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**Ref 2021/0131**

Applicant: BMBC

Description: Variation of condition 2 (approved plans) of planning permission 2019/1192 (Erection of new pedestrian footbridge and associated works and structures including alterations to public realm) to enable the extension of Midland Street and the provision of a turning circle for vehicles within Interchange Square

Site Address: Jumble Lane Level Crossing, Kendray Street/Midland Street/Market Gate, Barnsley Town Centre

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No representations have been received to this application.

### Site Description

The application concerns the temporarily closed railway line level crossing that is located adjacent Interchange Square, Midland and Kendray Streets in Barnsley Town Centre to the west and adjacent to the junction with Schwabish Gmund Way to the east. The area includes the adjacent land that surrounds either side of the proposed bridge landings. That includes the existing road surfaces and footpaths, areas of pedestrianised public realm located to the south of the Transport Interchange, Midland Street and a section of the Market Gate car park.

Prior to its closure, the level crossing was served by barriers that closed when trains were approaching causing an obstruction to all forms of traffic. This posed a safety risk in case of people deliberately attempting to beat the barrier or accidentally getting stuck inside. A temporary footbridge is currently in place located immediately to the north of the old level crossing connecting Kendray Street/Interchange Square with Schwabish Gmund Way.



### Proposed Development

Planning permission was granted for the original version of the proposed development on 24<sup>th</sup> October 2018. The permission was subsequently revised to vary Condition 2 (Approved Plans) which was approved by members on the 20<sup>th</sup> November 2019. The application (2019/1192) amended the parapet height and its material composition, raised the pylon base, removed 1no. cable from the structural design and altered the lift orientation to vertical. This new application (2021/0131) seeks approval for a number of design changes which are summarised as follows:-

- Transportation access altered across Midland Street to allow vehicles to enter and exit Interchange Square. This is similar to the current temporary arrangement albeit with permanent public realm alterations to integrate with the Glassworks Main Square to the south west.

- Vehicular access is to be restricted onto Kendray Street (from Midland Street) to pedestrianise the area directly in front of the ZA building (Superbowl) within the Glassworks Main Square. Droppable barriers are to be installed to allow emergency vehicular access and to ensure Hostile Vehicle Measures are installed for public safety.
- New junction layout with pedestrian island where Eldon Street meets Midland Street including provision of soft landscaping on the site of 35 Eldon Street (Former Waldi Fish & Chip Shop) as well as parking areas for service vehicles that deliver to adjacent retail units on the western flank of Midland Street. A pedestrian crossing is proposed in the middle of Midland Street to allow access from the Transport Interchange to Eldon Arcade and vice-versa.
- Creation of a vehicular turning head and taxi rank within Interchange Square and alternative pedestrian route implemented to the east of the turning head.
- The pivot to a combined pedestrian and vehicular space west of the bridge requires re-positioning of kerb alignment and their heights, the introduction of benches and other forms of stonework integrated with re-located bollard arrangements. Meanwhile various trees and soft landscaping are to be relocated both within and adjacent to the turning head. The sculpture 'Barnsley Mining Column' and a number of market stalls shall also be repositioned further south closer to the north elevation of the Cineworld section of the Glassworks building.

In respect of the original submission, the description below is applicable:

The western bridge landing would be constructed in the existing pedestrianised area located to the south of the Transport Interchange (Interchange Square) which is proposed to see its layout and surface materials reconfigured in the same way as the new areas of public realm being created as part of the Glassworks development. The bridge would then cross over the railway line to the eastern landing point which would be on the southern side of Kendray Street on land forming part of the existing Market Gate car park.

The bridge structure would be approximately 105m long in length when taking into account the steps and lifts with the deck itself being just over 60m in length. There would be the option of accessing the bridge deck via stairs or a vertical lift that would be fully enclosed. Its width varies from a maximum of 8.8m at the bottom of the steps to 5m along the deck.

