

16 January 2018

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Dear Sir / Madam

Application to vary Condition 2 of Planning Permission 2017/0586 at Barnsley Markets and adjoining land, Cheapside, Barnsley

I am writing to you on behalf of my client, Barnsley Metropolitan Borough Council, ('the applicant'), who is seeking to vary Condition 2 of application reference 2017/0586 to make alterations to the scheme at Barnsley Markets and adjoining land, Cheapside, Barnsley.

Section 73 of the Town and Country Planning Act 1990 allows applicant to seek permission for minor material amendments to a previously approved scheme.

Planning permission was approved on 27 September 2017 under planning application reference 2017/0586 for the following development:

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

Condition 2 of the planning permission states:

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

- *BBTC_IBI_XX_A_F100_PL_00_08 rev 1 - Existing Site Plan*
- *BBTC_IBI_XX_A_F100_PL_00_10 rev 1 - Phase 2 - Location Plan*
- *BBTC_IBI_XX_A_F100_PL_00_02 rev 4 - Phasing Plan - Ground Level*
- *BBTC_IBI_XX_A_F100_PL_RF_01 rev 3 - Phasing Plan - Roof Level*
- *BBTC_IBI_XX_A_F100_PL_00_05 rev 2 - Planning Boundaries
Ground Floor Level*
- *BBTC_IBI_XX_A_F100_SP_09 rev 1 - Building Elevation Reference Plan*
- *BBTC_IBI_D2_A_F100_PL_00_02 rev 2 - DS 2 - Context Plan*
- *BBTC_IBI_DS_A_F100_EL_XX_01 rev 6 - Proposed GA Elevations Sheet
1 of 2*
- *BBTC_IBI_DS_A_F100_EL_XX_02 rev 4 - Proposed GA Elevations Sheet
2 of 2*
- *BBTC_IBI_D2_A_F100_PL_RF_01 rev 8 - Roof Plan*
- *BBTC_IBI_XX_A_F100_SP_B1 rev 7 - Phase 2 Site Plan - Basement*
- *BBTC_IBI_XX_A_F100_SP_00 rev 12 - Phase 2 Site Plan - Ground Floor*
- *BBTC_IBI_XX_A_F100_SP_01 rev 9 - Phase 2 Site Plan - First Floor*
- *BBTC_IBI_XX_A_F100_SP_02 rev 5 - Phase 2 Site Plan - Second Floor*

