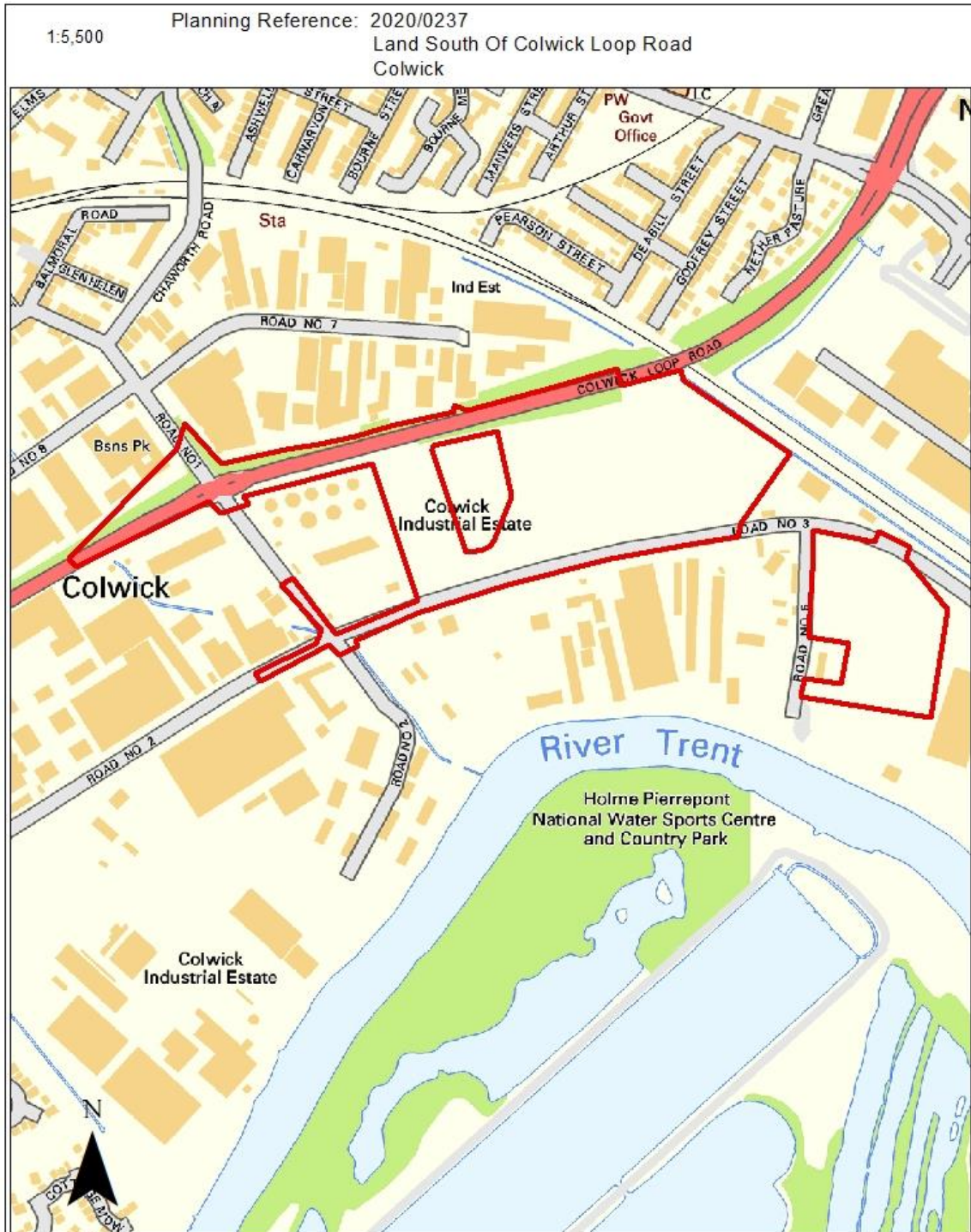


Planning Report for 2020/0237



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number:	2020/0237
Location:	Land South of Colwick Loop Road
Proposal:	Section 73 application for amendments to planning permission 2013/0500 (as amended by 2016/1177NMA) relating to alterations to the approved Sainsbury's store and service yard at land south of Colwick Loop Road.
Applicant:	Sainsburys Supermarket Ltd
Agent:	WSP Indigo
Case Officer:	Nigel Bryan

The application is referred to Planning Committee with the proposal a major application the erection of commercial floor space over 5,000sqm.

