

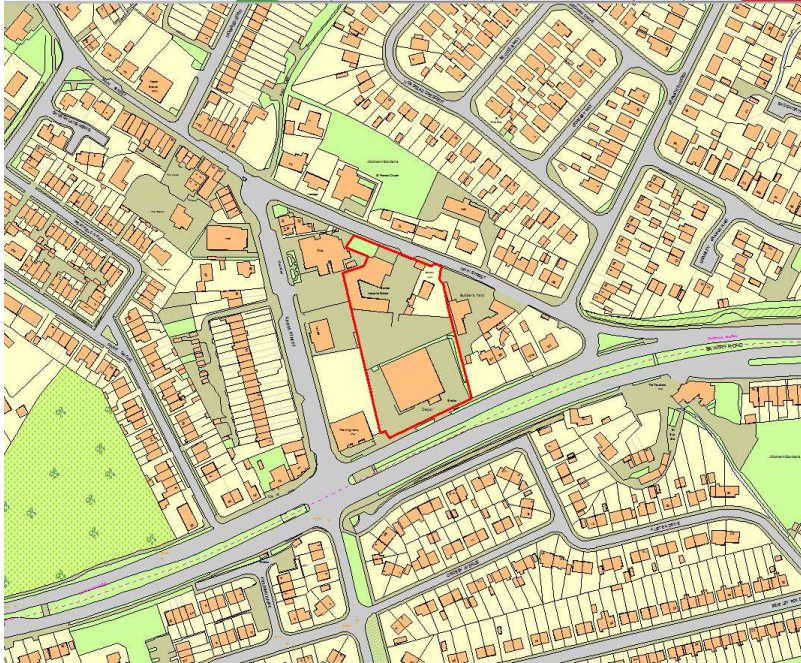
**REPORT TO THE PLANNING REGULATORY BOARD  
TO BE HELD ON THURSDAY 17<sup>th</sup> SEPTEMBER 2015**

**The following applications are submitted for your consideration. It is recommended that decisions under the Town and Country Planning Act 1990 be recorded as indicated.**

**INDEX PAGE**

<b>RB2015/0876 Demolition of existing units and construction of new food store with car parking, landscaping &amp; associated works at land north of Bawtry Road Bramley for Aldi Stores Ltd</b>	<b>Page 40</b>
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<b>Application Number</b>	<b>RB2015/0876</b>
<b>Proposal and Location</b>	Demolition of existing units and construction of new food store with car parking, landscaping & associated works at land north of Bawtry Road Bramley S66 2TW for Aldi Stores Ltd
<b>Recommendation</b>	Grant subject to conditions



### Site Description & Location

The application site relates to a parcel of land approximately 0.65 hectares in area which until recently contained the existing Lighting Building and Conservatory Centre premises to the north of Bawtry Road (this building has now been demolished). The rear of the site adjoins Main Street; the eastern boundary adjoins a residential property and a builder's yard, and the western boundary adjoins a public house and other commercial businesses. There are residential properties across Main Street.

The land level at the site drops from west to east across the Bawtry Road frontage, and there is a fall in a north/south direction. There are differing types of screening around the site in the forms of walls and vegetation.

### Background

The site has been the subject of numerous applications relating both to existing uses and construction of buildings on the site. The most recent and relevant area –

RB1994/0954 – Use of part of a building as office/showroom and use of land as conservatory display area – Granted conditionally

RB1994/1289 – Change of Use of part of the warehouse to a retail use.

Trees adjacent to the south east corner of the site (but within the front garden to No.97 Bawtry Road) were protected under Tree Preservation Order No.3, 1977, however an application to fell one was approved in 2000.

RB2014/0230 - Demolition of existing units and construction of new food store with car parking, landscaping & associated works. – Granted conditionally.

RB2014/1145 - Application to vary condition 23 (opening times) imposed by RB2014/0230 (Demolition of existing units and construction of new food store with car parking, landscaping & associated works) – Granted conditionally.

The previous applications were screened under paragraph 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. However since the last application the EIA Regulations have been amended to increase the size of the threshold to relate to sites that are over 5 hectares in size. As the site is below this, there is no requirement to screen the current application under the 2011 Regulations (as amended).

## **Proposal**

The applicant once again is Aldi Stores Ltd who have purchased additional buildings adjacent to the site so that the overall site area can be increased in size. These buildings lie to the east of the Bramley Social Club and have been historically known as 'Barnes Industrial Estate'. They would be demolished, along with the existing dwelling fronting onto Main Street. The proposed new retail foodstore would comprise of 1104sqm net sales area with additional storage, staff and office facilities, totalling 1,743 sqm gross internal area (1,803 sqm gross external area). This is an increase over and above that previously approved of approximately 104sqm (net sales area) and 213 sqm (gross external area). The scheme proposes two new vehicular access points, one is indicated off Bawtry Road to the front of the site which includes a new pedestrian refuge (and is in a similar position to that approved under the previous scheme), with a further access indicated via Main Street to the rear. The access onto Main Street would be moved slightly to the west from that approved under the previous scheme.