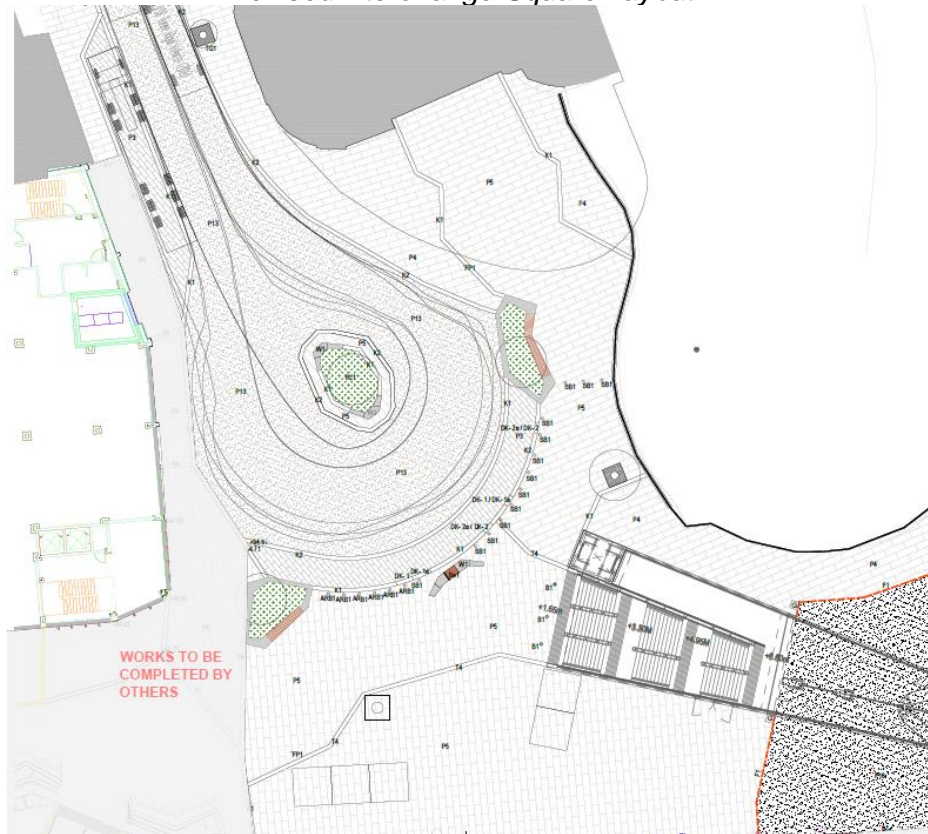
The pylon structure would serve to identify the bridge as a local landmark. The pylon is proposed to be 36m tall above the existing ground level, which would make the bridge the tallest structure in this part of the town centre, including the new buildings that are to be built as part of the Glassworks development, where it would be 8m higher than the new cinema. The bridge deck and steps would be in anti-slip resin whilst the stairs handrail is proposed in hard wood.

The reconfigured area of public realm to the south of the Interchange/North and East of the Glassworks would include a mixture of replacement block paving, turfing, outdoor seating, bollards and tree planting. Changes on the ground would see the removal and realignment of existing kerbs, street trees and the statue that is a monument to Barnsley's coal mining history.

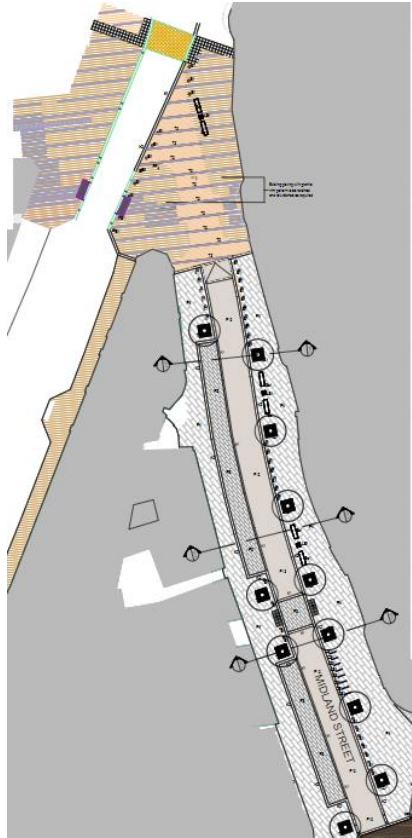
*Previous Interchange Square Layout (2019/1192):*



