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**2017/0586**

**Applicant:** Barnsley MBC, C/o IBI Group

**Description:** Mixed use development of land adjoining Barnsley Markets following demolition of part of existing market hall and multi storey car park to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road.

**Site Address:** Barnsley Markets and adjoining land, Cheapside, Barnsley

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**Barnsley Civic Trust are supportive of the application. No comments have been received from any other party including other members of the public and local business owners.**

### **Site Description**

The application relates to the next phase of the 'Better Barnsley' proposals for the redevelopment of the Town Centre, following on from the approval for the detailed set of plans relating to the new Library and the refurbishment of the Metropolitan Centre and its modification into the 'Glassworks'.

The application is the latest in a series of an increasing number of applications submitted relating to the Better Barnsley Town Centre redevelopment plans to take into account differences as the scheme has evolved as it has progressed nearer to becoming a reality. A development agreement is now in place to enable the delivery of the scheme as has been widely publicised.

Phase 2 encompasses:-

- The existing multi storey car park located to the rear of the Met Centre off Lambra Road;
- The remaining part of the Met Centre which did not form part of the phase 1 application fronting onto Cheapside;
- land associated with the existing temporary market at May Day Green;
- land associated with the former TEC building to the north of Kendray Street;
- Wesley Street and Lambra Road;
- The Lambra Road car park located to the rear of the existing food market
- The service roads and raised engineering structures which provide access to the multi storey car park and service vehicle access to the Met Centre and Markets from Lambra Road

The existing Met Centre, TEC building and the multi-storey car park are a form of brutalist post war architecture that are a product of their time. Facing materials include brown concrete panels, concrete and red brick. This phase includes 1.74ha of land in total.

### **Proposed Development**

This is a comprehensive mixed use redevelopment proposal for the Town Centre that would link in with the refurbished Met Centre to create a new retail hub known as the Glassworks. The development would also include other town centre related uses including a new multi-screen cinema and food and drink establishments. In addition also forming part of the application would be a new multi storey car park to serve the Town Centre to replace the existing one which is going to be demolished.

Previous applications have been in outline and reserved matters form. However this is an application for full planning permission and includes full details of the plans for each constituent part of the development.

The mixed use development will comprise approximately 9360sq m of new retail floorspace (Use Class A1), approximately 2484 sq m of food and drink (Use Class A3), approximately 8526sq m of leisure floorspace, including a 12 screen cinema and a bowling alley (Use Class D2), ancillary floorspace of approximately 6487sqm, a 494 space multi storey car park with access road, and servicing arrangements including a new service road between Kendray Street and Lambra Road.

A more detailed summary of the proposals is provided below:-

- Ground floor food and drink and first floor leisure use in a separate block north of Kendray Street on the site of the former TEC building;
- A canopy over the proposed public walkway between the Phase 2 development and the Metropolitan Centre
- A cinema above retail and food and drink uses on land to the south of Kendray Street between the Met Centre and the railway;
- The 4 level, 494 space multi storey car park would be located above the 2 storey retail provision at the southern end of the scheme near to Lambra Road.
- An extended service road to link the development with Kendray Street

The proposal is for the development to link in with the refurbished Met Centre and library phases via new public realm works which would see the existing pedestrian areas in the vicinity remodelled and the covered pedestrian walkway adjoining the new retail units being provided on all 4 sides of the refurbished Met Centre. As part of this a new public square is envisaged in the May Day Green area which includes land forming part of the existing temporary market.

Access to the multi storey car park and for service vehicles for most of the development would be via a reconfigured and extended service road off Kendray Street. The building to the north of Kendray Street would be serviced via Midland Road.

The various buildings would differ in size with the cinema and multi storey car park being 4 storeys in height. In addition the roof space of the multi storey car park would also be used. The remaining parts have been designed on two levels.

The proposed elevations are dominated by full height glazing for the most part in the case of the retail and restaurant shop units. The palette of materials proposed includes a mixture of light brown brick, gold metal cladding, light render. The cinema and multi storey car park would be enclosed with aluminium panels.

Demolition of approximately 38,200 sqm of buildings within the wider town centre redevelopment site is being undertaken pursuant to the outline permission and a separate Prior Notification of Demolition procedure

## History

Outline planning application 2015/0549 was approved 08/07/2015 with all matters reserved. This approved a *mixed use development of Barnsley Markets and adjoining land following demolition of existing offices, bridge, part of existing market hall and multi-storey car park to provide a replacement refurbished retail / market floorspace, new retail / food and drink (Use classes A1, A3, A4), a cinema (Use Class D2), a library (Use Class D1), and new public open space, access road and associated servicing arrangements, car parking and a pedestrian footbridge across the adjacent railway to the site of the former CEAG building.*

Reserved matters approval of access, appearance, layout and scale of the refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1, A3, A4), and leisure (D2) uses was given 20<sup>th</sup> April this year under application 2017/0135. This is now known as phase 1 of the Glassworks.

Approval over the reserved matters for the new central library was approved 27/10/2016 and under applications 2016/0924 and 22/02/2017 (amended plans -ref 2016/1504).

Application 2015/0730 determined that Permitted Development Prior approval was not required for the Demolition of Council Offices (Kendray Street) / TEC Centre & Retail Units (Eldon St / Kendray St) / Multistorey Car Park & associated structures / Zero Ice (Alhambra Road) on 23rd September 2016.