A total on site parking provision for 84 spaces is indicated which includes 8 disabled and 5 parent and child spaces. This compares to a total of 81 spaces under the previous scheme. In addition, 2 motorcycle spaces and 5 cycle hoops would also be provided. Servicing for the building would be provided at the rear of the building with a turning area indicated within the proposed parking area.

The building is indicated to be of single storey flat roof construction, with a variety of materials including red brickwork, white render and grey aluminium roof flashing, along with overhanging front canopy, windows and entrance door. The height of the building is indicated to range between 6.5m – 7.7m when measured from the lowest adjacent land level.

In order to facilitate the development some changes in land level are proposed, primarily where the new access points are proposed off Bawtry Road and Main Street. The applicant has clarified that the majority of the building is to be constructed utilising the current existing site levels, although it is acknowledged that following the demolition of the existing residential property on site, and area to the north east corner of the site will be required to be raised and retaining walls created to enable the formation of the loading bay/plant area at the rear of the proposed store.

The applicants have indicated that they are seeking delivery hours of 07:00-23:00 Monday to Saturday and 09:00-22:00 on Sunday, with proposed store opening hours of 08:00-22:00 Monday to Saturday and between the hours of 10:00-17:00 on Sunday. The applicants note that it is operators common practice to operate standard Monday hours on Bank Holidays and would not wish to be restricted in this respect.

The following supporting documents have been submitted with the application:

#### Planning and Retail Statement

This notes that the site lies within the heart of Bramley Local Centre. The site's excellent location benefits from good links to public transport and wider transport network and relates well to the surrounding retail units along Bawtry Road, Cross Street and Main Street. As a result, the development proposal represents an excellent opportunity to strengthen the existing retail provision of Bramley Local Centre through the regeneration and significant investment of a prominent site. In addition the development would create the equivalent of 40 full time jobs.

#### The Design and Access Statement

The proposal comprises of a 1,803 sqm (gross external) Aldi foodstore utilising a contemporary design with materials that complement the surrounding area and character of Bramley. The overall massing and design is consistent with many local buildings. A strong building frontage, glazing and detailing have been proposed to ensure a high quality development that integrates successfully with the existing urban grain.

#### Transport Assessment

Concludes that the proposal would provide a food retail destination within walking distance of many properties and within an urban area close to Bramley village centre (2 minutes' walk). The site is accessible by all modes of travel, it has access to many bus services, providing access to the local residential areas.

The increase parking spaces near Bramley centre will increase the likelihood of linked trips.

#### Ecological Report

The application site supports a small range of common species-poor habitats of low ecological value; their loss to development is unlikely to have any significant impact on local fauna.

Two of the buildings were assessed as presenting limited to moderate bat roost potential. Emergence surveys were therefore recommended during the next active season to determine presence or likely absence. The emergence surveys were carried out in May and June 2014 when it was concluded that the buildings are very unlikely to support roosting bats and that further survey effort is not required. The additional building which is now included within the application site has also been assessed and it has been concluded that it has very limited roost potential. The proposed works can proceed with minimal risk of impacting on bats.

The general recommendations are made in regards to the enhancement of the site for wildlife as part of the new development.

### Tree Survey

Concludes that the site currently contains limited tree and hedge coverage. One Lombard Poplar is identified for retention owing to its moderate quality and amenity value along with the fact that it is positioned upon adjacent land, and as the report advises that the development should be designed in order to avoid the Root Protection Areas of trees to be retained this recommends that the protective fencing is installed in accordance with the relevant British Standards and retained during demolition/construction works.

### Geo-Environment Report

Notes the primary commercial use of the site has taken place since the 1970's. It concludes that a ground investigation should be designed and carried out, to address issues raised.

## **Development Plan Allocation and Policy**

The Core Strategy was adopted by the Council on the 10th September 2014 and forms part of Rotherham's Local Plan together with 'saved' policies from the Unitary Development Plan (UDP).

The application site is allocated for *Retail (Town Centre)* purposes in the UDP. For the purposes of determining this application the following policies are considered to be of relevance:

Core Strategy policy(s):

*CS12 Managing Change in Rotherham's Retail and Service Centres*

*CS14 Accessible Places and Managing Demand for Travel*

*CS20 Biodiversity and Geodiversity*

*CS21 Landscape*

*CS25 Dealing with Flood Risk*

*CS28 Sustainable Design*

*CS27 Community Health and Safety*

## **Other Material Considerations**

National Planning Policy Framework: The NPPF came into effect on March 27<sup>th</sup> 2012 and replaced all previous Government Planning Policy Guidance (PPGs) and most of the Planning Policy Statements (PPSs) that existed. It states that "Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.