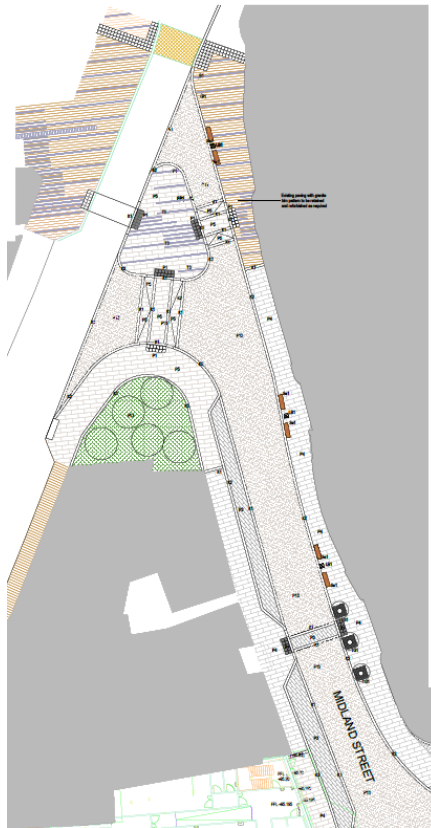
*Revised Interchange Square Layout:*



*Original Midland St Layout (2018/0279):*



*Revised Midland Street/Eldon Street Layout:*



N.B. It is understood that the majority of Midland Street and Eldon Street set out on Plan BBTC-IBI-N4-L-G700-PL-00-15- Rev P03 is beyond the red line boundary of

this application. However the site is wholly within the blue line boundary of the applicant (the Council) and it is understood from previous legal advice that conditions applied to a decision under similar such application can apply to adjoining land within the defined blue line boundary.

## **History**

There are a number of planning applications that are relevant to the Glassworks development. However the list of the applications that are most closely located to the bridge includes:-

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 granted 20th April 2017 under application 2017/0135, i.e. phase 1 of the Glassworks.

Permission was granted for phase 2 of the Glassworks comprising a mixed use development 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 In September 2017 under planning application 2017/0586.

Prior to that approval of 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).

2018/0279 - Erection of permanent structures and associated public realm works. Approved 25/07/2018.

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.

2019/1192 - Variation of condition 2 (approved plans) of planning permission 2018/0989 to enable changes to the parapet height and lift and pylon base - Erection of new pedestrian footbridge and associated works and structures including alterations to public realm. – Approved with conditions 20/11/2019

## **Policy Context**

Planning decisions 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.

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The new Local Plan was adopted at the full Council meeting held 3rd 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 Allocation – The Markets Area/Proposed Cycle Route/Jumble Lane Gateway/Priority site for Public Improvements/Better Barnsley Development Site

Relevant Local Plan Policies are:-

Policy TC1 'Town Centres'

Policy BTC3 – Public Spaces

Policy BTC5 – Landmark Buildings

Policy BTC6 – Building Heights

Policy BTC7 – Gateways

Policy BTC9 – Cycling

Policy BTC12 – The Markets Area District

Policy BTC13 – Development Site 1 – The Glassworks including former TEC building and CEAG site

Policy BTC23 – Eastern Gateway

Policy GD 1 – General Development

Policy T4 – New Development and Transport Safety

Policy D1 – High Quality Design and Place Making

Policy CC3 – Flood Risk

Policy Poll1 – Pollution Control and Protection

## 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**

*Coal Authority* – No objections to the proposed amendments.

