
2017/0135

Applicant: Property and Procurement, C/o IBI Group

Description: Proposed refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1 ,A3, A4), and leisure (D2) uses - Reserved matters of outline planning permission 2015/0549 (access, appearance, layout and scale, excluding landscaping).

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

No representations have been received from members of the public, business owners, or Ward Councillors.

Site Description

The proposal relates to the latest phase of the 'Better Barnsley' proposals for the development of the Town Centre following the approval for the detailed set of plans relating to the new Library. This particular phase encompasses the Metropolitan Centre, the Market Hall and their associated shop fronts on Cheapside and May Day Green. The site also includes part of the existing multi storey car park that is accessed is from the south east to the rear via Wesley Street and Lambra Road.

The existing buildings are a form of brutalist post war architecture that are a product of their time. Facing materials include brown concrete panels, which dominate the appearance of the building as well as concrete and red brick. The buildings have a top heavy and unfriendly appearance, with shop fronts recessed behind a covered walkway and the majority of shop fronts possessing shutters and panels that reduce the amount of glazing visible still further. A large and clumsy stairwell to the first floor entrance from Cheapside obscures the visibility of many of the shop fronts still further and acts as an obstruction to pedestrian footfall and two way visibility. The multi storey car park is also an eye sore for many of the same reasons and its lack of user friendliness for the up to date era.

Proposed Development

The application seeks approval of the details of access, appearance, layout and scale relating to the works to refurbish the Met Centre and the Market Hall. Details of landscaping remain reserved for a future reserved matters application for the public realm works relating to all of the development included within the original outline application.

The proposal would be the next phase of development relating to outline planning permission 2015/0549 (the 1st part being the new central library that is under construction). The proposal is to refurbish and re-construct the buildings to house replacement retail units, the markets, food and drink and a leisure unit (a gym). The building would contain 3 internal floors. The ground floor would contain retail units on all 4 sides of the building, market stalls, food and drink outlets, car parking, plant and waste rooms. The first floor would contain further retail units and market stalls, a food court, the leisure use (gym). The 2nd floor would contain offices. Lift and stairwells would provide access between the floors.

The appearance of the buildings would be fundamentally changed and altered. The areas of the building faced with glazing would be substantially increased. Previous cladding would be replaced with Portland stone, modern rainscreen cladding with a lighter palette of colours used including light grey and light brown.

The proposal is for the development to link in with the library phase and future phases via new public realm works which would see the existing pedestrian areas in the vicinity remodelled. As part of this a new market square is envisaged to the north of the development and a new pedestrian arcade provided to the existing rear and south east side of the building to expose the building to footfall on all 4 sides. However the detail of this shall form a part of a future application specifically for the public realm and landscaping works and as part of the phase 2 application known as the Glassworks.

A pedestrian entrance would be provided to the new market hall would be provided the front of the building on Cheapside and the north west side on May Day Green.

Access for service vehicles and market traders would be via the existing service access Kendray Street to the north of the development. In addition the outline application indicated that a new service road shall be constructed to serve the development and phase 2 part of the Better Barnsley development known as the 'Glassworks' which shall also provide a future route to access the development from Lambra Road to the south east.

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.*

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.

Approval over the reserved matters for the 1st phase development of the new central library was approved 27/10/2016 and under applications 2016/0924 and 22/02/2017 (amended plans -ref 2016/1504).

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

Local Development Framework Core Strategy

CSP3 'Sustainable Drainage Systems'
 CSP4 'Flood Risk'
 CSP8 'The Location of Growth'
 CSP26 'New Development and Highway Improvement'
 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 allocation: The Markets Area/Better Barnsley Development Area/Primary Shopping Frontages

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 – No objections at this stage. An air quality assessment, including details of proposals to mitigate the air quality impact of the development is due to be provided prior to the commencement of development.

Biodiversity Officer – Enhancements should include the provision of bat bricks within the development.

Contaminated Land – No objections subject to conditions.

Civic Trust- a summary of the comments provided is as follows:-

- The quality of the materials has been questioned. It is felt that investing more money in higher quality materials would be a better long term investment and lead to a better quality finish.
- The Trust are hopeful that the entrance to the market shall not be obscured by pop up events taking place in the market hall.
- The entrance lobby for access to the evening economy is welcomed.
- The entrance towers are viewed as a key aspect of the design and need to be robust and well presented.
- The large amount of glass is positive provided that it will not be intruded upon by unsuitable signage.
- The Trust are hoping that the interior stalls shall reflect the goods on sale and the individuality of the stallholders.
- The Trust are keen to see the future application for the public realm works.