The NPPF states that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

The Core Strategy policies referred to above are consistent with the NPPF and have been given due weight in the determination of this application.

## Publicity

The application was advertised in the press, site notices were erected and 58 neighbouring properties were notified by letter. 3 letters of representation have been received, one from the nearby St Francis Church one from Bramley Parish Council and one from a local resident at 90 Main Street..

St Francis Church have stated that they do not object however raise the following issues –

- Confirmation there will be no more double yellow lines on Main Street
- They would prefer it if there was no vehicular access off Main Street, and it would be useful if there was a pedestrian crossing near the Main Street entrance to facilitate safe crossing, that could be funded by Aldi.
- Confirmation that there will be no speed bumps on Main Street.

Bramley Parish Council state that the communities concerns should be taken into account, which include –

- Operational noise from plant and refrigeration machinery will create a noise and previous reassurance from the applicant is required to ensure that no sounds will emanate from any ventilation grills.
- There will be noise from reversing vehicles servicing the unit that will be close to residential properties.
- The stone boundary walls on Bawtry Road and Main Street should be conditioned to be retained.
- The monolithic expanse of brickwork on the elevation facing Main Street would impact greatly on the amenity of residents on Church Street on the opposite side of the road. This should be solved.
- The southern elevation is considerably further forward than the previous scheme and would greatly impact on the occupiers of 97 Bawtry Road.
- The layout plan shows that delivery vehicles access the delivery bay by using 3 car parking spaces – what would happen if the spaces were full at the time of delivery? How would delivery vehicles egress the site?
- There is a history of traffic management imposed on the local community. The exacerbation of current circumstances must be given fair and objective appraisal.
- Visitors visiting the church may also park on Main Street, and so parking restrictions should not be provided to allow the continuation of on-street parking.
- The village centre has suffered from the one-way system, and this would result in residents perception of yet a further corrosion of their collective amenity.
- Signage is omitted from the application, the applicant should be asked to clarify their position in this regard.
- Landscaping should be provided to provide an immediate impact.
- There appears to be a plot of land in the northern corner with no details of its redevelopment.

The final letter is from a nearby resident who objects to the proposal on the following grounds –

- The foodstore is too large with little aesthetic merit
- Moving of the entrance towards the church is unacceptable.
- No details of the signs are included.

## **Consultations**

Streetpride (Highways and Transportation Unit) – Note that the site was the subject of a previous planning permission. With regard to the current application it is noted that the scheme now differs in that;

- 1) The proposed Gross Internal Area has been increased from 1537 sq.m. to 1743 sq.m.
- 2) The proposed car parking facilities have been increased by 3 No spaces.
- 3) The proposed vehicle / pedestrian access to Main Street will be relocated to the west. This is as a result of the site boundary being amended and will improve visibility. The revised scheme is acceptable in highway/transportation terms subject to conditions.

Streetpride (Landscape Design) – No objections.

Environmental Health – Note that site intrusive investigations have confirmed there is low risk to human health and the environment from contamination at the site. Some minor remedial works are required at the site to ensure the site is suitable for its proposed end use which can be secured by condition. In this respect there are no objections. In respect of hours of opening and delivery times they note that these are unchanged from the previously approved scheme.

Streetpride (Drainage) – No objections.

Severn Trent Water – No objections subject to conditions.

Streetpride (Tree Service Manager) - No objections in principle to the proposed development including the removal of a Sycamore and a Hawthorn Hedge, subject to any other constraints and suitable replacement planting as part of a detailed landscape scheme. On site investigations have confirmed there are no roots from Lombardy Poplars on the adjacent site extending into the application site . Future prospects of the remaining trees including those on adjacent land will need to be safeguarded throughout any development and this may be achieved in accordance with the recommendations within the submitted Arboricultural Report, Arboricultural Impact Assessment and Method Statement by Urban Green dated, May 2015 via condition.

SYPTTE No comment received.

## **Appraisal**

Where an application is made to a local planning authority for planning permission.....In dealing with such an application the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations. - S. 70 (2) TCPA '90.

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise - S.38 (6) PCPA 2004.

The main considerations in the determination of this application are:

- Principle of the development.
- Layout and design of the development.
- Ecology/Biodiversity issues.
- Impact on neighbouring amenity.
- Contaminated land issues.
- Highways safety issues.
- Drainage issues.
- Other considerations.

