

Application Reference: 2025/0945

Site Address:

Unit 11 and Unit 12, Darton Business Park Barnsley Road, Darton, Barnsley, S75 5QX

Introduction:

This application seeks planning permission for the change of use from Class B8 (Storage and Distribution) to Class E(d) (Indoor Sport and Recreation) to provide 5no. Padel Courts and enclosures with ancillary café/ bar services and upgrades to internal lighting.

Relevant Site Characteristics

Darton Business Park is predominately occupied by large industrial buildings. The business park is located to the north east side of Huddersfield Road. The access to the business Park is off a large entrance from Huddersfield Road. Parking is provided adjacent to the units, including areas for HGV vehicles.

The business park has a number of light industrial and storage uses in operation mainly under use class B8, however there are other uses on the site, including a brewery use with a bar. The units are typically constructed of corrugated sheeting; some do have brickwork in places and corrugated roofing sheets with large shutter doors.

To the north of the site is a railway line and beyond this are new build dwellings, set off Station Road and Orchard Close which are older dwellings, and are approx. 60m away from the units.



Recent Site History - Darton Business Park

Application Reference	Description	Status (Approved/Refused)
2011/0294	Conversion of industrial unit into 3 no. industrial units and formation of new service entrances	Withdrawn
2010/1326	Change of use from B8 (Warehousing and Distribution) to B2 (Micro Brewery) – Unit 9	Approved with conditions
2010/0339	Creation of parking area for lorries/trailers and extension to existing car park	Approved with conditions
2018/0624	Partial demolition of existing industrial unit and re-build to raise the roof height.	Approved with conditions
2021/0493	Demolition of existing offices and erection of new industrial unit	Approved with conditions
2023/0797	Demolition of existing offices and part link bridge and new build of 995sqm industrial unit and associated works	Approved with conditions