Drainage – No objections given that matters of principle associated with drainage considerations were considered at the outline stage.

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.

Network Rail – No objection subject to a number of informative comments being passed onto the applicants.

Regulatory Services – No objections having considered the findings of the noise assessment subject to the imposition of conditions limiting delivery times.

Pollution Control – Would wish to see details of any proposed air conditioning or extraction systems to ensure that they would not cause a noise nuisance affecting existing properties in the locality. In addition they would need be consulted regarding details of the proposed construction method statement at the approval of details reserved by conditions stage to ensure that suitable mitigation proposals would be in place regarding the suppression of dust and noise.

SYMAS – No objections provided that the precautionary measures detailed in the ground investigation report accompanying the outline application to safeguard against the possibility of historical coal workings are adhered to.

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.

Ward Councillors – No comments have been received.

Urban Design Officer – No objections have been received.

Yorkshire Water – Yorkshire Water has no objection in principle to:

- i) The proposed building position over/near to public sewer subject to control under Part H4 Building Regulations 2000.
- ii) The proposed separate systems of drainage on site and off site.

- iii) The proposed point of discharge of foul to the existing foul connections on site and ultimately into the public combined sewer to the north-east of the site.
- iv) The proposed use of the petrol/oil/grit separator/interceptor.

Representations

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

Assessment

Principle of Development

Outline planning permission 2015/0549 granted approval for a mixture of retail, food and drink, a library and leisure uses. The maximum floor space parameters for each use were detailed within the application. In addition the outline planning permission committed to the refurbishment of the Metropolitan Centre building.

The details of the application have been assessed and are deemed to comply with the parameters set within the outline planning application. This is illustrated within the following table:-

Use Class	Floor Space approved within the Outline Application (ref)	Floor Space Approved as part of the Library RM Application (Ref)	Floor Space proposed as part of the Metropolitan RM Application	Total Floor Space Proposed to date.	'Remaining Allowance'
A1 / A3 / A4	30,500	315	15,100	15,415	15,085 (subject to approval of this RM application)
D1	3000	3000	0	3000	0
D2	4500	-	1581	1581	2919

The development also would include office space at first floor. However this would be used in association with the uses being carried out from site and is therefore regarded as being ancillary. The proposal does include a gym rather than a cinema as a leisure use within this phase with the cinema now to form part of the future phase 2. However this cannot be opposed given that both cinema and gym uses fall into the same use class (D2).

Furthermore the size of the gym would be well within the maximum parameters established by the outline planning permission for D2 uses. Overall therefore the proposals are considered to comply with the limitations set by the outline planning permission which established the forms of development that could be built out in land use planning policy terms.

Visual Amenity

The development would see a wholesale transformation of the building to give it a modern appearance to bring it up to date with the modern age. The substantial increase in the amount of glazing and the light coloured material palette would make the appearance of the building much softer and lighter and therefore much more visually appealing. The development occupies a location in the heart of the retail part of the Town Centre. As such the development would benefit 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 of the building. In addition the building is existing and so the potential for any new effects to result in harm occurring to the living conditions for existing residents is very low regarding considerations such as scale and massing, noise and odour. However Pollution Control would still wish to be provided with details of the proposed air handling and air conditioning units prior to their installation to ensure that the models intended to be used would not give rise to any problems occurring. In addition the outline planning permission includes a requirement for a construction method statement and so this requires proposals to be submitted detailing measures to limit noise and disturbance during the construction phase. These would need to be conditions therefore.

Highway Safety

Traffic and generation capacity issues were considered at the outline stage both within the Transport Assessment accompanying the application and the assessment carried out by Highways Officers. The application was not objected to in network capacity terms subject to the following works being carried out:-

- 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

Parking provision for the development is to be addressed via the provision of a new multi storey car park which is to replace the existing multi storey car park situated to the rear of the Met Centre. However this is to form part of a future application for phase 2 of the Better Barnsley town centre development works. Again Highways are content with this approach. In addition the demolition of the existing multi storey car park is permitted development and cannot be objected to.

Servicing is proposed to continue take place within the under croft of the building 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 condition 3 of the outline planning permission makes it a requirement that a method statement is 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

Drainage

The application is accompanied by a document outlining the drainage strategy for the development. Attenuation storage will be constructed to achieve a 30% reduction in surface water discharge rates from the development. In addition Sough Dyke has been identified as being a suitable outfall for the development. Yorkshire Water and the Council's drainage officer have assessed the details and are content with the proposals.

Yorkshire Water network

Condition 11 of the outline planning permission was imposed at the request of Yorkshire Water with the intention of preventing damage to sewers, watercourses and culverted watercourses in the ground within the vicinity of the development. As a consultee on the application Yorkshire Water have assessed the details of the application and raised no objections in relation to these matters.