### Principle of development

The site is allocated for Retail Use (Town Centre) purpose within the adopted Rotherham Unitary Development Plan. Core Strategy Policy CS12 Managing Change in Rotherham's Retail and Service Centres' notes that in Local Centres (such as Bramley) the Council will encourage developments which improve convenience and comparison goods and service facilities provision and reduce vacancies.

Policies within the NPPF aim to promote such retail development within existing allocated retail centres to support their viability and vitality, and promote sustainable development.

Additionally there is an extant planning permission for a similar foodstore on the site, the difference being that this proposal is approximately 210 sqm larger in gross external floor area than the approved scheme, and a further small area of land to the north western corner has been included within the application site.

With this in mind it is considered that the location of this retail food store on this allocated town centre site is acceptable in principle, and complies with Core Strategy Policy CS12 and policies contained within the NPPF.

### The layout and design of the development

Core Strategy Policy CS28 Sustainable Design states that proposals for development should respect and enhance the distinctive features of Rotherham, and design should take all opportunities to improve the character and quality of an area and the way it functions.

Policies within the NPPF state that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

With regards to layout considerations, the proposed site layout is informed by the design of the store and the relationship with existing buildings adjacent to the site. The proposed building is at a higher level than the buildings to the east which include a dwelling house at 97 Bawtry Road. There is a 1.8m high retaining wall separating the sites and a detached garage is located between the proposed store and the house. The impact on this property is discussed in more detail below.

The front elevation of the store faces Bawtry Road, which also has the main vehicular access/egress point. The service/plant area for the store is located to the north of the



store closer to Main Street. The western section of the site is mainly laid out for car parking.

With regards to the scale and massing of the building, the surrounding area comprises a mix of commercial and residential properties incorporating a range of building heights. The submitted plans indicate that the overall scale of the proposed building with its flat roof element has been designed to be in keeping with the scale of the surrounding buildings, also taking into account the difference in land levels across the site. However it is noted that at the north of the site the building is approximately 1m higher than the previously approved building, as the ground level is 0.5m higher than previously and the building is also 0.5m higher.

In terms of design, the building is very similar to that originally approved under RB2014/0230, being a modern design with a mixture of material including brickwork, white render and glazing. The visual appearance of the elevations reflect the design previously approved, when amendments were sought through the application process to improve the appearance of the building in line with representations at that time from Bramley Parish Council. These issues have again been raised, however it is considered that the proposed design is appropriate in visual terms.

The proposal includes the provision of low stone walls along the boundaries to Bawtry Road and Main Street, with a mixture of retaining walls and fencing along the western and eastern boundaries.

The application is supported by a Landscaping Scheme to ensure that the development is suitably landscaped to enhance the visual appearance of the site. A Tree Survey was submitted which concluded that the development would result in the loss of 1 Sycamore tree within the site and an area of Hawthorne hedgerow, which were of low amenity value. It also recommends that a further area of hedgerow on the western boundary and a group of trees just outside the site should be afforded protection measures throughout the development.

The submitted landscape scheme is considered to be acceptable, as are the proposals to remove a tree and some hedgerow which are considered to be in accordance with Core Strategy Policy CS21 Landscapes which states that new development will be required to safeguard and enhance the quality, character, distinctiveness and amenity value of the boroughs landscapes, and that landscape works will be appropriate to the scale of the development.

In general it is considered that the overall design of the building is acceptable and will visually improve the appearance of the site, and the locality as a whole. It is therefore considered that the proposal is in accordance with relevant Core Strategy Policies and policies set out in the NPPF.

#### Ecology and Biodiversity

The NPPF aims to minimise the impacts of development on biodiversity. Core Strategy Policy CS20 Biodiversity and Geodiversity states that the Council will conserve and enhance Rotherhams natural environment. An Ecology Report was submitted with the application and notes that the application site supports a small range of common species-poor habitats of low ecological value; their loss to development is unlikely to have any significant impact on local fauna.

Two of the buildings were assessed as presenting limited to moderate bat roost potential and emergence surveys were carried out. It was concluded that the buildings are very unlikely to support roosting bats and that further survey effort is not required, and that the proposed works can proceed with minimal risk of impacting on bats.

The site is predominantly hard-surfacing or buildings with limited areas of low quality habitat, and therefore it is considered that the submission of a Biodiversity Enhancement Statement should be conditioned if planning permission is granted. In this regard the proposal is considered to comply with Core Strategy Policy CS20 and the policies within the NPPF.

#### Impact on neighbouring amenity

The NPPF states that “within overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning (amongst others) should:

- Always seek... a good standard of amenity for all existing and future occupants of land and buildings.”