*BMBC Drainage & Yorkshire Water* – The conditions applied under 2019/1192 have been discharged through details submitted separately under application 2021/0136. Conditions 5, 10 & 11 relating to public water supply, foul and surface water drainage shall therefore be combined and altered to ensure compliance with the submitted details.

*Highways DC* – No objections to the proposed changes following submission of the revised design and supporting Waterman's Desire Line Report/Pedestrian Comfort. Previous conditions should be re-imposed.

*Network Rail* – No objections to the proposed amendments. They acknowledge that the Council is engaged with their Asset Protection Team and expect that this dialogue continues as required during the development and delivery of the new structure.

*Eldon St Heritage Action Zone Officer*: No objections

*Pollution Control* – No objections.

*SYMAS* – No objections to the proposed amendments.

*Urban Design* – No objections/Support following amendment requests to include provision for increased levels of hard and soft landscaping at the northern end of Midland Street and adjacent to the new turning head within Interchange Sq.

*SY Police ALO* – No objections, the consultee welcomes the inclusion of the Hazardous Vehicle Mitigation Measures (HVM) that are to be introduced as a result of the amendment to restrict vehicular access to Kendray Street. The consultee raised queries in respect of suicide prevention measures which have been responded to by the applicant.

## **Representations**

The application was advertised by neighbour notification (27 properties) and by site notice. No representations have been received.

## **Assessment**

### Principle of development

The principle of granting planning permission for the development has already been established by the decision to allow the previous planning applications. Clearly a new permanent crossing over the railway is needed following the closure of the level crossing and to enable pedestrian access between the Markets District of the Town Centre/the New Glassworks development/the Transport Interchange and the areas to the east of the railway line where residential areas, Oakwell Stadium and the Metrodome are all located. In this respect the proposal would deliver one of the main aims of Local Plan policy BTC13 'Development site 1 – Better Barnsley including the former TEC site'.

### Visual amenity

The site is identified as an important gateway site and a priority site for public improvements in the Local Plan. The relevant policies seek to create distinctive new landmarks, high quality design, the best quality building materials, a strong sense of arrival, improvements to public spaces and linkages to adjacent areas.

The amendment of the design under this S73 Application relate specifically to the areas of public realm within Interchange Square and along Midland Street, the design of the bridge itself is to remain the same as the previous application under 2019/1192 and will not be repeated here.

As previously set out in the development description section above, the fundamental change to the design of the scheme is the alteration of Midland St and Interchange Sq. from being pedestrianised to providing vehicular access along Midland Street

with a turning head positioned within Interchange Square that benefits from a taxi rank. As intimated within the Design and Access Statement conducted by IBI, the design development from pedestrian only to the inclusion of vehicular access has been predicated on the need to provide crucial access to serve businesses on Midland Street as well as provide alternative taxi parking capacity that has been reduced elsewhere on Eldon Street through anticipated highway works on this street which will alter its layout.

What this means in practice is that the scope of the public realm is less open and more limited for pedestrians under the new proposal than it would be under the formerly approved design. However a significant number of meetings have been conducted between council officers within the Planning, Major Projects and Highways departments to ensure that a satisfactory appearance of the public realm is preserved in this Gateway location adjacent to the Transport Interchange despite the re-introduction of vehicular traffic. Indeed the LPA's Senior Urban Designer has confirmed that they are content with the revised General Arrangement Plan for Interchange Sq. which includes the installation of 4no. trees, 3no. planting beds, reorientation of the Yorkstone Paving as well as the inclusion of matching seating units and bollard arrangements adjacent to the taxi rank which should enable Interchange Square to retain a sense of integration with the larger Glasswork's Main Square to the South West. There are outstanding issues raised by the Urban Designer in respect of the standardisation of the sign-posts and the location of litter bins and lampposts within Interchange Sq., but these are determined to be able to be dealt with by condition.