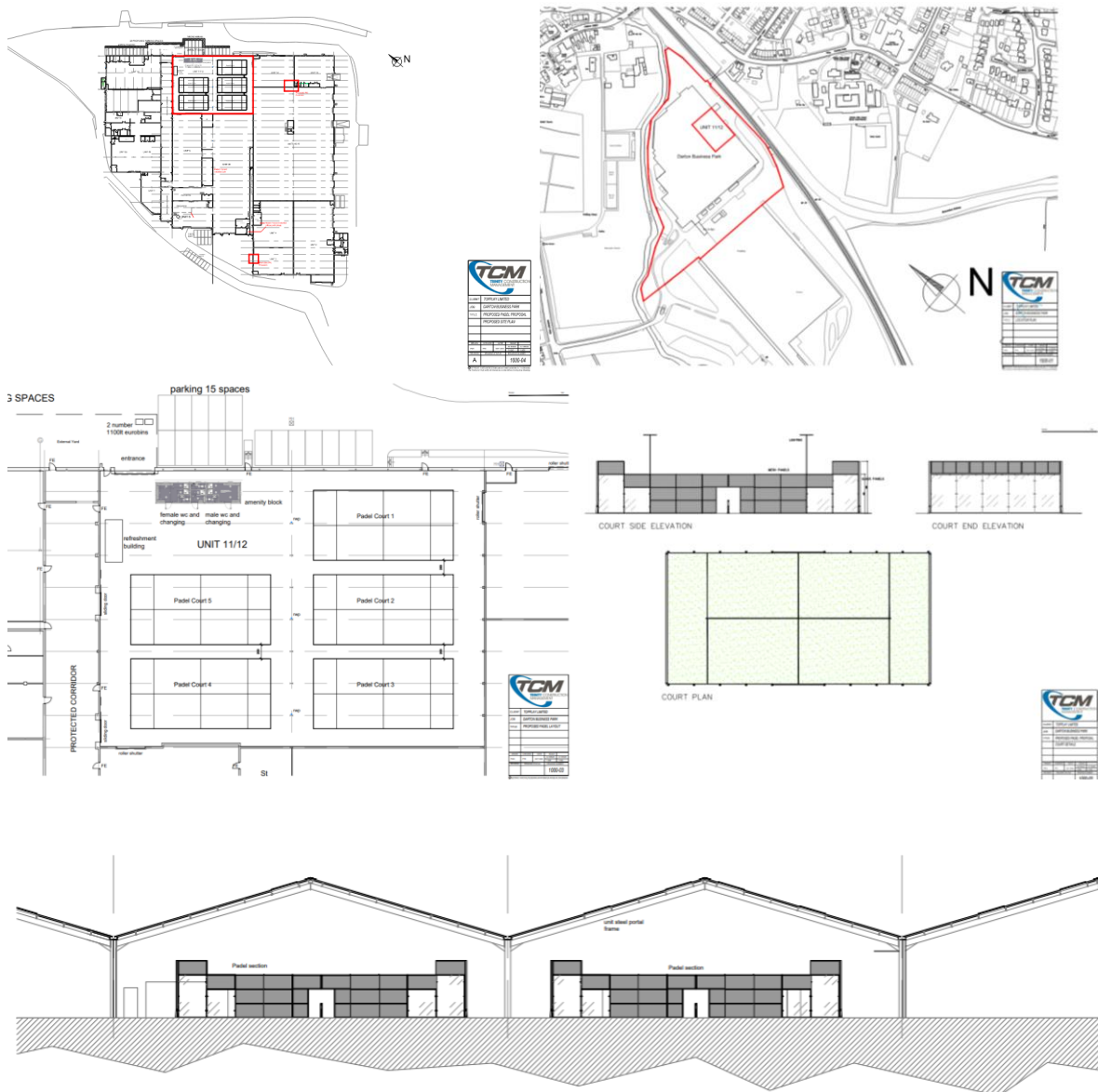
Proposed Works

This application seeks full planning permission for the change of use of units 11 and 12 at Darton Business Park, from Class B8 (Storage and Distribution) to Class E(d) (Indoor Sport and Recreation) to provide 5no. Padel Courts and enclosures with ancillary café/ bar services and upgrades to internal lighting.

The proposed Unit is to incorporate 5 indoor Padel Courts, and internal ancillary facilities including a WC, Changing facilities and a refreshment unit. There are no alterations to the external appearance of the unit with the exception of new windows and doors to the frontage as shown on the elevation drawings.

The agent has confirmed that the proposals will contribute to the local employment opportunities offering the following positions available:-

6 full time staff, 1 site manager, 2 Padel coaches, 2 part-time cleaning and maintenance roles.



The operating hours are as follows:-

Monday to Friday:

Start Time:07:00

End Time:22:00

Saturday:

Start Time:08:00

End Time:21:00

Sunday / Bank Holiday:

Start Time:08:00

End Time: 21:00

The applicant has confirmed that the parking areas indicated on the drawings have been agreed with the leaseholder, specifically to be designated for Padel Parking. There are 29 spaces to the rear specifically for customers of Padel adjacent the entrance door, and any

tandem spaces will be managed by the management of the Padel court. A designated walkway will be highlighted on site. There are currently 10 and an additional 7 car parking spaces to the front of the building specifically for employee parking as shown on the plans.

The agent has confirmed that the Padel courts are all internal and all external openings will be shut at all times, except for access and egress. All access into the unit will be kept always closed when in use, there should be no breakout of noise and no background noise or music.

In dealing with the application, the following documents have been provided in support of the proposal:-

- Noise Assessment submitted
- Justification for loss of employment unit
- Sequential Assessment

In summary, the following additional information has been provided in terms of the loss of the employment unit:-

- The initial aim is that the proposals will contribute to the local employment opportunities offering the following positions available. 6 full time staff, 1 site manager, 2 Padel coaches, 2 part-time cleaning and maintenance.
- In terms of jobs there will be no loss based on a change of use to the Padel Courts from the previous user. The space was previously used for distribution and therefore minimal amount of jobs was created in the space, the company who moved in summer 2025 to Junction 37 of the M1 to expand
- Additional vacant space remains on the site and next door has availability, confirmed via Estate Agent and Rightmove search. This unit and the neighbouring units are empty with Kingspan in administration. The units have been marketed for approx 12 months and are still available and therefore no firm interest.
- Indoor Padel is required in high eaves units, the unit has been assessed as a viable location for the proposed use and is available
- The proposal seeks to repurpose the site for a leisure facility that delivers community, health, and economic benefits
- The unit to also house with ancillary café /bar services offering limited ranges of food/ beverages and merchandise for the Padel community