In respect of the design of the development and its impact upon neighbouring amenity, taking into account the location/orientation of the proposed store, the property most affected by the scheme is 97 Bawtry Road by virtue of the fact that it is at a lower level than the application site, has its only private amenity area to the front of the dwelling, and has a shared common boundary with a high wall providing some screening. This proposal includes a bigger store than previously approved, and as a result of this and the amended design the south eastern corner of the store is approximately 8m further forward towards Bawtry Road. Bramley Parish Council have stated that the building being set further forward would have a greater impact on 97 Bawtry Road. The amended store also shows two windows in the eastern elevation approximately 5m from the boundary with 97 Bawtry Road, although the windows are shown to be obscure glazed to ensure that there is no overlooking towards the adjacent dwelling. Therefore, due to the proposed location, layout of the store and the provision of obscure glazed windows, it is not considered that any overlooking or loss of privacy would occur to 97 Bawtry Road. It is also noted that the occupiers of 97 Bawtry Road have not raised any objection to the proposal.

The proposed building is on a higher level than the property, and the store would be located closer to the dwelling than the Conservatory sales building was located. However, the dwelling has a driveway, a garage and a conservatory between the dwelling and the proposed store, and for this reason the proposal is not considered to overdominate the property or have any adverse impact on residential amenity. It would not have a significantly greater impact on this property than the building previously approved on the site.

In relation to the properties on Main Street the closest property to the site is No.66 which would be approximately 28m away from the proposed new building. The building is shown to be approximately 1m higher than the approved building, however due to the distance from the property it is still not considered that the scale and mass of the proposal would be harmful in terms of over dominance, loss of light or reduction in privacy.

Turning to matters of loss of amenity through other associated issues ie. noise and lighting matters, Core Strategy Policy CS27 Community Health and Safety states

development will be supported which protects, promotes or contributes to securing a healthy and safe environment and minimises health inequalities.

The NPPF notes at Paragraph 123 notes that planning decisions should aim to avoid noise from giving rise to “significant adverse impacts on health and quality of life as a result of new development.”

With respect to noise related matters, and taking on board the comments raised by Bramley Parish Council, the applicants have clarified that the plant and refrigeration equipment to be installed will be to the latest specification in order to ensure low noise emissions and minimise disruption to adjoining residents.

The deliveries will take place to the rear of the building, and the hours for deliveries sought are the same as those previously approved under RB2014/1145.

Taking the above into account and the extant permissions RB2014/0230 and RB2014/1145, and the fact that the Councils Environmental Health Unit have not raised any objections to the proposal subject to suitable conditions, it is considered that the proposed development would not unduly affect the residential amenities of the adjacent properties to an unacceptable degree. As such the proposal is considered to be in accordance with Core Strategy Policy CS27 Community Health and Safety and the advice contained within the NPPF.

#### Land contamination issues

Core Strategy Policy CS27 Community Health and Safety states that new developments should take into consideration the impact of existing sources of pollution and the potential for remedial measures to address problems of contamination.

The Environmental Health Unit have assessed the supporting documents and have concluded that due to the history of the site ground investigation should be carried out to address the issues raised in the reports which can be secured by the imposition of relevant conditions. Taking this into account it is considered that the proposal complies with Core Strategy Policy CS27 Community Health and Safety as well as policies set out in the NPPF.

#### Impact on highway safety

Core Strategy Policy CS14 Accessible Places and Managing Demand for Travel aims to make places more accessible by promoting accessible locations such as town centres.

There have been queries from Bramley Parish Council and the nearby Church regarding potential impacts on highway safety, congestion and on street parking around the site. The agent has responded to the points and has clarified that there are no proposals for additional double yellow lines or speed humps on Main Street, and parking restrictions will stay as existing. Aldi have confirmed that they are happy for Church users to park in the car park which would actually help ease on street car parking at busy times. The proposal does not include a crossing on Main Street however pedestrian dropped kerbs with tactile paving are to be provided as part of the development on both sides of the site access onto Main Street, which is considered appropriate from a highway safety aspect in this location.

Bramley Parish Council have raised the issue that 3 car parking spaces are required to allow deliveries vehicles to access the building and cars parked in the spaces would cause delivery problems. The agent has confirmed that prior to any delivery vehicle arriving at the site, staff would be notified and would ensure that spaces are cleared, or traffic cones used to prevent customers parking in the 3 spaces.

The proposal is very similar to that previously approved under RB2015/0230, however this application site has increased in size to include an extra piece of land to the north west of the site. The vehicular access onto Main Street has therefore been relocated slightly to the west, which will actually improve visibility.

The application site is located within Bramley Town Centre, and is therefore accessible by all modes of travel. The Councils Transportation Unit have no objections to the proposal, subject to recommendations. As such the proposal is considered to constitute sustainable development with no detrimental impact upon highway safety, and is in accordance with Core Strategy Policy CS14 Accessible Placed and Managing Demand for Travel, and policies within the NPPF.