1.0 Site Description

- 1.1 The application site comprises land to the south of Colwick Loop Road, which is currently vacant and was previously utilised for petroleum storage but the use has now been disbanded and it is largely laid with hardstanding that has elements of scrub and self-set trees on it. There is a roundabout in the southwest corner of the site that would allow vehicular access to the site and has been completed in accordance with the original permission which remains extant. The site is largely flat and devoid of any significant features.
- 1.2 On this side of the Colwick Loop Road the area is a mixture of industrial and commercial uses reflected in the land being allocated for employment use under policy LP44.

2.0 Relevant Planning History

- 2.1 Application 2013/0500 was a hybrid application in that part of the development was submitted in full whereas some elements were made in outline. The various aspects of the development as granted permission are summarised below:

The full planning permission was for a foodstore consisting of:

- 7,665m² (82,506ft²) net sales area

- 11,781m² (126,811ft²) Gross External Area
- Associated customer restaurant, colleague areas and bulk stock facilities
- 798 car parking spaces (including 46 disabled and 46 parent & child)
- Motorcycle and bicycle parking
- 9 pump petrol filling station including a car wash and kiosk of 111m² Gross External Area
- Highway works including a new access road, road widening and junction improvements to Colwick Loop Road, private Road Nos. 1, 3 and 5.

The outline planning permission was granted for employment units (B1, B2 and B8) with a minimum Gross External Area (GEA) of 6,440m² and maximum GEA of 9,894m².

- 2.2 The application was granted permission and was subject of two separate section 106 Legal agreements, one with Nottinghamshire County Council for a contribution toward Travel Plan monitoring and one with Gedling Borough Council for a contribution toward Air Quality Monitoring.
- 2.3 2014/0770DOC – the application is for the approval of details reserved by condition 11 of permission 2013/0500, in relation to a local labour agreement, the application remains to be determined.
- 2.4 2015/0484DOC – the application is for the approval of details reserved by condition 8 of permission 2013/0500, in respect of contamination on the site. The details as submitted are acceptable with regard to the remediation proposed, although a verification report would also need to be submitted once the approved works have been completed.
- 2.5 2016/1177/NMA – the application was for a ‘Non Material Amendment to Planning Permission 2013/0500 (Construction of A1 retail unit with ancillary restaurant & concession units, service yard, petrol filling station & car wash, car parking, landscaping & highways works (full application) & B1/ B2 / B8 employment uses (outline application)) to allow details required by conditions in respect of the retail and employment proposal to be provided following the implementation of the approved highway works’. The non-material amendment was granted permission and, in effect, allows the installation of requisite highway works prior to the discharge of pre-commencement conditions in relation to the A1 store.
- 2.6 2016/1253 – A certificate of lawfulness has been granted for ‘the operations consist of the laying out and construction of the approved highway works (as specified in the schedule 2) in accordance with planning permission reference 2013/0500’.

3.0 Proposed Development

- 3.1 The application has been made under S73 of the Town and Country Planning Act, to update the list of approved drawings. Such applications are treated as

a minor material amendment to the previously approved scheme and the alterations proposed are summarised below;

- New glazing to front and side elevations and re-siting of ATM's;
- The cycle parking and customer pick up point has been moved;
- Reconfigured the rear of the store to facilitate extra deliveries, increased Goods Online (GOL) and to take into account Argos now being in the store;
- The size of the store has reduced by 246sqm to accommodate deliveries for Argos;
- Alterations to rooflights;
- The roof plant area has been relocated and
- Alterations to the service yard layout.