Preceding those were a number of applications for versions of the development that were not initiated including-

2006/1082 - Mixed use redevelopment comprising retail, leisure and residential, including new market hall, public amphitheatre/ outdoor market, multi storey car park with pedestrian link bridge over railway, new pedestrian routes and means of access (Outline) – Approved with conditions 10/10/2006.

2007/1573 - Mixed use redevelopment comprising retail, leisure and residential, including new market hall, public amphitheatre/ outdoor market, multi storey car park with pedestrian link bridge over railway, new pedestrian routes (Reserved Matters) – Approved with conditions 06/12/2007

2010/0293 - Variation of condition 39 of planning consent 2006/1082. (2007/0271 Extension of time limit). Approved with conditions 03/06/2010.

2011/0714 - Mixed-use redevelopment, comprising demolition of existing buildings on application site and replacement with retail and leisure elements, including new market, multi-storey car park and surface-level car park, new pedestrian routes, public realm, means. Approved 07/09/2011.

## Policy Context

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and the saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the

development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

### Saved UDP Policies

UDP notation: Principal Shopping Frontage  
Public Car Park/TC58/16 Lambra Road (0.53ha B1 business)

### Local Development Framework Core Strategy

CSP2 'Sustainable Construction'  
CSP3 'Sustainable Drainage Systems'  
CSP4 'Flood Risk'  
CSP5 'Including Renewable Energy in Developments'  
CSP8 'The Location of Growth'  
CSP20 Promoting Tourism and encouraging cultural provision  
CSP26 'New Development and Highway Improvement'  
CSP27 'Parking Strategy'  
CSP25 'New Development and Sustainable Travel'  
CSP29 'Design'  
CSP31 'Town Centres'  
CSP36 'Biodiversity and Geodiversity'  
CSP39 'Contaminated and Unstable Land'  
CSP40 'Pollution Control and Protection'

### SPD's

- Residential amenity and the siting of buildings
- Parking

### Publication version of the Draft Local Plan

Proposed designations: The Markets Area/Better Barnsley Development Area/Primary and Secondary Shopping Frontages/Priority and Gateway Sites for Public Improvements/Proposed Cycle Routes

BTC12 The Markets Area District – We will allow shops, offices, leisure developments, and food and drink uses within the Markets District. We will allow residential development on upper floors, but not at ground level if it would harm the vitality and character of the town centre. We may allow other uses if they would support the liveliness and economic strength of the town centre.

BRC13 Development Site 1 – Better Barnsley including former TEC building and CEAG site –  
We will allow the following types of development:-

- Retail, including a department store
- Offices
- Leisure
- Food and drink
- Residential
- Car Parking

Development will be expected to:-

- Create new links to and within the town centre and other areas adjacent to the Town Centre such as the Metrodome and Oakwell
- Provide residential development in the upper floors only, and not at ground level if it would harm the vitality and character of the town centre
- Include other uses if they would support the liveliness and economic strength of the town centre

TC2 Primary and Secondary Frontages – Within the primary and secondary shopping frontages in Barnsley Town Centre and the District Centres ground floor uses should be predominately retain in nature. Financial and professional services (class A2) and food and drink (classes A3 to A5) uses will also be acceptable. Other uses may be acceptable, especially where they diversity and improve provision in a centre, providing that it can be demonstrated that the vitality and viability of the primary shopping area is concerned.

BTC7 Gateways – Development must satisfy a range of criteria relating to design quality, place shaping and improving public spaces

BTC11, Car Parks – Town centre car parks will be managed to allow short stay car parking and restrict long stay car parking. Long stay car parks will be located on the edge of the town centre. Short stay car parks will be located within the town centre. Where they are proposed car parks should be located in the basements or on upper floors.

BTC1, The daytime and evening economies

BTC4, Improving Public Spaces

BTC6 Building Heights

## NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

## Consultations

Air Quality – The developer shall ensure that suitable air quality mitigation is incorporated into the development. These mitigations shall consist of those listed within Section 6.2 (Mitigation, Operational Phase) of the supporting air quality assessment, and those in subsequent correspondence between the Local Planning Authority and the developer.

Biodiversity Officer – No comments have been received. No objections were received to the previous outline planning application subject to conditions.

Contaminated Land – No comments have been received. No objections were received to the previous outline planning application subject to conditions.

Civic Trust- BCT support the application for the following summary of reasons:-

- Barnsley needs a town centre that is a “Destination” for both locals and visitors alike.
- The proposals are attractive and inviting and will give Barnsley presence
- Better use of previously underused or badly used locations
- The improved offer regarding the evening economy is to be welcomed both from the aspect of choice and also increased safety which is of great importance especially for people on their own.
- The increased offers regarding leisure, dining and retail are to be applauded and the Trust is hopeful that the new developments will bring about an enhanced feeling of civic pride and ownership into the town.
- Retention of commerce instead of money being spent outside of the Borough
- Employment generation for the benefit of local people
- The absence of harm to heritage assets
- The materials palette will harmonise with the new Library and will give an uplift to an area which has suffered from uninspiring and unattractive frontages especially along Cheapside

Drainage – Are content to agree details via a pre-commencement condition.

Enterprising Barnsley – Express support for the application on the grounds that it would secure investment, generate a business rate income and lead to an increase in employment opportunities.

Highways – No objections subject to conditions.

Network Rail – NR are fully engaged with the proposals relating to the Town Centre Regeneration Project. They have no observations to make, subject to the continuation of necessary discussions and agreements with the applicant.