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Regulated by RICS

- *BBTC_IBI_XX_A_F100_SP_03 rev 2 - Phase 2 Site Plan - Third Floor*
- *BBTC_IBI_XX_A_F100_SP_RF rev 4 - Phase 2 Site Plan - Roof*
- *BBTC_IBI_DS-35_A_F100_PL_BS_001 rev 5 - DS.3&5 - Basement Floor Plan*
- *BBTC_IBI_DS-35_A_F100_PL_00_001 rev 9 - DS.3&5 - Ground Floor Plan*
- *BBTC_IBI_DS-35_A_F100_PL_01_001 Rev 7 - DS.3&5 - First Floor Plan*
- *BBTC_IBI_DS-35_A_F100_PL_02_001 Rev 7 - DS.3&5 - Second Floor Plan*
- *BBTC_IBI_DS-35_A_F100_PL_03_001 rev 2 - DS.3&5 - Third Floor Plan*
- *BBTC_IBI_DS-35_A_F100_PL_RF_001 rev 4 DS.3&5 - Roof Plan*
- *BBTC_IBI_DS-67_A_F100_PL_B1_01 rev 6 - DS 6 & 7 Basement Level (B1)*
- *BBTC_IBI_DS-67_A_F100_PL_00_01 rev 9 - DS 6 & 7 Ground Floor (L0)*
- *BBTC_IBI_DS-67_A_F100_PL_01_01 rev 9 - DS 6 & 7 First Floor (L1)*
- *BBTC_IBI_DS-67_A_F100_PL_02_01 rev 7 DS 6 & 7 Second Floor (L2)*
- *BBTC_IBI_DS-67_A_F100_PL_03_01 rev 6 - DS 6 & 7 Third Floor (L3)*
- *BBTC_IBI_DS-67_A_F100_PL_04_01 rev 7- DS 6 & 7 Fourth Floor (L4)*
- *BBTC_IBI_DS-67_A_F100_PL_05_01 rev 5 - DS 6 & 7 Fifth Floor (L5)*
- *BBTC_IBI_D2_A_F100_EL_WW_EE_01 rev 8 - East & West Elevations*
- *BBTC_IBI_DS_A_F100_SE_AB_01 rev 7 - GA Building Sections A & B*
- *BBTC_IBI_DS_A_F100_SE_CD_01 rev 2 - GA Building Sections C & D*
- *BTC_IBI_D2_A_F100_PL_00_01 rev 18 - Ground Floor Plan*
- *BBTC_IBI_D2_A_F100_PL_01_01 rev 15- First Floor Plan*
- *BBTC_IBI_D2_A_F100_SE_AA rev 12 - Section AA*
- *BBTC_IBI_D2_A_F100_SE_BC rev 12 - Sections BB and CC DS2*
- *BBTC_IBI_D2_A_F100_EL_SS_01 rev 8 - South Elevation DS2*
- *BBTC_IBI_DS_A_F100_DT_06 rev 3 - DS3/5 - Typical Bay Type DS3/5D Details*
- *BBTC_IBI_DS_A_F100_DT_05 rev 3 - DS3/5 - Typical Bay Type DS3/5C Details*
- *BBTC_IBI_DS_A_F100_DT_04 rev 3 - DS3/5 - Typical Bay Type DS3/5B Details*
- *BBTC_IBI_DS_A_F100_DT_03 rev 2 - DS6/7 - Typical Bay Type DS6/7B Details*
- *BBTC_IBI_DS_A_F100_DT_02 rev 2 - DS6/7 - Typical Bay Type DS6/7A Details*
- *BBTC_IBI_DS_A_F100_DT_01 rev 5 - DS3/5 - Typical Bay Type DS3/5A Details*
- *BBTC_IBI_DS_A_F100_DT_07 rev 3 -DS3/5 - Typical Bay Type DS3/5E Details*
- *BBTC_IBI_DS_A_F100_DT_09 rev 1 -DS3/5 - Typical Canopy DS3/5F Details*
- *BBTC_IBI_XX_A_F100_SP_XX_001 rev 1 - Proposed Phase 2 Developments – Gross External Areas*
- *BBTC_IBI_XX_A_F100_SP_XX_003 rev 1 - Proposed Phase 2 Development - Gross Internal Areas by Planning Use*
- *BBTC_IBI_XX_A_F100_SP_XX_004 rev 1 - Proposed Phase 2 Development - Gross Internal Areas by Planning Use*
- *BBTC_IBI_D2_A_F100_DT_N_01 rev 3 - Wall Section N-01 North Facade/Party Wall - Grid 9/F*
- *BBTC_IBI_D2_A_F100_DT_S_01 rev 3 - Wall Section S-01 South Facade - Grid 4/A*
- *BBTC_IBI_D2_A_F100_DT_S_02 rev 3 - Wall Section S-02 South Facade - Grid 6/A*
- *The principles detailed within the Shopfront Design Guide document (appendix 6 of the Design and Access Statement)*

Proposal

This application seeks minor material amendments as follows:

- Additional Sixth and Seventh storeys;
- Reduced footprint in response to site constraints;
- Relocation of rotunda; and
- Internal reconfiguration of car park.

The National Planning Practice Guidance states that 'there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. Pre-

application discussions will be useful to judge the appropriateness of this route in advance of an application being submitted.'

Considering the nature of the design amendments, in terms of a minor height increase and a reduction in footprint, we consider the revisions to be minor material. This has been agreed in pre-application discussions with BMBC.

This application seeks to vary Condition 2 (approved plans) to allow for the slight design changes which have arisen through scheme progression.

From the approved permission, the follows plans are to be amended:

Original Drawing	Revision	New Drawing	Revision
BBTC_IBI_DS-67_A_ F100_PL_00_01_DS 6 & 7 Ground Floor (L0)	9	BGW2-IBI-ZC-GF-PN-A-G200-0002 - ZC - Ground Floor Plan	P04
BBTC_IBI_DS-67_A_ F100_PL_01_01_DS 6 & 7 First Floor (L1)	10	BGW2-IBI-ZC-01-PN-A-G200-0003 - ZC - First Floor Plan	P03
BBTC_IBI_DS-67_A_ F100_PL_02_01_DS 6 & 7 Second Floor (L2 / CP1)	7	BGW2-IBI-ZC-02-PN-A-G200-0004 - ZC - Second Floor Plan	P03
BBTC_IBI_DS-67_A_ F100_PL_03_01_DS 6 & 7 Third Floor (L3 / CP2)	7	BGW2-IBI-ZC-03-PN-A-G200-0005 - ZC - Third Floor Plan	P02
BBTC_IBI_DS-67_A_ F100_PL_04_01_DS 6 & 7 Fourth Floor (L4 / CP3)	8	BGW2-IBI-ZC-04-PN-A-G200-0006 - ZC - Fourth Floor Plan	P02
BBTC_IBI_DS-67_A_ F100_PL_05_01_DS 6 & 7 Fifth Floor (L5)	04	BGW2-IBI-ZC-05-PN-A-G200-0007 - ZC - Fifth Floor Plan	P02
BBTC_IBI_DS-67_A_ F100_PL_B1_01_DS 6 & 7 Basment Floor (B1)	6	BGW2-IBI-ZC-BA-PN-A-G200-0001 - ZC - Basement Floor Plan	P03
N/A		BGW2-IBI-ZC-06-PN-A-G200-0008 - ZC - Sixth Floor Plan	P01
N/A		BGW2-IBI-ZC-07-PN-A-G200-0009 - ZC - Seventh Floor Plan	P01
BBTC_IBI_DS_A_F100_SE_CD_01 GA Building Sections C & D	2	BGW2-IBI-ZC-XX-SE-A-G200-0001 - ZC - GA Sections	P04

BBTC_IBI_DS_A_F10_0_EL_XX_01 Proposed GA Elevations Sheet 1 of 2	06	BGW2-IBI-ZX-XX-EL-A-G200-0001 - ZB-C - Proposed GA Elevations	P04
BBTC_IBI_DS_A_F10_EL_XX_02 Proposed GA Elevations Sheet 2 of 2 0_	4	BGW2-IBI-ZX-XX-EL-A-G200-0002 - ZB-C - Proposed GA Elevations	P04

Planning Policy

Barnsley MBC adopted their Local Plan on 3 January 2019. Alongside the Policies Map and the Joint Waste Plan (2012), the Local Plan forms the statutory development plan for Barnsley.

Policy D1 (High Quality Design and Place Making) seeks development to be of high-quality design and take advantage of and reinforce the distinctive, local character and features of Barnsley.

The Glassworks has been designed to strengthen the town centre offer, deliver a quality, place which is safe and secure, uplifts the visitor experience, provides robust buildings which will stand the test of time and creates a distinctive character to set Barnsley Town centre apart from the rest.

The new buildings, which will be robust, attractive and legible will deliver these objectives for the town centre. Buildings in and around Barnsley Town Centre have an eclectic mix and use of architectural styles and materials built over the last 200 years, reflecting the history and recent developments in the town.

Materials such as Portland stone, brick, gritstone, terracotta concrete and glass, reflect the periods, land use and wealth of the differing areas adjacent to the development site. This mix therefore provides for no dominant style or material use across the town centre. Overall, as a development, The Glassworks will respond positively to its surroundings and complement the design of phase 1 and result in an enhancement of the town centre.

It is important to note that this application seeks a minor material amendment to the approved scheme. Therefore, the high-quality design, and the features of Barnsley have been incorporated into the approved scheme and will be continued throughout this minor material amendment in accordance with Policy D1.

Policy BTC11 (Car parks) seeks to allow short stay car parking in the town centre and long stay car parking on the edge of the town centre, with car parks included in developments as part of the basement or on the upper floors.

This application seeks a minor material amendment to an approved car park as part of the Glassworks development. Therefore, the principle of a carpark in this location has already been approved in accordance with Policy BTC11.

Policy BTC13 (Development Site 1 – The Glassworks) allows retail, offices, leisure, food and drink and car parking developments, with the development expected to create links and support liveliness and economic strength of the town centre.

This minor material amendment application does not propose to change any of the approved uses of the Glassworks scheme in accordance with BTC13.

16 January 2018
Page 5

I trust that you have all the information you require to validate and determine the application. However, if you need any additional information or have any queries, please do not hesitate to contact me.

Yours faithfully,

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Emily Roberts
Principal Planner

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For and on behalf of GVA Grimley Limited