3.2 For the avoidance of doubt, the outline aspect of the hybrid permission for the erection of employment units (B1, B2 and B8) with a minimum Gross External Area (GEA) of 6,440m² and maximum GEA of 9,894m² has lapsed and the only aspect of the development that can be implemented is the full application for the retail store, currently under consideration.

3.3 Furthermore, there are aspects of the S106 Legal Agreement that have lapsed along with the outline permission, although this is covered in greater detail later in this report.

3.4 In addition, with the application being an application under S73 of the Town and Country Planning Act the application is being assessed as an Environmental Impact Assessment (EIA) development, as was the previous application; an EIA Addendum has been submitted in support of the current application. The addendum notes that the quantum of development under consideration is only part of that which made up the original application and of particular note is that the Total Oil Refinery has now been decommissioned.

4.0 Consultations

4.1 A press notice was published, a site notice displayed and neighbour notification letters posted. As a result of consultation undertaken one letter has been received from a neighbouring firm questioning how they will be impacted by the development in terms of highway movements, rights of way, hours of opening etc.

4.2 Nottinghamshire Wildlife Trust – Note that the new surveys have now been submitted in support of the application, although there are two invertebrate surveys still pending. In the absence of the two surveys they maintain an objection to the application as well recommending that a Biodiversity Management Plan be secured through a suitably worded condition, as well as seek improvements to the landscaping in terms of its ecological benefits.

4.3 Environment Agency (EA) – note that original conditions attached to the permission, as suggested by the EA, will not be impacted by the development. Therefore, they raise no objection to the application.

4.4 Rights of way officer – notes that Public Right Of Way are adjacent to the site but not within it and, as result, the application would not detrimentally impact

them, although a note should be added that during construction they be retained open at all times.

- 4.5 Highway Authority (Nottinghamshire County Council) – Note that the changes proposed would have no negative highway impacts.
- 4.6 Arborist – notes that the trees on site are limited and that the replacement planting would mitigate any losses.
- 4.7 Environmental Health (contamination) – Note that whilst the condition to do with contamination is partially discharged, other works are still required prior to the development commencing.

5.0 Assessment of Planning Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that ‘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’.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Development Plan Policies

- 6.1 The following policies are relevant to the application:
- 6.2 The National Planning Policy Framework (2019) sets out the national objectives for delivering sustainable development. Sections 4 (Decision making), 6 (building a strong and competitive economy), 7 (Ensuring the vitality of town centres), 9 (promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (conserving and enhancing the natural environment) are particularly pertinent.
- 6.3 The following policies of The Adopted Core Strategy (ACS) 2014 are pertinent to the determination of the application: relevant
- Policy A – Presumption in Favour of Sustainable Development
 - Policy 1 – Climate change
 - Policy 2 – The Spatial Strategy
 - Policy 4 – Employment Provision and Economic Development
 - Policy 7 – Regeneration
 - Policy 10 – Design and Enhancing Local Identity

- Policy 19 - Developer Contributions

6.4 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. Policies relevant to the determination of this application are as follows:

- LPD 3 – Managing Flood Risk
- LPD 4 – Surface Water Management
- LPD7 – Contaminated land
- LPD10 – Pollution
- LPD11 – Air quality
- LPD18 – Protecting and enhancing biodiversity
- LPD32 – Amenity
- LPD 35 – Safe, Accessible and Inclusive Development
- LPD44 – Retention of employment uses and employment uses
- LPD 57 – Parking Standards
- LPD 61 – Highway Safety.

6.6 Other Guidance

Parking Provision for Non Residential Developments – Appendix D of the adopted Local Planning Document Part 2 Local Plan sets out parking standards for superstores.

7.0 **Planning Considerations**

Principle of development

7.1 The principle of development has been established following the grant of permission 2013/0500 which could be implemented at any time by the applicant (subject to additional conditions being discharged) with the permission having been lawfully implemented, a certificate of lawfulness has also been granted to confirm this (ref: 2016/1253). Furthermore, the land is allocated for employment uses in the Local Plan.