Pollution Control – No objections are raised. However conditions are requested to agree the details of air conditioning or extraction systems and to limit noise and dust during the construction phase.

SYMAS – No objections on the basis that a suitable ground investigation report has been provided. The report has identified that mining legacy risks are low. However suitable foundations are required as there is some potential for the ground to be affected by shallow coal workings.

SYAS – No objections have been received. No objections were received to the previous outline planning application subject to conditions.

SY Police ALO – The Police ALO has made a variety of recommendations with regards to detailed design measures to make the development suitable from a secured by design and counter terrorism perspective.

Urban Design Officer – Comments received are broadly supportive of the plans. However conditions are required in relation to the following matters:-

- Sample panels of the proposed materials.
- Refinements to the external façade of the cinema
- Refinements to the glass canopy roof over the new shopping arcade

Yorkshire Water – The company have identified that 750mm and 1200mm public combined sewers are likely to be affected by the development. As such they require a condition that prevents development until the necessary diversions have been carried out. In addition water mains and other services enter parts of the site may require capping off or removal.

## **Representations**

The application was advertised by neighbour notification letters, site and press notices. No representations have been received.

## **Assessment**

### Principle of Development

The long list of decisions to approve the previous applications associated with the Better Barnsley redevelopment plans have established the acceptability of the various constituent proposals of the scheme in land use planning policy terms.

Retail, food and drink and leisure are all town centre uses and so being in the heart of the Town Centre this is the ideal location from a planning policy point of view (CSP31 and the NPPF). There is no need for a retail impact or sequential assessments to be carried out on that basis. In addition the large scale and comprehensive nature of the proposals would greatly enhance the vitality and viability of Barnsley Town Centre and its role as a sub-regional centre.

The largest amount of floorspace would be allocated to retail use (9,360sqm) which also fits well with policy aims taking into account that the UDP and local plan includes parts of the site as Principal Shopping Frontage where the greatest amount of frontage should be A1 retail use. The food and drink floorspace would be a proportionate amount. Both the cinema and bowling alley leisure uses would greatly diversify the town centre offering to retain and attract visitors and to achieve more of a balanced evening and night time economy.

The multi storey car park would be constructed above 2 levels of retail floorspace and so would not affect the retail frontages that are protected on the lower levels. Overall the development is acceptable in principle taking account of policy CSP31, policies in the emerging Local Plan and the NPPF.

### Visual Amenity

The demolition of the TEC building, existing multi storey car park and Met Centre which would all be cleared to make way for the development would serve to benefit the appearance and perception of Barnsley Town Centre.

The new and refurbished buildings have been through an extensive design and review exercise with a variety of different serve areas within the Council and the Design Review Panel made up of a variety of architects and urban design officers. In addition the proposals have been well received by the Urban Design Officer and the Barnsley Civic Trust.

The various developments would greatly modernise appearance of the town centre and bring it up to date with the modern era.

The retail and restaurant units would have a light appearance taking into account the amount of glazing included in the design and the light palette of materials that would be used.

The cinema and car park are more challenging aspects because their nature means they would need to be enclosed structures. In addition both would be the tallest structures containing four internal floors. The design for the cinema replicates the same type of cladding as the retail units. The cladding for the car park is not dissimilar but is more bespoke being perforated. The curved nature of its design gives it one that is ultra-modern for a building of such a functional nature.

The proposals would replace similarly large buildings and are viewed as being suitable in scale and massing terms. In addition the development would only enhance the appearance of the adjacent Conservation Area and Listed Buildings given the improvements that would be achieved via the replacement of the old buildings with the new ones.

Overall there can be no doubt that the development would not greatly enhance the appearance of the Town Centre for residents and its attractiveness to visitors from outside the Borough. The development is considered to comply with policy CSP 29 'Design' accordingly.

#### Residential Amenity

There are no residential properties located in the immediate vicinity that would be affected by overshadowing, or over dominance considerations. Construction work has the potential to cause disturbance over a greater area. Therefore the usual conditions would need to be imposed to limit working times and to ensure that a construction method statement is in place. In addition details of air conditioning and extraction systems would need to be provided to Regulatory Services for approval.

#### Highway Safety

The application is accompanied by a Transport Assessment which has considered traffic generation and capacity issues on the Town Centre road network.

The existing market and retail provision has an overall floor area of 17,731sq.m. The total amount of floorspace proposed is 28,718 sqm. The net increase in floor space is therefore much lower at 10,987 sqm, or 62%.

In addition to the above, Phase 2 will also allow the closure of the Kendray Street level crossing, as the access to the new Markets Car Park will be from Lambra Road. The new Markets Car Park will replace the existing car park and provide just short of 500 vehicle spaces. The car parking accumulation assessment calculated there to be a maximum deficit of 271 vehicle spaces within the Saturday Peak hour. However within 600m walking distance of the development site there are a number of Town Centre Car Parks, which have the available capacity to accommodate the additional vehicular trips. As such the assessment asserts that sufficient parking would exist.

In addition the site is adjacent to the transport interchange making it highly accessible by public transport.

In terms of network capacity the assessment has considered the effects of the development on the following junctions:-

- Kendray Street / Schwasbisch Grund Way;
- A628 Pontefract Road / Lambra Road;
- Lambra Road / Wesley Street;
- A628 Harborough Hill Road / Wesley Street / A61 Sheffield Road – Alhambra Roundabout
- A61 Sheffield Road / Union Street / Taylor Row;
- A61 Sheffield Road / A6133 Park Road, and
- A628 Dodworth Road / Shambles Street / A628 / Racecommon Road – Townend Roundabout.