The Urban Designer requested the following mock-ups from the applicant which are useful in showcasing how the revised design shall appear:

*View from the southern entrance of the Interchange towards the Cinema, Bowling Alley and Bridge Landing*



*Aerial View of Interchange Square*



The revision of the layout of Midland Street in combination with the removal of 35 Eldon Street (Waldi Fish and Chip Shop) has provided an opportunity to offset the trees lost in the move away from the pedestrianised design. The location of 35 Eldon Street will be transformed into a soft-landscaped area benefitting from 3no. Himalayan Birch Trees, 2no. Juneberry Trees and several hundred planted flowers. A condition will be added to the recommendation to delineate the responsibility for managing and maintaining this area in the future. 35 Eldon Street is located between Eldon Street and Midland Street opposite the main entrance to the Transport Interchange, it is therefore a highly visible gateway location into the town centre for a high volume of private highway users and for those utilising public transport. So, while the removal of pedestrianisation from the design of Midland Street is regrettable, albeit necessary to serve existing businesses on that street within Eldon Arcade and the Interchange, it is largely offset by the aforementioned soft landscaping in a location that is currently harsh and devoid of greenspace.

Overall the proposal is a reformulation of the public realm across Midland Street and Interchange Square that responds to the necessity of providing service and delivery access to buildings that cannot otherwise be accessed through a pedestrianised design (i.e. capacity for HGV's etc). The new design integrates with the Glassworks Main Square in terms of its materials palette and street furniture design while retaining significant pedestrian capacity and soft landscaping features, including newly introduced features such as the landscaping at 35 Eldon Street that will help improve the quality and image of Barnsley to visitors and its residents.

In respect of the 'Barnsley Mining Column' Sculpture the new location between the turning head and the northern elevation of the Cinema shall ensure that it is retained in a prominent location for passers-by on the way to the bridge or interchange. The location of the sculpture has been informed by the restrictions relating to the density of underground services in this location and the LPA are advised that there are no other suitable locations in this area that would be able to meet the foundation requirements of the artwork without requiring diversion of major infrastructure. In any respect, the Urban Designer is content with the sculptures relocation and the

The amended design is consequently found to be in accordance with the design principles and requirements set out in Local Plan Policies TC1 – Town Centres, BTC12 – The Markets Area District, BTC13 – Development Site 1 – The Glassworks

including former TEC building and CEAG site, Policy BTC23 – Eastern Gateway and Policy D1 – High Quality Design and Placemaking.

### Residential Amenity

The previous assessment concluded that the development would not give rise to harm affecting residential amenity and this remains the case.

The nearest dwellings are located sufficiently far away from the site and are screened off from it by Harborough Hill Road so as to not be affected by the proposal from an over dominance or overshadowing perspective.

The development is aimed at maintaining and improving linkages between the town centre and the Metrodome and Oakwell. However any increase in pedestrian journeys would not generate concerns from a noise and disturbance perspective, particularly given the high existing background levels.

Noise and disturbance has the potential to cause disturbance during the construction phase. Therefore it would be necessary to impose a condition requiring an appropriate method statement, including the need to agree the route to be used by construction traffic.

Given the height of the pylons, light nuisance is one area where there is the potential for an amenity issue to be caused. For this reason imposing a condition is prudent although it is expected that the risk is low because the lighting scheme has to be sufficiently subdued so as to not cause a railway safety issue.

Officers are satisfied that the proposal accords with the principles set out within LP Policy GD1 – General Development with respect to residential amenity.

### Highway safety

The changes to the design of Midland Street and Interchange Sq. have fundamentally altered the use of the highway in these locations and have been subject to close scrutiny by Highways Development Control Officers. Midland St will become a two-lane highway (Single Carriageway) with lay-bys on its western aspect to provide service vehicle parking for local businesses. Footpaths will be provided on either side of the vehicular carriageway with a tactile crossing in its centre for pedestrian movement. Tracking plans evidence that both a HGV and Fire Appliance are able to enter and leave Midland Street in a forward gear through the provision of the turning head proposed within the northern half of Interchange Square. A taxi rank is to be located on the southern side of the turning head. Overall the layout is akin to what is visible on the ground at the moment, albeit with lay-bys on the opposite side of Midland Street and higher quality materials used across the streetscene.

