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**2018/1569**

**Applicant:** Mr David Shepherd (BMBC) c/o How Planning LLP

**Description:** Variation of condition 2 (approved plans) of planning permission 2017/0586 to enable changes to the design of the multi storey car park and its access arrangements - 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:** 1 Barnsley Markets and adjoining land, Cheapside, Barnsley

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No representations have been received.

### **Site Description**

The site was described as follows in the Officer report associated with planning application 2017/0586 (decision date 27<sup>th</sup> September 2017):-

*"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 at 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".*

Following the controlled demolition of the of the old multi storey car park which served the Met Centre in the early hours of 27<sup>th</sup> January of this year the planning permission has now been lawfully implemented and secured. This has opened up the land where this phase of the Glassworks development would take place.

## **Proposed Development**

The proposal was described as follows in the Officer report associated with planning application 2017/0586:-

*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 (6 in total in the case of the multi-storey car park as it would sit above a two storey part of the mixed use part of the development). 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.*

The development proposals remain unaltered except in the case of the multi-storey car park which is proposed to be reconfigured with regards to its shape and size. The primary reason for this is to move the development a sufficient distance away from an easement needed to protect a public sewer located in close proximity to this part of the development.

The proposal would see the size of the car park reduced in terms of the amount of space that it occupies on the ground. Conversely the height of the car park would need to increase in storey height in order to accommodate a similar number of parking spaces. This would mean that rather than it being a 6 storey building with a deck of parking on the roof top it would become 7.5 storeys in the highest section.

The position of the access/egress into the multi-storey car park would be moved to a set back location off the new service road and the associated circular ramp structure (the rotunda) located on the outside of the car park structure would be reduced in size from 5 storeys to 4 storeys. Overall parking numbers would be similar to that already approved, 481 spaces compared with 494.

## **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.

Application 2017/0586 is the parent application to which this application to vary part of the plans relates. The overall description is *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*. This was approved on 27<sup>th</sup> September 2017 and is otherwise known as phase 2 of the Glassworks development.

Application 2018/0279 approved the erection of permanent structures and associated public realm works on 25<sup>th</sup> July 2018.

Application 2018/0989 approved a new pedestrian footbridge and associated works and structures including alterations to public realm on 24/10/2018.

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 new Local Plan was adopted at the full Council meeting held 3<sup>th</sup> January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

## Local Plan

Policy BTC12 The Markets Area District - We will allow shops, offices, leisure developments, and food and drink uses within the Markets District. Other uses will only be supported where they contribute to the vitality and viability of the town centre.

Policy BTC13 Development Site 1 - The Glassworks 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; and
- Car parking.

The development of the site 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; and
- Include other uses if they would support the liveliness and economic strength of the town centre.

Other relevant policies include:-

LG2 'The Location of Growth'

TC1 'Town Centres'

TC2 'Primary and Secondary Shopping Frontages'

BTC1 'The Daytime and Evening Economies'

BTC4 'Improving Public Spaces'

BTC5 'Landmark Buildings'

BTC6 'Building Heights'

BTC7 'Gateways'

BTC11 'Car Parks'

GD1 'General Development'

E5 'Promoting Tourism and encouraging Cultural Provision'

T3 'New Development and Sustainable Travel'

T4 'New development and Transport Safety'

D1 'High Quality Design and Place Making'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'SUDS'

RE1 'Low Carbon and Renewable Energy'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

I1 'Infrastructure and Planning Obligations'

CL1 'Contaminated and Unstable Land'

BIO1 Biodiversity and Geodiversity

HE1 The Historic Environment

SPD's

-Residential amenity and the siting of buildings

-Parking

## 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 – Confirmed that they had no objections to the development:-*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 objections to the development subject to the imposition of the 2 relevant conditions that were imposed on planning permission 2017/0586.

Contaminated Land – No objections given that the relevant condition on planning permission 2017/0586 has been discharged.

Civic Trust- Supported planning application 2017/0586 based upon 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 – No objections to the development subject to the imposition of the 2 relevant conditions that were imposed on planning permission 2017/0586.

Enterprising Barnsley – Express support for the proposals on the grounds that the development 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 had no observations to make, subject to the continuation of necessary discussions and agreements with the applicant.

Pollution Control – No objections to the development subject to the imposition of the 2 relevant conditions that were imposed on planning permission 2017/0586 which require details of air conditioning or extraction systems to be provided and noise and dust suppression measures.

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.

SY Police ALO – Previously they 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. The resulting condition is proposed to be carried across to the new application.

Urban Design Officer – Was 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 amendments have been specifically designed to avoid the problem with the previous design of the multi storey car park being built over a public sewer easement. They also stated that water mains and other services enter parts of the site may require capping off or removal. No comments have been received from Yorkshire Water to the current application. As it is their policy not to respond to planning application consultations where they have no comments to make on proposals it is presumed that they have no comments to make on the current application.

## **Representations**

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

## **Assessment**

### Principle of development

The development already benefits from planning permission following the original application being approved on 27th September 2017 and it being implemented at the end of January earlier this year. The principle of development is already established therefore. The scope of this application therefore is only to consider the amendments to the multi-storey car park.