The Transport Assessment indicates that whilst there is a slight impact on the Alhambra Roundabout as a result of development, it must be borne in mind that this has been modelled without signals. At present, the Alhambra Roundabout works without signals, except at peak times, when SCOOT loops then detect where the problem is and activates a red signal to create gaps and allows optimum flows on all legs. The impact as a result of development is only slight with the increase in queues on all legs being 1 or 2 vehicles, which could not be classed as severe as required by the NPPF. This must, therefore, be considered a robust analysis, a worse case scenario, as in reality the signals will continue to operate at peak times.

The modelling predicts that there would be more significant effects at the Lambra Road/Pontefract Road junction. Lambra Road would be forced over capacity as a result of the development leading to considerable queues if left unaltered. Mitigation has therefore been produced in the form of a signal controlled junction which resolves the problem and allows the junction to work within capacity.

The mini roundabout at the junction of Wesley Street and Lambra Road shown on the submitted plans has been tested, and shows that two of the arms would be over capacity without changes. Again, mitigation has been produced and shows that a signal controlled junction in this location resolves the problem and the junction operates within capacity.

Highways have accepted the findings of the Transport Assessment that the residual cumulative effects of the development would not be severe, subject to the mitigation work proposed. The list of mitigation works to be incorporated in the condition needs to include:-

- a) provision of a signal controlled junction at the Wesley Road/Lambra Road*
- b) provision of a signal controlled junction at Lambra Road/Pontefract Road;*
- c) provision of VMS at various locations throughout the town centre;*
- d) any necessary changes to street lighting;*
- e) any necessary changes to drainage;*
- f) provision of and any necessary changes to Traffic Regulation Orders;*
- g) carriageway/footway resurfacing/reconstruction on all affected highways;*
- h) any necessary signing/lining;*
- i) provision of signal engineer parking bay at the signal controlled junctions;*
- j) provision of motorcycle/cycle parking*
- k) provision of coach parking facilities*

Servicing is proposed to take place within the undercroft of the main buildings which shall allow that to take place outside of the public realm in the way rather than externally via the shop fronts preventing conflicts. Highways are comfortable with the proposals and have

resolved not to object to the proposed development taking into account of the advice within the NPPF and Core Strategy policy CSP26 'New Development and Highway Improvement'.

In addition a construction method statement needs to be provided in association with the development. This would provide highways with control over the following areas:-

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Phasing of the development
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities

### **Other considerations**

#### Air Quality

An Air Quality Assessment report has been provided with the application. The potential for air quality impacts have been assessed for two distinct phases:

- The 'construction' phase: during which the greatest impact is expected to be from dust; and
- The 'operational' phase: when the impacts will be primarily associated with vehicle emissions.

The assessment has arrived at a number of recommendations to avoid the development having adverse effects including:-

- A variety of mitigation measures during the construction phase to limit dust
- 20 electronic vehicle charging points
- Provision of a travel plan
- New signage

Regulatory Services are content with the recommendations so as to not raise concerns under policy CSP40 'Pollution Control and Protection'. However a condition is necessary to ensure that the recommendations are complied with.

#### Flood Risk and Drainage

The FRA has established that the site falls in Flood Zone 1 (low flood risk) and the proposals are considered to be 'Less Vulnerable'.

Sough Dyke is a culverted watercourse passing through the town centre, including parts of this site. During periods of heavy rainfall, there is a risk that overtopping of the open watercourse could occur if the culvert was at full capacity, thus restricting the discharge of the watercourse. However, the capacity of the open watercourse is not excessive and consequently the volume of any resultant flood waters would be quite limited.

The drainage strategy report has identified that surface water from the existing site is collected from roofs and pavements and discharged directly to Sough Dyke culvert and Yorkshire Water sewers. The new development will see the buildings and pavements remodelled utilising the existing suspended concrete floor slab and building footprints.

It is proposed to install new surface water drainage to collect surface water from the roofs and pavements using a network of pipes fixed to the underside of the suspended floor slab. This system would connect to new in-line attenuation tanks that would be constructed in an area of the existing basement that has been set aside for this purpose. The attenuation tanks will discharge to the existing surface water pipes which run under the basement floor and connect to Sough Dyke.

The strategy proposed is similar to that formulated with the previous applications that were regarded as being acceptable by the relevant drainage consultees. A pre-commencement condition would be needed to agree the more detailed specifications.

No adverse comments have been received from consultees regarding surface water drainage proposals. However Yorkshire Water have identified that the development would affect two large existing sewers. As such the recommendation is the subject of a condition preventing development until an agreement is in place for their diversion. In addition water mains and other services enter parts of the site may require capping off or removal.

#### CO2 emission reduction and BREEAM

Development should achieve a BREEAM very good standard and CO2 emissions reductions of 15% in order to comply with policies CSP2 and CSP5. This would need suitable conditions imposing.

#### Biodiversity

The bat survey did not identify any bat activity within the site. The town centre was well lit at night which is likely to deter bats from roosting or foraging around the site. However, the survey identified that the railway lines immediately to the south of the site could be used as a potential commuting route by bats moving between roosting and foraging sites. Bat bricks are recommended as enhancements and more carefully thought out strategy for lighting of the new areas as mitigation.