A central island with pedestrian crossing, as set out within the Design and Access Statement, has previously been considered as it was initially determined to be a viable and direct route while travelling to and from the transport interchange. However a road safety audit has been conducted which discounts this design as it was determined that the potential conflict between vehicles on the turning head and pedestrian crossing would lead incur a significant safety issue that should be avoided.

A further design removed the crossing but maintained a larger taxi rank and turning-head which significantly reduced the widths between the eastern side of the turning head relative to both the western side of the Interchange's own turning head and the western stairway of the new bridge. A revised design has been submitted with a

reduced turning head size and taxi rank provision that maintains the HGV and Fire Appliance capacity. The revised design is supported by a new Desire Line/Pedestrian Comfort Report evidencing pedestrian capacity and safety in these bottle neck areas.

The outcome of the report evidences that despite the loss of pedestrianisation across Midland Street, the flow and interaction of pedestrians between the Interchange, the western bridge landing and those travelling from Glassworks main square will be comfortable and safe while a significant proportion of the southern aspect of Interchange Sq. will retain its pedestrianised area.

The introduction of the taxi rank has also been reviewed and found to be sound in respect of movements into and out of the bays proposed.

The bollards surrounding the turning head will be a mix of permanent and matador styles that shall allow emergency service access to the pedestrianised areas further south, but that will act as Hostile Vehicle Mitigation to prevent terrorist attacks.

The development may require abnormal loads to deliver the structures to the site. This is an issue that can be dealt with through a construction method statement condition.

Overall the amendments to the scheme in respect of highways are acceptable and determined to be in accordance with Local Plan Policy T4 – New Development and Transport Safety.

## Others

### Flood Risk and Drainage

The site is located in an area of low flood risk and so this is not an issue affecting the proposal. Under the previous approval for Jumble Lane Bridge, conditions were imposed that would require the design of a surface water management system to be submitted to the LPA for approval as well as the imposition of a condition required by Yorkshire Water for protection of the public sewer and water supply system either by closure or diversion. A diversion agreement has been reached between the Council and Yorkshire Water for works to be undertaken on the public sewer and water supply and the relevant condition shall be re-worded to ensure that the development is conducted in line with that agreement. Likewise, a surface water management plan has been submitted which shall also be adhered to through imposition of a re-worded condition that shall ensure that the drainage system is implemented in line with the approved specification.

### Ground conditions

The site is in a Coal Mining Referral Area. However intrusive investigation work has determined that there is no evidence of any shallow coal workings which would pose a risk to the stability of the land. Both SYMAS and the Coal Authority do not object.

### Biodiversity

The previous decision included a landscaping condition to ensure that the development delivers a net biodiversity gain with regards to increasing the number of trees on the site and ensuring that native specimens are used at the request of the

Biodiversity Officer. The condition is pertinent to the new landscaped area in the former location of 35 Eldon Street and is consequently retained on that basis.

## **Conclusion**

In summary the proposals constitute significant, albeit necessary, changes to a much needed development that is required in order to enable continued pedestrian access between this part of the town centre and the areas to the east of Kendray Street and Pontefract Road including the Metrodome and Oakwell. This is following the closure of the old level crossing and the limitations of the temporary bridge which cannot be used on Barnsley FC match days. As such the proposal would deliver an important aim of Local plan policy BTC13 Development site 1 – The Glassworks including former TEC building and CEAG site.

The site is also identified as a gateway site and a priority site for improvements to the public realm. The combination of the stature of the design of the bridge, its design features most notably the pylons, its facing materials and other enhancements to the surrounding area of public realm including the reconfigured and extended Interchange Square would ensure that the development would become a landmark feature as per the aims of proposed Local Plan policies BTC7 'Gateways' and D1 'Design'. In addition the development would not harm the views of any of the landmark buildings listed within relevant policy BTC5, or conflict with BTC6 'Building Heights'.