#### Drainage issues

Core Strategy Policy CS25 Dealing with Flood Risk aims to reduce the extent and impact of flooding by requiring developments on brownfield sites to reduce surface water run-off by at least 30% and requiring the use of appropriately constructed SUDS where practical and feasible.

The Council's Drainage Section, and Severn Trent Water, have no objection to the proposal subject to the submission of full drainage details. They also note that in accordance with the EA Flood Maps the northern boundary of the site is at risk of flooding from surface water overland flows. The applicant should take, and allow for, all preventative measures to mitigate against any surface water overland flooding in an extreme event. It is therefore considered that the site can be drained appropriately and that the proposal is in compliance with Core Strategy Policy CS25 Dealing with Flood Risk.

#### Other matters raised.

Bramley Parish Council has queried the proposed use of the additional piece of land in the north western corner of the site, adjacent to the proposed access from Main Street. The applicant has confirmed that this area is an existing compound next to the retail units, there will be no public access to this area which will be behind a timber fence.

Bramley Parish Council also raised the issue of signage at the site, stating that it should be included within the application, and making reference to a recent refusal and appeal regarding signage close by. Signage at the site would be considered separately under an application for Advertisement Consent and cannot be considered within a planning application. The applicant has stated that it is their approach to secure the required planning permission before applying for Advert Consent.

#### **Conclusion**

The proposed erection of a foodstore in this Retail (Town Centre) allocated site is acceptable in principle and makes use of a town centre brownfield site which will result in the creation of 40 full and part time jobs as well as providing a better and more

sustainable service for the local community. Whilst the store is approximately 210 sqm larger than the previously approved store (which has an extant planning permission at the site), the overall site area has also been increased by the incorporation of additional land in the north western corner.

The layout and design of the scheme is considered acceptable and is in keeping with the environment in the site's immediate locality without unduly impacting on the amenities of adjacent residential and commercial premises. A robust landscaping scheme is proposed to soften the built environment. Overall the scheme is considered to be in accordance with relevant Core Strategy policies and those within the NPPF, and it is recommended that planning permission is granted.

### **Conditions**

01 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

In order to comply with the requirements of the Town and Country Planning Act 1990.

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications as shown on the approved plans (as set out below)

Drawing numbers:

0491-50 Rev A Location Plan dated 01/14

C15A34-P003 Rev A Proposed Site Plan dated 11.06.2015

0491-111 Proposed GA dated 04/15

0491-115 Roof Plan dated 04/15

0491-112 Proposed elevations dated 04/15

0491-113 Proposed Sections dated 04/15

Reason

To define the permission and for the avoidance of doubt.

03

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, discharge points and off-site works, have been submitted to and approved by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason

To ensure that the development can be properly drained in accordance with Core Strategy Policy CS25 'Dealing with Flood Risk'

04

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, have been submitted to and approved in writing

by the Local Planning Authority. The scheme shall include the construction details and shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- The utilisation of holding sustainable drainage techniques (e.g. soakaways etc.);
- The limitation of surface water run-off to equivalent greenfield rates (i.e. maximum of 5 litres/second/Ha);
- The limitation of surface water run-off to equivalent brownfield rates (i.e. minimum of 30% reduction in flows based on existing flows and a 1 in 1 year return period);
- The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and
- Responsibility for the future maintenance of drainage features.

#### Reason

To ensure that the development can be properly drained in accordance with UDP Policies ENV3.2 'Minimising the Impact of Development', ENV3.7 'Control of Pollution' and the South Yorkshire Interim Local Guidance for Sustainable Drainage Systems for Major Applications.

#### 05

Surface water from areas likely to receive petrol/oil contamination (e.g. vehicle parking areas) shall be passed through effective oil/grit interceptors prior to discharge to any sewer or watercourse.

#### Reason

To prevent pollution of any watercourse in accordance with UDP policies ENV3.2 'Minimising the Impact of Development' and ENV3.7 'Control of Pollution'.

#### 06

Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

#### Reason

To prevent pollution of any watercourse in accordance with UDP policy ENV3.7 'Control of Pollution'.

#### 07

Prior to the commencement of development, details of the proposed vehicle accesses, including closure of the existing vehicle access on the site frontage with Bawtry Road as shown in draft form on Drg No C15A34-P003 Rev A shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

#### Reason

In the interests of highway safety.

#### 08

Prior to the commencement of development, details of a prospectively adoptable footway (Minimum width 2.0m and including 2 No tactile pedestrian crossings) on the site frontage to Main Street, shall be submitted to and approved by the Local Planning

Authority. The approved details shall be implemented before the development is brought into use.

Reason

In the interests of highway safety.

09

Prior to the development being brought into use, a Car Parking Management Strategy shall be submitted to and approved by the Local Planning Authority and the approved plan shall be implemented throughout the life of the store. The strategy shall include details of the availability of 2 hours free car parking for customers and non-customers of the store.