The wider ecology survey has identified that pigeon nests might be affected. All wild birds, their nests and eggs are protected during nesting season which is a consideration for the demolition phase.

#### Police ALO recommendations

A condition is proposed to require details of how the recommendations of the Police ALO are going to be incorporated within the detailed construction drawings.

#### Conclusion

In summary the proposed development is in accordance with a variety of planning policy aims about maintaining and enhancing the vitality and viability of existing Town Centres via maintaining a town centre first approach to new retail developments. In addition the food and drink establishments, multi screen cinema and bowling alley leisure centres would be further complimentary town centre uses which would serve to benefit the vitality and viability of the town centre by providing a more diverse and evening and visitor economy that is suitable for a range of ages through attracting visitors. The application also follows on from previous applications which established the acceptability of the various constituent proposals of the scheme in land use planning policy terms.

In addition to the above the development would transform the appearance of the town centre via the removal of brutalist architecture buildings built in the post war period and their

replacement with modern form of buildings and materials that would aim to have a much more light touch appearance through the widespread use of glazing and the light colour material choices. The linkage with phase 1 and public realm works to create a new square shall transform the town centre and create a major new hub for the town and sub-region.

The Transport Assessment has identified that the residual cumulative impacts of the development on the highway network would not warrant the application being considered negatively, subject to the mitigation which is proposed. In addition it is predicted that sufficient parking would exist to serve the development as a result of the new car park, proximity to other town centre car parks and the proximity to the Transport Interchange.

Mitigation for the development would be required from the perspective of surface water storage and discharge, the diversion of existing sewers, biodiversity and air quality considerations. However no other specific impacts have been identified that would warrant planning permission being withheld. The application is therefore recommended for approval subject to the conditions in the report.

## Recommendation

**Grant** planning permission with 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 following plans and specifications as approved unless required by any other conditions in this permission:-