The development is supported by Network Rail as the plans represent a safer way to cross the railway than the old level crossing. In addition the closing off of Kendray Street and stopping up of Midland Street and creation of an enlarged pedestrianised area at Interchange Square has removed conflicts between vehicular and pedestrian traffic on the western side of the bridge landing. To the east the road configuration would remain much the same as the existing. As such there would be no deterioration in highway safety on that side of the bridge.

The development is likely to require abnormal loads to be delivered to the site for the bridge structures and could involve night time working to avoid minimising disruption on the railway network. Therefore a construction method statement condition is required. Apart from during the construction phase the development is not envisaged to lead to any impacts harming the residential amenity of the nearest properties because of the distance and because of views being blocked off by Harborough Hill Road.

It is not felt that the amendments to the design of Midland Street or Interchange Square detract significantly from the original purpose of the bridge in improving pedestrian flows across the railway line as significant pedestrian areas are preserved in Interchange Square with pedestrian capacity also retained to a comfortable level across multiple desire lines in front of the western bridge landing. Indeed though the public realm has been altered to make way for a two-lane highway, the public spaces around it are planned and designed to integrate seamlessly with the Glassworks Main Square further south west. Likewise new opportunities for soft landscaping have been sought further up Midland Street to ensure that the scheme retains a similar volume of trees for aesthetic and biodiversity purposes (35 Eldon Street). Meanwhile the introduction of the taxi rank will also provide increased provision in a vital area close to restaurants and bars located in and around the Glassworks development while also providing increased numbers to serve passengers from the transport interchange.

Overall the application is assessed to be acceptable subject to the conditions listed in the recommendation and is recommended for approval accordingly.

## **Recommendation**

Grant variation of condition 2 of planning permission 2019/1192 subject to conditions.

### Conditions

*The development hereby permitted shall be begun before 24th October 2021.*

*Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.*

*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:*

### *Plan Nos*

- PROPOSED ELEVATIONS - Sheet 1 of 2 - BGW2-IBI-PB-XX-EL-A-F100-0017 Rev 2
- PROPOSED ELEVATIONS - Sheet 2 of 2 - BGW2-IBI-PB-XX-EL-A-F100-0018 Rev 2
- PUBLIC REALM GENERAL ARRANGEMENT PLAN INTERCHANGE SQUARE - BBTC-IBI-N4-L-G700-PL-00-04 - P05
- PUBLIC REALM GENERAL ARRANGEMENT PLAN - MIDLAND STREET - BBTC-IBI-N4-L-G700-PL-00-15 – Rev P03
- PUBLIC REALM GA PLAN - BGW2-IBI-PB-XX-PN-L-G700-0001 – Rev P06
- MIDLAND STREET – KENDRAY STREET – MEASURES TO CONTROL VEHICULAR ACCESS - BGW-BMB-PL-001
- MARKET GATE BRIDGE GENERAL ARRANGEMENT, LONG SECTION AND MANHOLE SCHEDULE - YWS201728 MUS WTN NSE DR N 0002 – Rev A02
- HIGHWAYS WORKS – MIDLAND STREET DRAINAGE - BGW2\_BMB\_PB\_xx\_PN\_C\_G100\_0503
- PUBLIC REALM PLANTING PLAN – MIDLAND STREET (CHIP SHOP) - BBTC-IBI-N4-L-G700-PL-0013 –
- PUBLIC REALM PLANTING PLAN – INTERCHANGE SQUARE & MARKET GATE CAR PARK - BGW2-IBI-PB-XX-PN-L-G700-0011 – Rev P04

*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.*

*The temporary vehicle control measures set out on the approved plan (MIDLAND STREET – KENDRAY STREET – MEASURES TO CONTROL VEHICULAR ACCESS - BGW-BMB-PL-001) shall remain in place until such time as the permanent measures set out within the approved plans and specifications of Condition 2 are completed and operational. Any deviation of the design of the temporary measures hereby approved shall be submitted to and approved in writing by the Local Planning Authority.*

*Reason: To ensure the safety of all types of highway users and access to public spaces for the emergency services in accordance with LP Policy T4 – New Development and Transport Safety*

*Upon commencement of the development 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 Policies T4 New development and Transport Safety and GD1 General Development and GD1 'General Development'.