CO2 emission reduction

Condition 6 of the outline planning permission requires the application to be accompanied by measures detailing how the development shall achieve a 15% CO2 emission reduction. The application is accompanied by a report which sets out how this would be achieved using a variety of means including a fabric first approach to improving thermal elements to incorporate low U-values, detailing to minimise thermal bridging and air infiltration, and energy efficient boilers and control. In addition the building is to be fitted with air source heat pumps and photovoltaic panels to achieve a 15.12% reduction in CO2 emissions. In addition there is the potential for this to be increased further if proposals are taken forward for a district heating network as part of the phase 2 development proposals.

Biodiversity

Condition 8 of the outline planning permission requires details of biodiversity enhancement measures for the development. The expectation of the Biodiversity Officer is that this phase of the development shall include bat bricks within the development. As this has not been detailed within the application a condition would be required to ensure this forms part of the development and to agree the detail in relation to the number and locations.

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 plans relating to the layout of the proposed development, the scale of the building, design and external appearance and means of access have been assessed to be acceptable for the phase of the Better Barnsley redevelopment relating to the refurbishment of the Metropolitan Centre and Markets building. In arriving at this view weight has been afforded to the following considerations:-

- The proposed uses to be carried out within the building and its scale are consistent with the details approved at the outline stage.
- The changes to the external appearance of the building would be transformed via the reprofiling of the building and recladding using a modern palette of cladding materials and via significantly increasing the amount of external glazing.
- No specific areas of harm have been identified that would be likely to occur as a result of the development.
- The continued use of the undercroft for servicing would minimise conflicts between service vehicle traffic and pedestrians.

Overall therefore the proposed development is considered to be acceptable following an assessment of the implications of the proposal being carried out against relevant planning policy considerations and all other material considerations which have been identified within the assessment process. Notwithstanding a need for conditions has been identified to agree the final materials following a review of samples, to agree the precise measures that will be provided to ensure that the development achieves a 15% reduction in CO2 emissions, to ensure the provision of bat bricks and to ensure that external plant is of a suitable specification.

Recommendation

Grant approval of reserved matters for the phase of work relating to the refurbishment of the Metropolitan Centre and Markets Hall (matters of layout of the proposed development, the scale of the building, design and external appearance and means of access)

- 1 Application for approval of the landscaping reserved in Condition No. 2 of outline planning permission 2015/0549 shall be made to the Local Planning Authority before 08 July 2018 as the expiration of three years from the date of the permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this approval:-

- Existing Site Location Plan (BBTC_IBI_MC_A_F100_SP_EX_01)
- Proposed Site Plan (BBTC_IBI_MC_A_F100_EL_XX_01)
- Phase 2 Met Centre Ground Floor (BBTC_IBI_MC_A_F100_PL_00_01)
- Phase 2 Met Centre First Floor (BBTC_IBI_MC_A_F100_PL_01_01)
- Phase 2 Met Centre Basement Plan (BBTC_IBI_MC_A_F100_PL_B1_01)
- Phase 2 Met Centre Roof Plan (BBTC_IBI_MC_A_F100_PL_RF_01)
- Sections AA, BB, CC & DD (BBTC_IBI_MC_A_F100_SE_AD_01)
- Phase 2 Met Centre Second Floor (BBTC_IBI_MC_A_F100_PL_02_01)
- Phase 1 Met Centre Proposed - Gross External Areas (BTTC_IBI_MC_A_F200_PL_XX_01)
- Met Centre Existing - Gross External Areas (BTTC_IBI_MC_A_F200_PL_XX_02)
- Phase 1 Met Centre Proposed GIA by Planning use (BTTC_IBI_MC_A_F200_PL_XX_05)
- General Arrangement Elevations (BBTC_IBI_MC_A_F100_EL_XX_01)
- Wall Detail North East Façade 1 - Boulevard (BBTC_IBI_MC_A_G251_DT_NE_01)
- Wall Section NW-2: Internal Void - Long Section (BBTC_IBI_MC_A_G251_DT_NW_02)

- South East Facade - Market Entrance (BBTC_IBI_MC_A_G251_DT_SE_01)
- South West Facade - Cheapside - Terracotta (BBTC_IBI_MC_A_G251_DT_SW_01)
- Wall Section SW-4 Cheapside (BBTC_IBI_MC_A_G251_DT_SW_04)
- The recommendations in the Drainage Strategy (Mott MacDonald)
- The recommendations in the Energy Strategy & LZC Feasibility Assessment (Stroma Tech)
- The recommendations in the Preliminary Ecological Appraisal (Mott MacDonald)
- The recommendations in the Preliminary Land Contamination and Geotechnical Risk Assessment (nps group)

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 works on the new external façade of the development, full details of the proposed external materials shall be 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.