7.2 Having regard to the above, the principle of development is supported and the main aspect of the development under consideration is whether or not the alterations proposed are considered to be ‘minor material’; would respect the character of the area; matters relating to previously signed S106 legal agreements and ecological matters.

Minor material amendment and impact on the character of the area

7.3 The changes proposed to the scheme over and above those that have been granted permission are outlined in paragraph 3.1 of this report. Of particular note is that the floor area of the building is reducing by 246sqm and the changes proposed are largely as a result of operational changes given a

greater emphasis on deliveries and internet shopping, as well as Argos now being in the store. However, the overall appearance of the building, particularly the front aspect, will not significantly alter and the alterations proposed are largely 'back of house'. Whilst there is no statutory definition of 'minor material amendment' it is noted that the scheme should not be 'substantially different' to that previously approved, which is considered to be the case here, particularly taking into account the quantum of development that benefits from permission; notably the access and parking arrangements will remain the same too. Weighing these factors in the round, it is considered that the alterations are minor material and that the application can be determined under S73 of the Town and Country Planning Act as an alteration to conditions.

Ecological impacts

- 7.4 A new ecological appraisal has been submitted in support of the application, to reflect the passage of time since the original application was determined some 6 years ago. The phase 1 habitat survey identifies that there would be a need to undertake additional surveys with regard to great nested newts, bats, reptiles and invertebrates. All of these detailed surveys have been submitted, save for two remaining invertebrate surveys. The reports identify that no great crested newts or reptiles were found and that the site is used for the foraging of bats but no suitable roosts were on site.
- 7.5 Ecological impacts were considered under the extant permission, 2013/0500, in that condition 9 required the installation of bat and bird boxes, which is supported by the updated ecological appraisal. Furthermore, approval of a Biodiversity Management Plan (BMP) is proposed to be secured via condition which will look to secure other improvements e.g. sensitive lighting along the eastern boundary with the railway line, a wildlife corridor, planting to encourage bees etc.
- 7.6 It is noted that Nottinghamshire Wildlife Trust (NWT) maintain their objection to the application on the grounds that the two invertebrate surveys have not been completed in support of the current application; however, this has to be weighed against the fact that there is an extant planning permission in place that could be implemented and any possible detrimental impacts on protected species would need to be enforced under other legislation e.g. The Wildlife and Countryside Act 1981.
- 7.7 Conditions are proposed to be added to ensure that additional surveys are undertaken and submitted for the written approval of the Local Planning Authority, with any mitigation contained therein approved and implemented. Furthermore, the BMP should ensure that additional mitigation can be approved. Having regard to the above it is considered that the application complies with policy LPD18.

Planning obligations

- 7.8 A section 73 application, if granted, will be a standalone permission and, therefore, to secure the contributions granted with the original permission

there would be a need to ensure that a deed of variation to the original section 106 Legal Agreements are secured, or the requirements of the original s.106 be fulfilled prior to a new permission being issued e.g, the monies sought is paid.

- 7.9 When the original application was granted two separate Section legal agreements were issued; one direct with Nottinghamshire County Council (NCC) for Travel Plan Monitoring and one with Gedling Borough Council (GBC) for Air Quality Monitoring. In both instances the applicant has offered to pay the money up front and in advance of issuing a decision on the current application. This approach is considered to be acceptable to both NCC and GBC. In this instance the money sought is £1,329.52 to Gedling Borough Council and £9,170.67 to Nottinghamshire County Council.
- 7.10 At the time of writing this report the contributions have not yet been paid but it is anticipated that they will be made in advance of the application being considered by the Planning Committee. This is something that can be verbally reported to the Planning Committee but, regardless, it is recommended that a decision notice not be issued until such monies sought has been paid by the applicant.