**Upon commencement of the development**, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed 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.

**The water supply, foul and surface water drainage design hereby approved and contained within the diversion agreement, plans and specifications listed below shall be adhered to and implemented in line with the approved documents with any deviation from the design subject to approval in writing by the Local Planning Authority.**

**Documents:**

- Diversion Agreement between Yorkshire Water Services Ltd and Barnsley Metropolitan Borough Council (2<sup>nd</sup> June 2021) – NJH/YWS121/389.
- Market Gate Bridge – General Arrangement, Long Section and Manhole Schedule – YWS201728 MUS WTN NSE DR N 0002 – Rev A02
- Highways Work – Midland Street Drainage - BGW2\_BMB\_PB\_xx\_PN\_C\_G100\_0503

**Reason: To ensure the protection of the water supply and drainage systems in the area in accordance with Local Plan Policy UT2 – Utilities Safeguarding**

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. The approved hard landscaping details shall be implemented prior to the development being brought into use. Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policy D1 High Quality Design and Place Making.

*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, in accordance with Local Plan policy D1 High Quality Design and Place Making.*

*A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the development being brought into use. The landscape management plan shall be carried out in accordance with the approved plan.*

*Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policy D1 High Quality Design and Place Making.*

*Upon commencement of development a scheme for the provision of lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to the development being brought into use and retained as such thereafter.*

*Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with Local Plan policy Poll1 Pollution Control and Protection.*

*Upon commencement of development, details shall be submitted to the Local Planning Authority of arrangements which secure the following highway improvement works:*

- Provision of pedestrian crossing facilities on Kendray Street/Pontefract Road to the east of the railway line;*
- ~~-Measures to prevent vehicular/pedestrian movement at the level crossing;~~*
- Provision of/amendments to Traffic Regulation Orders;*
- Removal of redundant signal infrastructure to the west of the railway including the interface into the railway signal box;*
- Changes to signal configurations;*
- Provision of LED traffic signals with nearside/on crossing detection;*
- ~~-Any necessary signing/lining;~~*
- Provision of/any necessary alterations to street lighting;*
- ~~-Provision of/any necessary alterations to highway drainage;~~*
- ~~-Any necessary resurfacing/reconstruction.~~*

*The details shall be approved by the Local Planning Authority prior to the development being brought into use and works shall be completed in accordance with the approved details.*

*Reason: In the interests of highway safety and the free flow of traffic in accordance with Local Plan policy T4 New development and Transport Safety.*

*Upon commencement of the development, the phasing of the works shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.*

*Reason: To ensure a safe and adequate highway network, in accordance with Local Plan policy T4 New development and Transport Safety.*

*All redundant vehicular accesses shall be reinstated as kerb and footway prior to the development being brought into use.*

*Reason: To ensure a safe and adequate highway network, in accordance with Local Plan policy T4 New development and Transport Safety.*

*The street furniture and materials hereby approved shall match those installed within the Glassworks Main Square in all respects, including lampposts, signposts, seating units, planters, litter bins and hard surfacing (barring the vehicular carriageway) with any deviation in the design of these features submitted to and approved by the Local Planning Authority prior to installation.*

*Reason: To ensure consistency within the quality of the streetscene and wider public realm in accordance with LP Policies D1 – High Quality Design and Placemaking,*

Prior to the installation of street furniture (namely lampposts, signposts and litter bins) a stand-off distance for the furniture which excludes their placement relative to the Barnsley Mining Column shall be agreed in writing with Local Planning Authority.

Reason: To ensure that new street furniture does not compete with the artwork in the interests of the appearance of the locality in accordance with LP Policy D1 – High Quality Design and Placemaking.