-BBTC\_IBI\_XX\_A\_F100\_PL\_00\_08 rev 1 - Existing Site Plan

-BBTC\_IBI\_XX\_A\_F100\_PL\_00\_10 rev 1 - Phase 2 - Location Plan

-BBTC\_IBI\_XX\_A\_F100\_PL\_00\_02 rev 4 - Phasing Plan - Ground Level

-BBTC\_IBI\_XX\_A\_F100\_PL\_RF\_01 rev 3 - Phasing Plan - Roof Level

-BBTC\_IBI\_XX\_A\_F100\_PL\_00\_05 rev 2 - Planning Boundaries

Ground Floor Level

-BBTC\_IBI\_XX\_A\_F100\_SP\_09 rev 1 - Building Elevation Reference Plan

-BBTC\_IBI\_D2\_A\_F100\_PL\_00\_02 rev 2 - DS 2 - Context Plan

-BBTC\_IBI\_DS\_A\_F100\_EL\_XX\_01 rev 6 - Proposed GA Elevations Sheet 1 of 2

-BBTC\_IBI\_DS\_A\_F100\_EL\_XX\_02 rev 4 - Proposed GA Elevations Sheet 2 of 2

-BBTC\_IBI\_D2\_A\_F100\_PL\_RF\_01 rev 8 - Roof Plan

-BBTC\_IBI\_XX\_A\_F100\_SP\_B1 rev 7 - Phase 2 Site Plan - Basement

-BBTC\_IBI\_XX\_A\_F100\_SP\_00 rev 12 - Phase 2 Site Plan - Ground Floor

-BBTC\_IBI\_XX\_A\_F100\_SP\_01 rev 9 - Phase 2 Site Plan - First Floor

-BBTC\_IBI\_XX\_A\_F100\_SP\_02 rev 5 - Phase 2 Site Plan - Second Floor

-BBTC\_IBI\_XX\_A\_F100\_SP\_03 rev 2 - Phase 2 Site Plan - Third Floor

-BBTC\_IBI\_XX\_A\_F100\_SP\_RF rev 4 - Phase 2 Site Plan - Roof

-BBTC\_IBI\_DS-35\_A\_F100\_PL\_BS\_001 rev 5 - DS.3&5 - Basement Floor Plan

-BBTC\_IBI\_DS-35\_A\_F100\_PL\_00\_001 rev 9 - DS.3&5 - Ground Floor Plan

-BBTC\_IBI\_DS-35\_A\_F100\_PL\_01\_001 Rev 7 - DS.3&5 - First Floor Plan

-BBTC\_IBI\_DS-35\_A\_F100\_PL\_02\_001 Rev 7 - DS.3&5 - Second Floor Plan

-BBTC\_IBI\_DS-35\_A\_F100\_PL\_03\_001 rev 2 - DS.3&5 - Third Floor Plan

- BBTC\_IBI\_DS-35\_A\_F100\_PL\_RF\_001 rev 4 DS.3&5 - Roof Plan
- BBTC\_IBI\_DS-67\_A\_F100\_PL\_B1\_01 rev 6 - DS 6 & 7 Basement Level (B1)
- BBTC\_IBI\_DS-67\_A\_F100\_PL\_00\_01 rev 9 - DS 6 & 7 Ground Floor (L0)
- BBTC\_IBI\_DS-67\_A\_F100\_PL\_01\_01 rev 9 - DS 6 & 7 First Floor (L1)
- BBTC\_IBI\_DS-67\_A\_F100\_PL\_02\_01 rev 7 DS 6 & 7 Second Floor (L2)
- BBTC\_IBI\_DS-67\_A\_F100\_PL\_03\_01 rev 6 - DS 6 & 7 Third Floor (L3)
- BBTC\_IBI\_DS-67\_A\_F100\_PL\_04\_01 rev 7- DS 6 & 7 Fourth Floor (L4)
- BBTC\_IBI\_DS-67\_A\_F100\_PL\_05\_01 rev 5 - DS 6 & 7 Fifth Floor (L5)
- BBTC\_IBI\_D2\_A\_F100\_EL\_WW\_EE\_01 rev 8 - East & West Elevations
- BBTC\_IBI\_DS\_A\_F100\_SE\_AB\_01 rev 7 - GA Building Sections A & B
- BBTC\_IBI\_DS\_A\_F100\_SE\_CD\_01 rev 2 - GA Building Sections C & D
- BTC\_IBI\_D2\_A\_F100\_PL\_00\_01 rev 18 - Ground Floor Plan
- BBTC\_IBI\_D2\_A\_F100\_PL\_01\_01 rev 15- First Floor Plan
- BBTC\_IBI\_D2\_A\_F100\_SE\_AA rev 12 - Section AA
- BBTC\_IBI\_D2\_A\_F100\_SE\_BC rev 12 - Sections BB and CC DS2
- BBTC\_IBI\_D2\_A\_F100\_EL\_SS\_01 rev 8 - South Elevation DS2
- BBTC\_IBI\_DS\_A\_F100\_DT\_06 rev 3 - DS3/5 - Typical Bay Type DS3/5D Details
- BBTC\_IBI\_DS\_A\_F100\_DT\_05 rev 3 - DS3/5 - Typical Bay Type DS3/5C Details
- BBTC\_IBI\_DS\_A\_F100\_DT\_04 rev 3 - DS3/5 - Typical Bay Type DS3/5B Details
- BBTC\_IBI\_DS\_A\_F100\_DT\_03 rev 2 - DS6/7 - Typical Bay Type DS6/7B Details
- BBTC\_IBI\_DS\_A\_F100\_DT\_02 rev 2 - DS6/7 - Typical Bay Type DS6/7A Details
- BBTC\_IBI\_DS\_A\_F100\_DT\_01 rev 5 - DS3/5 - Typical Bay Type DS3/5A Details
- BBTC\_IBI\_DS\_A\_F100\_DT\_07 rev 3 -DS3/5 - Typical Bay Type DS3/5E Details
- BBTC\_IBI\_DS\_A\_F100\_DT\_09 rev 1 -DS3/5 - Typical Canopy DS3/5F Details
- BBTC\_IBI\_XX\_A\_F100\_SP\_XX\_001 rev 1 - Proposed Phase 2 Developments – Gross External Areas
- BBTC\_IBI\_XX\_A\_F100\_SP\_XX\_003 rev 1 - Proposed Phase 2 Development – Gross Internal Areas by Planning Use
- BBTC\_IBI\_XX\_A\_F100\_SP\_XX\_004 rev 1 - Proposed Phase 2 Development - Gross Internal Areas by Planning Use
- BBTC\_IBI\_D2\_A\_F100\_DT\_N\_01 rev 3 - Wall Section N-01 North Facade/Party Wall - Grid 9/F
- BBTC\_IBI\_D2\_A\_F100\_DT\_S\_01 rev 3 - Wall Section S-01 South Facade - Grid 4/A
- BBTC\_IBI\_D2\_A\_F100\_DT\_S\_02 rev 3 - Wall Section S-02 South Facade - Grid 6/A
- The principles detailed within the Shopfront Design Guide document (appendix 6 of the Design and Access Statement)

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

- 3 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road level gradients; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.

**Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with LDF Core Strategy Policy CSP 29, Design.**

- 4 No development shall take place until samples of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The construction of the building shall only take place after a sample panel of all external materials has been constructed on site and the details approved in writing by the Local Planning Authority. The approved panel shall be retained on site until construction of the building has been completed. 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 LDF Core Strategy Policy CSP 29, Design.**

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

- 6 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
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

**Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with Core Strategy Policies CSP 26 and CSP 40.**

- 7 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:

- a) provision of a signal controlled junction at the Wesley Road/Lambra Road
- b) provision of a signal controlled junction at Lambra Road/Pontefract Road;
- c) provision of VMS at various locations throughout the town centre;
- d) any necessary changes to street lighting;
- e) any necessary changes to drainage;
- f) provision of and any necessary changes to Traffic Regulation Orders;
- g) carriageway/footway resurfacing/reconstruction on all affected highways;
- h) any necessary signing/lining;
- i) provision of signal engineer parking bay at the signal controlled junctions;
- j) provision of motorcycle/cycle parking;
- k) provision of coach parking facilities.

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 interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

8 No development shall take place until full foul and surface water drainage details, including a scheme to reduce surface water run-off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented and the scheme shall be retained throughout the life of the development.

**Reason: To ensure proper drainage of the area, in accordance with Core Strategy policy CSP4.**

9 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.**

10 Prior to commencement of development an investigation and risk assessment to assess the nature and extent of any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;  
(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. The development shall be carried out in accordance with the approved report including any remedial options.