- 4 Prior to the occupation of the building, 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. 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 visual and residential amenity in accordance with Core Strategy Policy CSP 40.

- 5 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.

- 6 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.

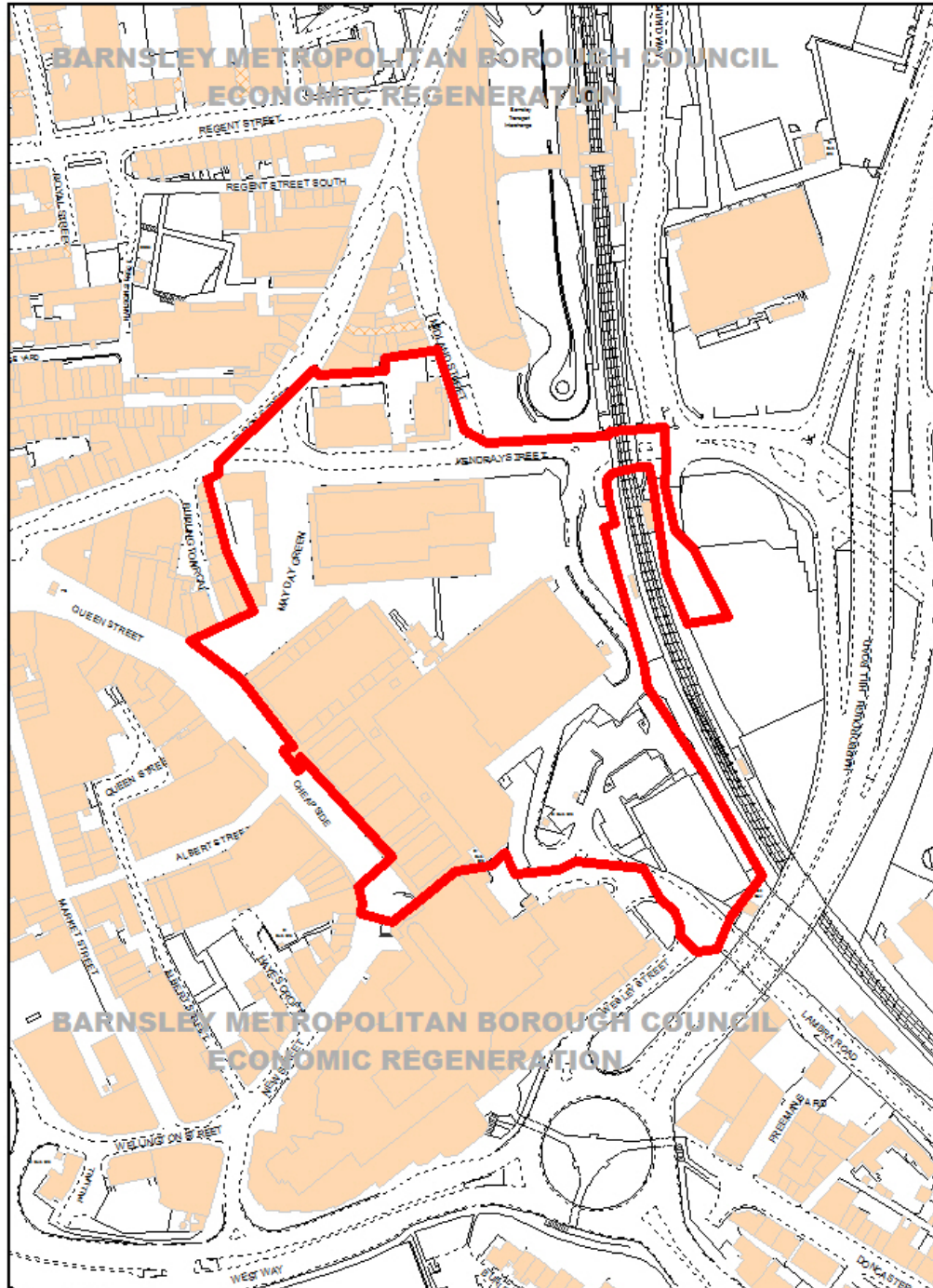
- 7 Prior to the development being brought into use, or an alternative timescale to be agreed with the Council, details of a scheme to reduce the developments carbon dioxide emissions by at least 15% by using decentralised, renewable or low carbon energy sources or other appropriate design measures shall 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.**

PA reference :-

2017/0135

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