Reason

In order to promote sustainable transport choices and encourage linked trips to other facilities in Bramley Town Centre.

10

Prior to the development being brought into use, an HGV routing strategy for delivery vehicles shall be submitted to and approved by the Local Planning Authority. The approved plan shall be based on delivery vehicles utilising the Bawtry Road access only and shall be implemented throughout the life of the store.

Reason

In the interests of highway safety.

11

The proposed landscaped area on the western side of the proposed access from Bawtry Road to the first car parking bay shall be maintained at a maximum height of 900mm above the nearside road channel.

Reason

In the interests of highway safety.

12

The vehicular access drive from Bawtry Road shall not exceed a gradient of 5% for a distance of 10 metres measured from the highway boundary and 10% thereafter.

Reason

In the interests of highway safety.

13

Before the development is brought into use, that part of the site to be used by vehicles shall be properly constructed with either;

a) a permeable surface and associated water retention/collection drainage, or b) an impermeable surface with water collected and taken to a separately constructed water retention/discharge system within the site.

The area shall thereafter be maintained in a working condition.

Reason

To ensure that surface water can adequately be drained and to encourage drivers to make use of the parking spaces and to ensure that the use of the land for this purpose

will not give rise to the deposit of mud and other extraneous material on the public highway in the interests of the adequate drainage of the site and road safety.

14

Before the development is brought into use the car parking area shown on Drg No C15A34-P003 Rev A shall be provided, marked out and thereafter maintained for car parking.

Reason

To ensure the provision of satisfactory parking space and avoid the necessity for the parking of vehicles on the highway in the interests of road safety.

15

No development shall commence until a protocol for implementing, monitoring and reviewing the submitted Travel Plan, in conjunction with the Local Planning Authority, and a timetable for the implementation of the protocol and the travel plan, have been submitted to and approved in writing by the Local Planning Authority. The travel plan shall be implemented in full in accordance with the approved timetable and protocol unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order to promote sustainable transport choices.

16

No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted or samples of the materials have been left on site, and the details/samples have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design.'

17

Landscaping of the site as shown on the approved plan (Vector drawing no. V0491 L01C) shall be carried out during the first available planting season after commencement of the development. Any plants or trees which within a period of 5 years from completion of planting die, are removed or damaged, or that fail to thrive shall be replaced within the next planting season. Assessment of requirements for replacement planting shall be carried out on an annual basis in September of each year and any defective work or materials discovered shall be rectified before 31st December of that year.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design,' and UDP Policies , ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.



18

No work or storage on the site shall commence until all the trees/shrubs to be retained have been protected by the erection of a strong durable 2 metre high barrier fence in accordance with BS 5837: Trees in Relation to Design, Demolition and Construction and positioned in accordance with the details submitted in the Arboricultural Report, Arboricultural Impact Assessment and Method Statement by Urban Green dated, May 2015. The protective fencing shall be properly maintained and shall not be removed without the written approval of the Local Planning Authority until the development is completed. There shall be no alterations in ground levels, fires, use of plant, storage, mixing or stockpiling of materials within the fenced areas.

Reason

To ensure the trees/shrubs are protected during the construction of the development in the interests of amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design,' and UDP Policies , ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

19

The approved development shall be implemented in accordance with the advice and recommendations within the submitted Arboricultural Report, Arboricultural Impact Assessment and Method Statement by Urban Green dated, May 2015 and in particular the recommended tree protection measures required throughout the development.

Reason

To ensure the trees/shrubs are protected during the construction of the development in the interests of amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design,' and UDP Policies , ENV3.2 'Minimising the Impact of Development' and ENV3.4 'Trees, Woodlands and Hedgerows'.

20

All deliveries to, or collections from the store shall be carried out between the hours of 07.00 - 23.00 Monday to Saturday and 09.00 - 22.00 on Sundays.

Reason

In the interests of the amenities of the locality and occupiers of the adjacent properties in accordance with UDP Policy ENV3.7 'Control of Pollution'.

21

The store hereby permitted shall be open to the general public between the hours of 08.00 – 22.00 Monday to Saturday and between the hours of 10.00 - 17.00 on Sundays.

Reason

In the interests of the amenities of the locality and occupiers of the adjacent properties in accordance with UDP Policy ENV3.7' Control of Pollution.'

22

Notwithstanding the submitted details with regard to externally mounted plant / equipment for heating, cooling or ventilation purposes (inc grilles, ducts, vents for similar internal equipment), no development shall take place until a detailed noise mitigation strategy has been submitted to and agreed in writing with the Local Planning Authority to demonstrate that noise levels at the nearest noise sensitive property

boundaries from the aforementioned equipment shall not exceed existing background noise readings by 5dB(A) during the day and 3dB(A) at night. The approved details shall be installed as approved prior to the use commencing and shall thereafter be retained and maintained and should not be altered / replaced without the prior written approval of the Local Planning Authority.