### Visual amenity

The assessment of the previous set of plans concluded that the overall development would greatly modernise appearance of the town centre and bring it up to date with the modern era. In addition it was determined that the scale of the development could be absorbed for the reason that it would replace buildings that were of similar scale to the previous ones that existed on parts of the site.

The changes would see the multi-storey car park increased in height from 6 storeys to 7.5 in its highest part. However this size is comparable to the multi-storey car park for the Alhambra Centre which is located directly adjacent. In addition the increase in the storey height is partly offset by the building occupying a smaller area on the ground compared with previously and the repositioned/smaller rotunda. This part of the site is located on a low ground level, directly at the side of the multi storey car park for the Alhambra Centre with severance to the land to the east provided by the railway line, Market Gate car park and Harborough Hill. Taking those things into consideration I am comfortable that the proposed changes can be absorbed by the surroundings without giving rise to any adverse visual impacts. In addition it is considered that the changes to the elevations would not negatively impact on the final appearance of the development as it has been possible to safeguard the main design principles and facing materials, despite the reconfigurations. For that same reason I consider the changes to be acceptable and minor material in nature. The proposals therefore comply with the relevant suite of policies in the new Local Plan including D1 'High Quality Design and Place Making', BTC6 'Building Heights' and BTC7 'Gateways'.

### Residential Amenity

It remains the case that there are no residential properties in the immediate vicinity of the proposed development that would be affected by scale and dominance issues given the separation distances that would be involved. In addition Harborough Hill acts as a visual severance point. It was acknowledged that construction work has the potential to cause disturbance over a greater area. This led to conditions being imposed to limit working times and to ensure that a construction method statement is in place. Further conditions were imposed requiring the submission of details relating to external plant.

### Highway Safety

The assessment of the previous application concluded that the town centre road network could accommodate the development without giving rise to impacts that would be classed as severe, which is the threshold set by the NPPF. Mitigation measures that were identified as being necessary 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*

On the whole the proposed amendments do not alter the previous assessment carried out. The number of parking spaces would reduce by 13. However this a reduction equating to less 3% of the number of spaces previously approved which Highways are content is not material.

The other main change is the relocation of the access/exit into the multi-storey car park from being directly opposite the access/exit into the multi-storey car for the Alhambra Centre on Lambra Road to the new service road that is going to be constructed to the north east behind the new Glassworks buildings directly alongside the railway track. This would reduce the number of conflicts with traffic entering and exiting the Alhambra Centre car park and so is supported by Highways. It remains the case therefore that the development complies with the relevant highways policy which is now relabelled T4 'New development and Transport Safety' in the Local Plan.

The construction method statement condition would also need to be carried across to 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

Suitable mitigation measures were agreed as part of the existing planning permission and are proposed to be carried across to the new permission. These include:-

- Dust suppression during the demolition and construction phases.
- 20 electronic vehicle charging points
- Provision of a travel plan
- New signage

#### Flood Risk and Drainage

The FRA established that the site falls in Flood Zone 1 (low flood risk) and that the risks to the culverted watercourse (Sough Dyke) are negligible, subject to standard requirements requiring the provision of attenuation measures to ensure that the required amount of surface water run off from the development is stored within the site prior to being discharged at a restricted rate. The same conditions would need to be carried across to the new permission therefore.

In addition to the above the proposal would solve the problem with the development conflicting with an easement for a public sewer which would cause delays for the development and add costs that would threaten its delivery.

## CO2 emission reduction and BREEAM

Development should achieve a BREEAM very good standard in order to comply with Local Plan Policy CC2 Sustainable Design and Construction. This would result in the same condition being carried across to the new permission.

## Biodiversity

The previous assessment established that the potential for the development to impact upon protected species including bats was low. However a condition was imposed requiring the provision of bat bricks as part of the development more carefully thought out strategy for lighting of the new areas as mitigation. The same conditions would need to be carried across therefore.

## Police ALO recommendations

The same condition is proposed to be carried across requiring the submission of details of how the previous recommendations of the Police ALO are going to be incorporated within the detailed construction drawings.

## Conclusion

In summary the scope of this application is purely to consider the changes to the proposed new multi-storey car park with the previous version of this and all other buildings associated with the phase 2 parts of the Glassworks development benefitting from planning permission that now been lawfully implemented and secured.

The changes would see the size of the building reduced in terms of the amount of space it would be occupy on the ground. This would see it avoiding conflicting with a public sewer easement which threatens the delivery of the scheme. The resulting configurations would result in a section of the multi-storey car park being raised higher from 5 storeys to 7.5. However this is comparable to the multi storey car park for the Alhambra Centre which it would be located adjacent to. In addition the building would be in a low lying part of the town centre located at the side of the railway and open land on the opposite side with Harborough Hill acting as severance between the development and the nearest sensitive receptors. The reconfigured elevations maintain the same design principles and facing materials and taking these things combined I consider the changes to be of an acceptable and minor material nature taking into account the relevant policies including D1 'High Quality Design and Place Making', BTC6 'Building Heights' and BTC7 'Gateways'.

