construction
  - A scheme for recycling/disposing of waste resulting from demolition and construction works
  - Measures to mitigate noise during demolition, earth movements and construction
- Reason: In the interests of highway safety and the free flow of traffic in accordance with Core Strategy policy CSP 26 and CSP40.**
- 17 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.**
- 18 Prior to the occupation of the development details of any external lighting will be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter retained.
- Reason: In the interests of the amenities of local residents and in accordance with Core Strategy Policy CSP 40, Pollution Control and Protection.**

## **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.*

## **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.