Other matters

- 7.11 It should be noted that many other aspects of the development have been considered through the original full planning permission and need not be revisited through this S73 application, which is looking to make alterations to the building itself. In respect of highway safety and parking, this will remain unaltered from that previously granted permission and only minor changes are proposed to the delivery area and Nottinghamshire County Council, the Highway Authority have raised no objection to the application. Furthermore, matters such as drainage and contamination have conditions attached to the original permission that would still be pertinent to the current permission, considered in more detail in subsequent paragraphs.
- 7.12 In addition, whilst noting that the original permission was granted in January 2014 and there have been a number of changes to policy documents since that time, notably that the application now falls to be determined against the Aligned Core Strategy, Local Planning Document and NPPF (2019); however, there has been no fundamental change to policies therein that are pertinent to this application and would now indicate the development is now unacceptable, particularly having regard to the fact that there is an extant planning permission in place on the site.
- 7.13 With the application being made under S73 of the Town and Country Planning Act the Council are able to update the list of approved drawings as were originally outlined in condition 3 of 2013/0500. Typically this would be the only conditions that would be altered. However, given that the original permission was a hybrid, in that the retail element was approved in full whilst the outline has now lapsed, there would be a need to remove a number of conditions that are no longer considered pertinent as well as alter conditions in respect of ecology to reflect updated information submitted in support of the current application.

7.14 The conditions that are no longer relevant to the application, specifically with regard to the now expired outline permission in respect of industrial units are 1, 2 and 31. Condition 3, the list of approved drawings is updated to reflect the application under consideration. Condition 8 is updated to reflect the information approved under previous discharge of condition applications. All other conditions with regard to highways, drainage etc will remain the same. With specific regard to ecological matters, condition 9 of the original permission is still considered to be relevant (bat and bird boxes) but a number of additional conditions are required to ensure that additional surveys with regard to invertebrates are completed, and mitigation implemented, along with the submission and approval of a Biodiversity Management Plan.

8.0 Conclusion

- 8.1 The principle of development is supported in that there is an extant permission on site and the land is allocated for employment uses under LPD44. The application would grow the economy, respect the character of the area and not have a detrimental impact on highway safety, drainage or ecology, subject to conditions.
- 8.2 The application is, therefore, deemed to comply with guidance contained in the National Planning Policy Framework (2019); policies A, 1, 2, 4, 7, 10 and 19 of the Aligned Core Strategy and policies 3, 4, 7, 10, 11, 18, 32, 44, 35, 57 and 61 of the Local Planning Document.

RECOMMENDATION:- That the application be granted permission, subject to the conditions outlined below and following confirmation that monies sought under section 106 agreements pursuant to permission 2103/0500 to both Gedling Borough Council and Nottinghamshire Country Council has been paid in full.

1. This permission shall be read in accordance with the application form and following list of approved drawings:

- o Location Plan A-PL-001 Rev. C
- o Existing site plan A-PL-003 Rev. B
- o Proposed site plan A-PL-011 Rev. E
- o Proposed foodstore plan A-PL-012 Rev. B
- o Proposed foodstore roof plan A-PL-013 Rev. B
- o Proposed elevations A-PL-014 Rev. B
- o Existing & proposed site sections A-PL-015 Rev. B
- o Proposed recycling centre details A-PL-016 Rev. B
- o Proposed service yard plan A-PL-017 Rev. B
- o Proposed petrol filling station plan A-PL-020 Rev. B
- o Proposed petrol filling station elevations A-PL-021 Rev. B
- o Masterplan GC.81800.001 Rev. B
- o Tree constraints plan Sheet 1 of 2 GC.81800.201 Rev. A
- o Tree constraints plan Sheet 2 of 2 GC.81800.202 Rev. A
- o Detailed Planting Plan 1 of 2 GC.81800.301 Rev. E
- o Detailed Planting Plan 2 of 2 GC.81800.301 Rev. E

The development shall thereafter be undertaken in accordance with these plans/details.