**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 in accordance with Core Strategy Policy CSP 39.**

11 Prior to commencement of development, details of a scheme to reduce the carbon dioxide emissions of the shell and core part of the development by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and upon completion of the development a report shall be submitted to and approved by the Local Planning Authority demonstrating that at least a 15% reduction in carbon dioxide emissions has been achieved. In the event that the use of other decentralised, renewable or low carbon energy sources or other appropriate design measures are also required to achieve a 15% reduction in carbon dioxide emissions, full details of such proposals and a timetable for their

implementation shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in accordance with the approved timetable and all the approved measures shall be retained as operational thereafter.

**Reason: In the interest of sustainable development, in accordance with Core Strategy policy CSP5.**

- 12 The shell and core part of the proposed development shall achieve BREEAM standard of 'very good' or equivalent. Upon completion of the development, an energy performance certificate shall be provided to the Local Planning Authority demonstrating that the required standard has been achieved and the measures provided to achieve the standard shall be retained as operational thereafter.  
**Reason: In the interest of sustainable development, in accordance with Core Strategy Policy CSP2.**
- 13 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.  
**Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**
- 14 Prior to the occupation of the development a draft Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall indicate measures that will be put in place to encourage travel by modes other than the private car, and allow for regular reporting and monitoring to be undertaken. Subsequently, within six months of the site becoming operational, a detailed travel plan shall be submitted to the Local Planning Authority and once approved, it shall be fully implemented and retained as such thereafter.  
**Reason: In the interest of promoting use of public transport, in accordance with Core Strategy Policy CSP 25.**
- 15 Details of measures to restrict vehicular access to/from Kendray Street shall be submitted and approved by the Local Planning Authority prior to the commencement of development, and shall then be implemented prior to the development being brought into use, and permanently retained thereafter  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 16 Details of measures to control vehicular/pedestrian access to the service yard shall be submitted to and approved by the Local Planning Authority prior to the commencement of development, and then shall be implemented prior to the development being brought into use, and permanently retained thereafter.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**
- 17 Details of the car park management plan shall be submitted and approved in writing by the Local Planning Authority prior to the development being brought into use, and then shall be implemented at all times.  
**Reason: In the interest of highway safety, in accordance with Core Strategy Policy CSP 26.**

18 The development shall not be brought into use until a service yard management plan has been submitted to and approved in writing by the Local Planning Authority, once approved it shall be strictly adhered to at all times. The plan shall include for the management of all delivery vehicles, customers vehicles, pedestrians, the use of banksmen, and shall provide a regular monitoring regime and a system for identifying and correcting issues at each delivery.

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

19 Prior to the commencement of works on the new external façade of the development a scheme for the provision of bat bricks within the development as a means of providing biodiversity enhancements be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being brought into use and shall be retained as such thereafter.

**Reason: To enhance biodiversity in accordance with Core Strategy Policy CSP 36.**

20 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

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

**Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Core Strategy Policy CSP 30.**

21 The developer shall ensure that suitable air quality mitigation is incorporated into the development. These mitigations shall consist of those listed within Section 6.2 (Mitigation, Operational Phase) of the supporting air quality assessment, and those in subsequent correspondence between the Local Planning Authority and the developer.

These shall consist of:

- Providing parking spaces with an electric charging point (20 normal electric vehicle charging points), using a phased introduction with an initial agreed provision and a remaining allocated at an agreed trigger level. The electric charging points should be located near priority parking areas (e.g. car park

pedestrian entrance routes).

- Provision of a Travel Plan, to include:

1. Strategy to discourage high emission vehicle use
2. Improved pedestrian access to public transport
3. New or improved bus stop infrastructure
4. Site layout to encourage walking and cycling.
5. Strategies for reducing emissions by vehicles operated by tenants and promoting the uptake of lower emission technologies shall be encouraged by provision of information on accreditation schemes, such as South Yorkshire ECO Stars (<http://www.ecostars-uk.com/>).

- Provision of anti-idling signage

With regard to the commercial site, the following mitigation to be implemented:

1. A workplace travel plan shall be promoted to all staff.

2. A Delivery and Service Planning Toolkit shall be adopted to ensure deliveries are efficient and minimise effects on local roads.

**Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Core Strategy policies CSP 40.**

- 22 Prior to the occupation of the development details of a scheme for responding to the recommendations of South Yorkshire Police Crime Reduction Officer in the completed development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being brought into use and shall be retained as such thereafter.

**Reason: In the interest of crime prevention and counter terrorism.**

- 23 Prior to occupation of the buildings, full details of externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details