In addition to the above, in line with the NPPF requirements, a Sequential Assessment Report has been carried out and includes the following additional detail:-

Operational Requirements

- Approximately 25,000sq ft of floorspace (single level and open plan)
- Sufficient internal height clearance to accommodate indoor padel courts, ideally 7-8m.
- A configuration capable of accommodating courts, circulation, and spectator / ancillary areas without excessive structural constraints.
- Suitable customer access and parking provision.
- Flat and true structural ground floor

The report includes details of available premises across town centre, edge-of-centre and out-of-centre locations and there are no suitable and available sequentially preferable sites that exist that meet the above operational requirements of the business.

The report concludes that 'the sequential assessment demonstrates that a proportionate search has been carried out across town centre, edge-of-centre and out-of-centre locations and that no suitable and available sequentially preferable sites exist. The application site at Darton Business Park is therefore considered to be the most appropriate and deliverable location for the proposed indoor padel facility. It concludes that, based on operational

requirements (circa 25,000 sq ft and sufficient internal height), no suitable and available sequentially preferable sites have been identified, and that the applicant has provided above evidence marketing history and local B2/B8 market conditions to justify the proposed change of use.'

Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

The unit is located within an existing employment site which is allocated as Urban Fabric. The site is also set within Flood Zone 2, as such the following policies are of relevance.

GD1: General development

SD1: Presumption in favour of sustainable development

D1: High quality design and place making

T3: New development and sustainable travel

T4: New development and highway improvement

LG2: The Location of Growth – Priority will be given to development in the following locations:

- Urban Barnsley
- Principle Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston; and
- Villages

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town, and the Principle Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

Policy CC3 Flood Risk

Policy CC4 Sustainable Drainage Systems

Poll1: Pollution Control and Protection

TC1: Town Centres

TC3: Thresholds for Impact Assessments

E4: Protecting Existing Employment Land

SPDs:

Parking

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 6 - Building a strong, competitive economy

Section 7 – Ensuring the vitality of town centres

Section 9 – Promoting Sustainable Transport

Section 12 - Achieving well-designed places

Paragraph 91 - Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

Paragraph 116 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 131 – Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

Paragraph 135 – planning decisions should ensure that developments function well, add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character, establish a strong sense of place, optimise the potential of the site and create safe, inclusive and accessible places that promote health and well-being.

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Consultations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website. A site notice was also posted at the site.

The following comment has been received as a result of the of the consultation:-

1 comment of support which states:-

'I fully support this planning application for the change of use to provide indoor padel courts at Darton Business Park. Padel is a rapidly growing sport across the UK, and facilities like this provide excellent opportunities for local residents to stay active, socialise, and engage in healthy recreation. The proposed site is well-suited for this purpose, offering good access, parking, and minimal disturbance to nearby residential areas. This project will also bring positive economic benefits to the area through increased footfall, potential café use, and local employment opportunities. The inclusion of a small café and upgraded lighting will enhance the site's overall usability and safety. Overall, this is a great use of an existing industrial unit that will encourage more community engagement, support local wellbeing, and make efficient use of the space.'

Consultee responses

Highways – No objections subject to conditions

Planning Policy – Raised concerns with regard to the loss of the employment unit

Environment Agency – No comments received

Pollution Control – No objections subject to condition

Ward Cllrs – No comments received

Drainage – No objections details to be checked by Building Control

Yorkshire Water – No comments received

Enterprising Barnsley – 'Enterprising Barnsley is pleased to express its support for the proposed change of use at Units 11 and 12, Darton Business Park from Class B8 (Storage and Distribution) to Class E(d) (Indoor Sport and Recreation) to provide five padel courts with associated enclosures, ancillary café/bar facilities, and internal lighting upgrades. This development represents an exciting opportunity to bring a growing sport to Barnsley, enhancing local leisure provision and promoting healthy, active lifestyles. The inclusion of ancillary services such as a café/bar will further contribute to creating a vibrant community hub, encouraging social interaction and supporting local economic activity.'