2. Prior to the commencement of development of the retail elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a sample panel of materials to be used in the external elevations of the food store building, kiosk and carwash, shall be submitted to and approved in writing by the Borough Council. Once approved the development shall be completed in accordance with the approved materials.
3. The retail and employment elements shall be carried out in accordance with the measures set out under the Air Quality Mitigation Strategy dated 22nd July 2013. A verification report to demonstrate compliance with the Air Quality Mitigation Strategy shall be submitted to and approved in writing by the Borough Council before the respective elements are first brought into use.
4. The development hereby granted full planning permission shall be completed in accordance with the tree constraints and protection plans and notes drawing nos.GC.81800.201 rev A and GC.81800.202 rev A.
5. There shall be no vegetation clearance and demolition works during the main bird nesting period (March - August), unless otherwise prior agreed in writing with the Local Planning Authority.
6. Development shall proceed in accordance with remediation details as approved under discharge of condition application 2015/0484DOC. Prior to occupation of the development hereby approved a verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the remediation works as approved have been successfully completed.
7. Prior to the occupation of the retail or employment elements details of bat and bird boxes to be incorporated within the approved relevant element shall be submitted to and approved in writing by the Borough Council. Once approved the bat and bird boxes shall be installed in accordance with the approved details prior to the relevant element being brought into use.
8. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) drainage plans for the disposal of surface water and foul sewage relating to the respective element shall be submitted to and approved in writing by the Borough Council. The drainage scheme shall be implemented in accordance with the approved details before the respective element is first brought into use.
9. The retail elements hereby approved shall not be brought into use until full details of the Local Employment Partnership, as outlined in Appendix 11 of the Planning and Retail Report submitted as part of this application, has been submitted to and approved in writing by the Local Planning Authority and evidence has been provided to demonstrate that the partnership has been established. In addition the details to be submitted shall also set out how the partnership shall be sustained throughout the

life time of the development. The development shall thereafter operate in accordance with the approved Local Labour Agreement.

10. Prior to the occupation of the retail element details of the retail unit car park barrier, including a management plan for the car park barrier, shall be submitted to and approved in writing by the Borough Council. The management plan shall include details of the times and respective days that the gates will be opened and closed as well as details of who will be responsible for ensuring the gates are opened and closed at these times. Once approved the proposed car park barrier shall be installed prior to the retail unit first being brought into use and operated in accordance with these details at all times unless otherwise agreed in writing by the Borough Council.

11. Prior to the commencement of development of the retail and employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a Construction Management Plan for the respective element shall be submitted to and approved in writing by the Borough Council. The Construction Management Plan shall demonstrate that the works can be carried out without affecting or causing any obstruction to Carlton Footpaths 22 and 23. The respective element shall be completed in accordance with the approved relevant Construction Management Plan.

12. The development shall not be occupied until the following works have been provided in accordance with details that have been first agreed with the Local Highway Authority: a) A new signalised junction has been provided on to the Colwick Loop Road. b) Highway improvements have been provided at Colwick Loop Road / Road No1 junction. c) Highway improvements have been provided at A612 / Burton Road / Shearing Hill junctions to the satisfaction of the Local Planning Authority.

13. The retail and employment elements shall not be brought into use until the access roads parking, turning and servicing areas relating to the respective element are surfaced in a hard bound material and delineated on site, to the satisfaction of the Local Planning Authority. The surfaced areas and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

14. The retail and employment elements shall not be brought into use until a scheme relating to the respective elements to regulate the discharge of surface water from the access roads, parking, turning and servicing areas to the public highway is submitted and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the respective element being brought into use.

15. The food store element hereby permitted shall not be brought into use until the cycle parking layout as indicated on drawing A-PL-011 Rev. E (Proposed site plan) has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

16. The retail elements shall not be occupied until the off-site traffic management works comprising of a weight restriction on Mile End Road have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

17. Details of measures to prevent the deposit of debris upon the adjacent public highway as a result of the construction of any part of the retail or employment elements shall be submitted to and approved in writing by the LPA prior to commencing work on the respective element. The approved measures shall be implemented in accordance with the agreed measures, and retained in situ until construction of the respective elements is available for use.