The changes would see the number of parking spaces reduced by 13. However this is less than a 3% reduction compared with previously and does not alter the previous assessment carried out. In addition the new location for the entrance/exit would create fewer conflicts with traffic accessing and exiting the Alhambra Centre multi-story car park. Overall the application is judged to be acceptable and is recommended for approval accordingly subject to the imposition of the same conditions as previously, which cover mitigation required to make the development acceptable in highways, drainage, air quality and biodiversity terms.

## 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\_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
  - BGW2-IBI-ZC-GF-PN-A-G200-0002 - ZC - Ground Floor Plan - rev P04
  - BGW2-IBI-ZC-01-PN-A-G200-0003 - ZC - First Floor Plan - rev P03
  - BGW2-IBI-ZC-02-PN-A-G200-0004 - ZC - Second Floor Plan -

rev P03  
 -BGW2-IBI-ZC-03-PN-A-G200-0005 - ZC - Third Floor Plan - rev P02  
 -BGW2-IBI-ZC-04-PN-A-G200-0006 - ZC - Fourth Floor Plan - rev P02  
 -BGW2-IBI-ZC-05-PN-A-G200-0007 - ZC - Fifth Floor Plan - rev P02  
 -BGW2-IBI-ZC-BA-PN-A-G200-0001 - ZC - Basement Floor Plan - rev P03  
 -BGW2-IBI-ZC-06-PN-A-G200-0008 - ZC - Sixth Floor Plan rev P01  
 -BGW2-IBI-ZC-07-PN-A-G200-0009 - ZC - Seventh Floor Plan rev P01  
 -BGW2-IBI-ZX-XX-EL-A-G200-0001 - ZB-C - Proposed GA Elevations rev P04  
 -BGW2-IBI-ZX-XX-EL-A-G200-0002 - ZB-C - Proposed GA Elevations rev P04  
 -BBTC\_IBI\_DS\_A\_F100\_SE\_AB\_01 rev 7 - GA Building Sections A & B  
 -BGW2-IBI-ZC-XX-SE-A-G200-0001 - ZC - GA Sections rev P04  
 -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**

- 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 Local Plan policy D1 'High Quality Design and Place Making'.**
- 4 No development shall take place until the external material palette and 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 Local Plan policy D1 'High Quality Design and Place Making'.**
- 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 T4 'New development and Transport Safety'.**

- 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 Local Plan polices T4 'New development and Transport Safety' and Poll1 'Pollution Control and Protection'.**

- 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 Local Plan policy T4 'New development and Transport Safety'.**

- 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 Local Plan policy CC3 'Flood Risk'.**
- 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 Local Plan policy Poll1 'Pollution Control and Protection'.**
- 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:  
o human health,  
o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,  
o adjoining land,  
o groundwaters and surface waters,  
o ecological systems,  
o 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 Local Plan policy CL1 'Contaminated and Unstable Land'.**

- 11 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 Local Plan policy CC2 'Sustainable Design and Construction'.**
- 12 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 Local Plan Policy BIO1 Biodiversity and Geodiversity.**
- 13 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 Local Plan policy T3 'New Development and Sustainable Travel'.**
- 14 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 Local Plan policy T4 'New development and Transport Safety'.**
- 15 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 Local Plan policy T4 'New development and Transport Safety'.**

- 16 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 Local Plan policy T4 'New development and Transport Safety'**
- 17 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 Local Plan policy T4 'New development and Transport Safety'.**
- 18 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 conserve and enhance biodiversity in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.**

- 19 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 Local Plan Policy HE1 The Historic Environment.**

- 20 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:
- Provide 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:

- Strategy to discourage high emission vehicle use
- Improved pedestrian access to public transport
- New or improved bus stop infrastructure
- Site layout to encourage walking and cycling.
- 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:

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

-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 Local Plan Policy AQ1 Development in Air Quality Management Areas.**

- 21 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.**

- 22 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 Local Plan policies D1 'High Quality Design and Place Making' and Poll1 'Pollution Control and Protection'.**

- 23 Prior to the 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 Local Plan policy Poll1 'Pollution Control and Protection'.**
- 24 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 Local Plan policy D1 'High Quality Design and Place Making'.**
- 25 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 Local Plan policy D1 'High Quality Design and Place Making'.**

- 26 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.**

- 27 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.**
- 28 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**

- 29 The development shall not be brought into use, until a scheme for the method of payment for the car park have been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme for the lifetime of the development.  
**Reason: In the interest of highway safety, in accordance with T4 'New development and Transport Safety'.**
- 30 The development shall not be brought into use until details of any entrance/security barriers, including manner of operation have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.  
**Reason: In the interest of highway safety, in accordance with T4 'New development and Transport Safety'.**
- 31 The development shall not be brought into use until precise details of the proposed access/egress to the multi-storey car park including signing, lining or other equipment to segregate and control vehicles using the car park and service vehicles have been submitted to and approved in writing by the Local Planning Authority.  
**Reason: In the interest of highway safety, in accordance with T4 'New development and Transport Safety'.**
- 32 Upon commencement of development full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the buildings.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan policy D1 'High Quality Design and Place Making'.**
- 33 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan policy D1 'High Quality Design and Place Making'.**

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