Enterprising Barnsley have also been consulted with the additional Sequential Assessment report and have stated that:- 'We have reviewed the findings set out within the Sequential Assessment and Employment Land Evidence Statement and can confirm that we do not disagree with the conclusions reached. It clearly evidences that no sequentially preferable sites within Barnsley town centre or edge-of-centre locations are both suitable and available, primarily due to constraints around floorplate size, internal height, and layout requirements for indoor padel provision.'

Planning Assessment

Principle

The application is for a main town centre use as defined in the NPPF glossary, and would be set outside of a designated town centre and in an existing industrial building. National and local planning policy indicates that main town centre uses should be located within a designated town centre unless it can be demonstrated that there is not a sequentially preferable location for the proposed development.

Local planning policy E4 Protecting Existing Employment Land also indicates that premises will be retained for employment uses (and the text attached to the policy explains that this is uses falling within Classes B1, B2 or B8 of the use classes order, that is light or general industrial or storage and distribution uses). The development, or use, of employment land and premises for non-employment uses will only be allowed if the development would not result in a significant loss of existing jobs or employment potential, there would still be an adequate supply of employment land or premises in the vicinity, and the land or premises cannot satisfactorily support continued employment use.

As stated above, the application is on an industrial estate where the expectation is for B1, B2 and B8 uses. The proposal is for a leisure use which would normally be expected to be in a town centre location or district centre. A sequential approach will therefore be used to assess proposals for new retail and town centre development (including sports and recreation uses). This will help to achieve the spatial strategy for the borough and will focus development on identified centres in the first instance. Edge of centre and out of centre development will only be allowed where it meets the requirements of the NPPF.

In line with the NPPF requirements, a Sequential Assessment Report has been carried out during the processing of the application and includes the following additional details:-

Operational Requirements of the business

- Approximately 25,000sq ft of floorspace (single level and open plan)
- Sufficient internal height clearance to accommodate indoor padel courts, ideally 7-8m.
- A configuration capable of accommodating courts, circulation, and spectator / ancillary areas without excessive structural constraints.
- Suitable customer access and parking provision.
- Flat and true structural ground floor

The report includes details of available premises across town centre, edge-of-centre and out-of-centre locations and there are no suitable and available sequentially preferable sites that exist that meet the above operational requirements of the business. This has been verified by an online search.

The report concludes that 'the sequential assessment demonstrates that a proportionate search has been carried out across town centre, edge-of-centre and out-of-centre locations and that no suitable and available sequentially preferable sites exist. The application site at Darton Business Park is therefore considered to be the most appropriate and deliverable location for the proposed indoor padel facility. It concludes that, based on operational requirements (circa 25,000 sq ft and sufficient internal height), no suitable and available sequentially preferable sites have been identified, and that the applicant has provided above evidence marketing history and local B2/B8 market conditions to justify the proposed change of use.'

Enterprising Barnsley have also been consulted with the additional Sequential Assessment report and have stated that:- 'We have reviewed the findings set out within the Sequential

Assessment and Employment Land Evidence Statement and can confirm that we do not disagree with the conclusions reached. It clearly evidences that no sequentially preferable sites within Barnsley town centre or edge-of-centre locations are both suitable and available, primarily due to constraints around floorplate size, internal height, and layout requirements for indoor padel provision.'

The applicant has identified this unit, based on it being available, suitable and large enough, (in terms of floor area and eaves height) for the use. A search of similar sized units has been carried out, which would be located sequentially preferably, however the available commercial buildings are unsuitable for the proposed business use, as indoor padel requires buildings with a sufficient floor area and with high eaves heights. Furthermore, the unit and proposed use is relatively small in comparison to the existing available units on the industrial site, reducing any impact on vitality and viability. It is therefore accepted in this instance that the requirements of TC1 are met in this instance, given the requirements of the business and use and that there are other vacant units available for other employment uses on Darton Business Park.