18. The retail or employment elements shall not be occupied until a Full Travel Plan for the respective element has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority

19. The retail and employment elements shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures: a) As a minimum, proposed floor levels will be set with a freeboard of 600mm above existing ground levels. b) Other than in those areas where levelled or graded access is required to or from a building or to provide vehicular access into and between the respective elements, external finished ground levels will be no less than 300mm below the proposed floor level of the nearest building. c) Where local flooding occurs surface water runoff is to be routed away from the buildings along the footways and roadways to the drainage system. The mitigation measures for each respective element shall be fully implemented prior to occupation of the respective element.

20. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a scheme to provide an evacuation plan for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with their emergency planner. The approved scheme for the respective element shall be fully implemented and subsequently maintained.

21. Prior to the commencement of development of the retail and employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a scheme to provide flood resilience design for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Council's emergency planner. The scheme for each element shall be fully implemented and subsequently maintained.

22. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a surface water drainage scheme for the respective element, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. The respective scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The respective scheme

shall subsequently be implemented in accordance with the approved details before the respective element is brought into use. The scheme shall include: a) The utilisation of sustainable drainage techniques, including rainwater harvesting for the supermarket and permeable paving within the retail element; b) Limitation of the runoff rate to a 20% betterment from the existing drainage conditions for the retail element (limiting discharge to 4.7l/s/ha (QBAR)); and a 10% betterment for the employment element (limiting discharge to 5.3l/s/ha (QBAR)); as detailed in a letter dated 16th September 2013 from Morgan Tucker. c) Water quality management incorporated within the design, with two forms of treatment prior to discharge from the site; d) Demonstration through hydraulic calculations that appropriate attenuation is to be provided to limit the rate of runoff from the site; e) Confirmation of responsibility and management of the drainage features on construction of the scheme.

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

24. Prior to the commencement of development of the petrol filling station (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a scheme to install petrol storage tanks shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tank(s), tank surround, associated pipework and monitoring/ leak detection system, along with: a) Proposed method of petrol storage; b) Justification for this method of storage; c) Groundwater levels for this specific part of the site; d) Site specific risk assessment outlining the volume, type of pollutants being stored and the hydrogeological situation. Where potential risks have been identified, the Local Planning Authority will require mitigation measures to be implemented to ensure that there is no release of hazardous substances into the Secondary Aquifer.

25. The schemes approved under conditions 19, 20, 21, 22 and 23 shall be fully implemented and subsequently maintained in that form.

26. Notwithstanding condition 1 above, prior to the commencement of development of the retail elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), details of the following matters shall be submitted to and approved in writing by the Local Planning Authority. Once approved the matters shall be maintained in accordance with these details at all times unless otherwise agreed in writing by the Local Planning Authority. a) Electric charging points for customer vehicles. b) Sprinkler tanks, including their colour and appearance. c) The design, height and colour of the service yard enclosure and its gates. d) The appearance of the car wash (including materials and lighting). e) The appearance of the covered walkway across the walkway (including materials and lighting). f) The materials and design of trolley storage areas, both within the car park and adjacent to the food store. g) The details of the height, materials and design of the bollards/barriers around the food store building. h) Plans for providing shelter to motorcycle parking. g) The size, location and appearance of the proposed new bus stops on the site. h) Boundary treatment of the perimeter of the site, and around the recycling area. i) The appearance of the plant to be sited on the roof, and if required any screening or acoustic enclosure.

27. Prior to occupation of the food store, petrol station or car wash, a scheme detailing all external lighting, including details of the height of any lighting columns, the design of lamp assembly, the spread of light beyond the site boundaries and the hours of illumination, shall be submitted for the approval of the Local Planning Authority, and the approved details to be implemented and maintained in that form.

28. Prior to commencement of above ground works, details of a Biodiversity Management Plan, to accord with the details outlined in the ecological appraisal dated July 2020, shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall thereafter be implemented.

29. Prior to commencement of above ground works, two additional invertebrate surveys shall be completed and the subsequent reports shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall be implemented.

30. Notwithstanding condition 1 above, prior to above grounds works commencing, additional landscape drawings shall be submitted to and approved in writing by the Local Planning Authority and they shall look to enhance the ecological benefits of the site. The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species.