Reason

In the interests of the amenities of the locality and occupiers of the adjacent properties in accordance with UDP Policy ENV3.7 'Control of Pollution.'

23

No development shall take place until details for the external illumination of the proposed store and car parking areas have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason

In the interests of neighbour and visual amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design,' and UDP Policy ENV3.7 'Control of Pollution.'

24

Prior to the commencement of development a biodiversity enhancement statement, including a schedule for implementation, shall be submitted to and approved by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the agreed statement before the development is brought into use.

Reason

In the interest of biodiversity in accordance with CS20 Biodiversity and Geodiversity

25

The site has been characterised as a Gas Characteristic Situation 2. Prior to the commencement of the development on site details of gas protection measures will need to be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to construction works commencing on site.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

26

Remediation works (i.e. removal of underground tanks and grossly impacted soils; and soil capping works) shall be carried out in accordance with sections 4.1 – 4.15 (Remediation Method Statement) of the document entitled 'Proposed Aldi Store, Bawtry Road, Wickersley, Rotherham – Site Remediation Method Statement' - prepared by 3e Consulting Engineers Limited, ref 12693/RS Rev 2, dated May 2015. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

27

Prior to development if subsoil/topsoils are required to be imported to site for remedial works they shall be tested at a rate and frequency specified within sections 4.16 - 4.18 (Validation Testing and Reporting Requirements) of the document entitled 'Proposed Aldi Store, Bawtry Road, Wickersley, Rotherham – Site Remediation Method Statement' prepared by 3e Consulting Engineers Limited, ref 12693/RS Rev 2, dated May 2015. The results of testing will be presented in a Validation Report.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

28

In the event that during development works unexpected significant contamination is encountered at any stage of the process, the Local Planning Authority shall be notified in writing immediately. Any requirements for remedial works shall be submitted to and approved in writing by the Local Authority. Works thereafter shall be carried out in accordance with an approved Method Statement.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

29

Following completion of the required remedial works a Verification Report should be forwarded to the Local Authority for review and comment. The verification report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site. The site shall not be brought into use until such time as all verification data has been approved by the Local Authority.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

30

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority drawings including elevations/ details indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed prior to the store opening.

Reason

To ensure that appropriate materials are used in the construction of the development in the interests of visual amenity and in accordance with Core Strategy Policy CS28 'Sustainable Design.'

31

The window(s) on the elevation of the eastern facing elevation shall be obscurely glazed and fitted with glass to a minimum industry standard of Level 3 obscured glazing and be non-openable, unless the part(s) of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason

In the interests of the amenities of the occupiers of adjoining properties.

## **Informatives**

01

INF 11A Control of working practices during construction phase (Close to residential)  
It is recommended that the following advice is followed to prevent a nuisance/ loss of amenity to local residential areas. Please note that the Council's Neighbourhood Enforcement have a legal duty to investigate any complaints about noise or dust. If a statutory nuisance is found to exist they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Rotherham Magistrates' Court. It is therefore recommended that you give serious consideration to the below recommendations and to the steps that may be required to prevent a noise nuisance from being created.

(i) Except in case of emergency, operations should not take place on site other than between the hours of 08:00 – 18:00 Monday to Friday and between 09:00 – 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

(ii) Heavy goods vehicles should only enter or leave the site between the hours of 08:00 – 18:00 on weekdays and 09:00 – 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

(iii) Best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

(iv) Effective steps should be taken by the operator to prevent the deposition of mud,

dust and other materials on the adjoining public highway caused by vehicles visiting and leaving the site. Any accidental deposition of dust, slurry, mud or any other material from the site, on the public highway shall be removed immediately by the developer.

02

South Yorkshire Police Recommendations:

- The parking areas should offer a uniform light with no dark areas to BS 5489. The safer parking scheme 'Park Mark' should be considered. [www.saferparking.com](http://www.saferparking.com)
- All doors and windows should be to the standards required by Secured by Design. [www.securedbydesign.com](http://www.securedbydesign.com).
- The bin store should be secured at all times

03

Drainage:

The applicant is made aware that in accordance with the EA Flood Maps the northern boundary of the site is at risk of flooding from surface water overland flows. The applicant should take and allow for all preventative measures to mitigate against any surface water overland flooding in an extreme event.

## POSITIVE AND PROACTIVE STATEMENT

Whilst the applicant did not enter into any pre application discussions with the Local Planning Authority, the proposals were in accordance with the principles of the National Planning Policy Framework and did not require any alterations or modification.