**Reason: In the interest of visual and public amenity in accordance with Core Strategy Policy CSP 40.**

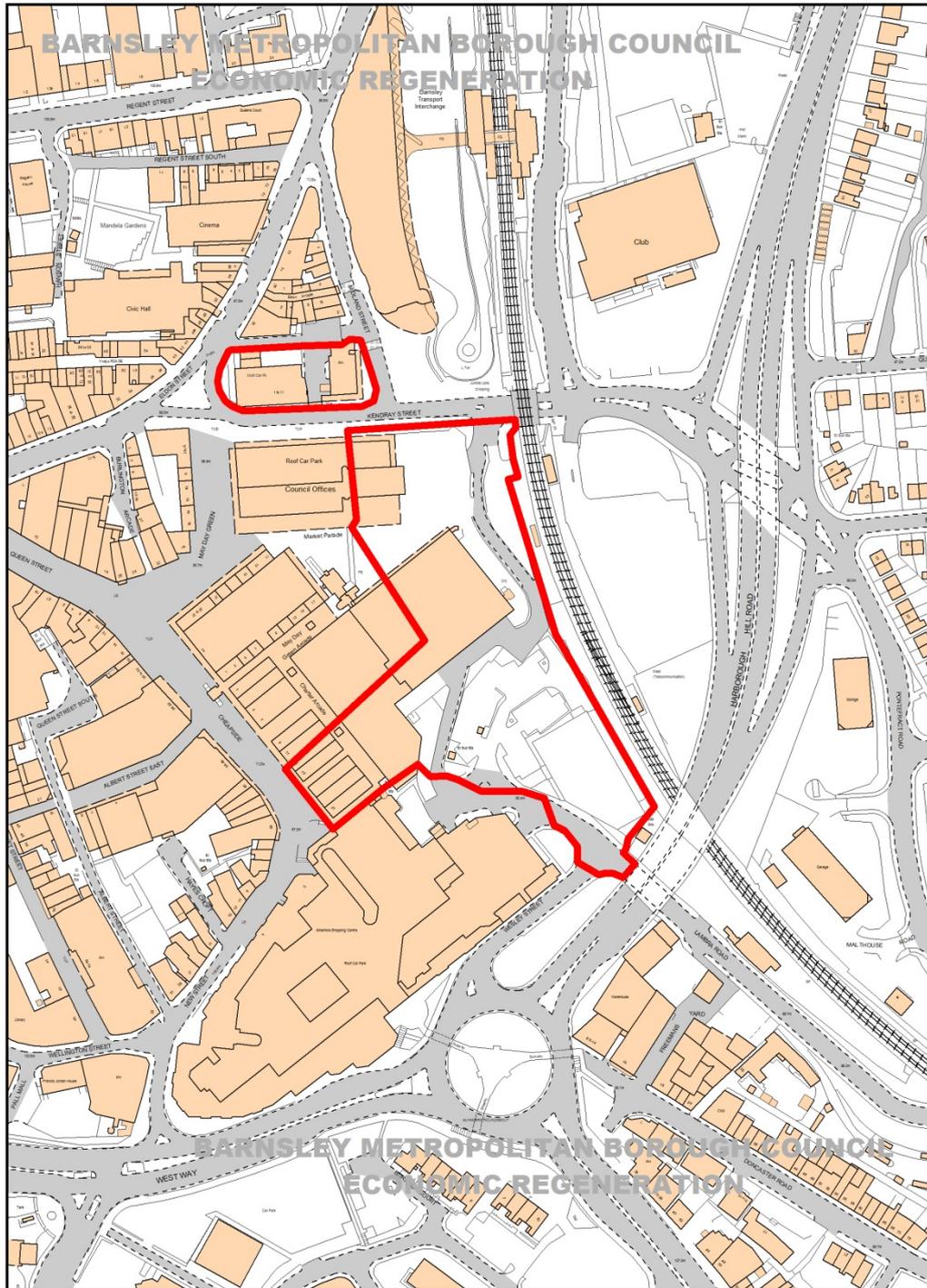
- 24 Prior to occupation of the building/commencement of the use, full details of the proposed refuse and recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a method statement indicating how the facilities will be managed and serviced and how occupiers of the proposed development will be encouraged to maximise the use of the proposed recycling facilities to reduce general waste arisings. Prior to the occupation of the building/commencement of the use, the approved facilities shall have been implemented in conjunction with the approved method statement and shall thereafter be retained.

**Reason: In the interests of encouraging recycling and visual amenity in accordance with Core Strategy Policy CSP 40.**

- 25 Prior to the commencement of works on the new external façade of the development samples of the external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 26 Prior to the commencement of works on the arcade a lighting scheme for the glass canopy roof shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 27 No building or other obstruction shall be located over or within :-
- i) 6.5 (six point five ) metres either side of the centre line of the 1200/1050mm public combined sewer i .e. a total protected strip width of 13 metres, that crosses the site ;
  - ii) 6 (six) metres either side of the centre line of the 1750mm public combined sewer i.e. a total protected strip width of 12 metres, that crosses the site;
  - iii) 5.0 (five) metres either side of the centre line of the 675mm public combined sewer i .e. a total protected strip width of 10 metres, that crosses the site;
  - iv) 3.5 (three point five ) metres either side of the centre line of the 450mm public surface water sewer i .e. a total protected strip width of 7 metres, that crosses the site; and
  - v) 3 (three) metres either side of the centre line of each of the 300mm, 225mm and 150mm public surface water sewers i .e. total protected strip widths of 7 metres per sewer, that cross the site
- Furthermore, where the required stand -off distances are to be achieved via diversion or closure of the sewer (s), the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and the agreed diversion works shall then be fully implemented prior to construction in the relevant area of the development site, to the satisfaction of the Local Planning Authority as part of an overall phasing programme for the development.  
**Reason: In the interests of public health, in order to protect the public sewerage and to ensure access for repair and maintenance to the sewerage is maintained at all times in accordance with CSP4.**
- 28 Development shall not commence until details have been submitted to and approved by the Local Planning Authority that demonstrate that public water supply infrastructure will be protected during all phases of eh development . Construction in the relevant areas of the development shall not commence until approved measures have been fully implemented.  
**Reason: In order to protect the public water supply in accordance with CSP4.**

- 29 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.  
**Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network in accordance with CSP4.**
- 30 Upon commencement of development details of measures to facilitate the provision of high speed broadband for the development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In order to ensure compliance Core Strategy policy CSP 42, policy I1 in the emerging Local Plan and in accordance with paragraphs 42 and 43 of the National Planning Policy Framework.**

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