In terms of the impact of the proposal upon employment, the development will provide employment opportunities, including 6 full time staff, 1 site manager, 2 Padel coaches, 2 part-time cleaning and maintenance roles. The Estate agent has confirmed that there will be no loss based on a change of use to the Padel Courts from the previous user. The space was previously used for distribution and therefore minimal number of jobs was created in the space, and the company who moved in summer 2025 to Junction 37 of the M1 to expand, so the unit has been vacant ever since. Therefore, the proposal would generate employment opportunities and will not result in a significant loss of existing employment uses or jobs. The proposal is in compliance with Local Plan Policy E4 on this basis.

The unit is located within an existing employment site which is allocated as Urban Fabric, as such any proposals should be compatible with those surrounding without impacting on highway safety or residential amenity adversely, in compliance with policy GD1 of the Local Plan which will be assessed further within the report.

Visual Amenity

Policy D1 of the adopted Barnsley Local Plan states that development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive local character and features of Barnsley. Policy D1 also sets out a number of design principles that new development should adhere to in terms of its layout and design.

No external alterations are proposed, with the exception of new windows and doors to the frontage, therefore the proposal is acceptable in terms of visual amenity and design and in accordance with Local Plan Policy D1.

Impact on Residential Amenity

The site is set approximately 60m away from residential properties set adjacent to the Railway Line on Station Road and Orchard Close. Therefore, in order to assess the impact of the proposal upon adjacent residents, the Pollution Control Officer requested a Noise Impact Assessment to be submitted during the course of the application. This document has now been provided by the applicant and concludes that:-

The highest average padel noise at first floor façade level on the Orchard Close is predicted to be 26dBA LAeq,1hr. According to para 3.8 above, the lowest ambient LAeq level occurring just prior to midnight was measured to be 37dBA LAeq,T. Adding the padel noise to this would result in no perceptible increase in the ambient noise level at the first-floor façade of Orchard

Close. According to the IOA Guidelines this would be predicted to have no impact and would be considered NOEL in accordance with NPSE.'

In terms of existing noise and mitigation, the site is also an active industrial site where there is an adjacent micro-brewery with an external seating area abutting numerous industrial unit warehousing, storage and distribution. The unit is also bordered by a main rail track on top of an elevated substantial bund densely populated with trees and shrubland and is located between the unit and any residential properties.

The Pollution Control Officer has reviewed the proposal and submitted noise assessment and has no objections subject to a condition which requires internal and external openings to be shut at all times, except for access and egress. The agent has agreed with the proposed condition.

Given the above, it is not felt that there would be a significant loss of amenity to adjacent dwellings in terms of noise disturbance, nor is the change of use significant in terms of increased activity/disturbance, as the building has a permitted commercial use. The scheme is therefore not considered to be detrimental to residential amenity in accordance with policy GD1 and POLL1 of the Local Plan. The impact upon residential amenity is therefore considered to be moderate.

Highways

The proposal would create five padel courts within the existing business park served by a private access off Barnsley Road.

The Highways Officer has been consulted and states that the site would not be a cause for concern in terms of safety on the public highway and no conditions are required, however the Officer suggested some improvements which could be made:-

- Although the demonstration of customer and staff parking is welcomed, there does not appear to be a way to retain this for the development and the land being used may not even be under the ownership of the applicant.
- The proposed parking bays appear to encroach on the access route around the business park building and reasonable clearance should be maintained.
- Some of the parking bays proposed may make the external yard inaccessible to other units especially with the difference in levels between the access route and the yard.
- Concern is raised regarding the conflict between those wishing to partake in sport and recreation both in private cars and on foot and the existing heavy commercial vehicles used by the rest of the business park; this is a particular issue where the proposed parking spaces are to be outside another unit and only accessible by walking around the external yard.
- A painted walkway would go some way to providing at least some segregation between pedestrians and vehicles.

In response the agent has provided the following additional information:-

'The parking areas indicated on the attached drawing 1000-04A which have been agreed with the leaseholder, specifically to be designated for Padel Parking. There are 29 to the rear specifically for customers of Padel adjacent to the entrance door, and any tandem spaces will be managed by the management of the Padel court. We have included a designated walkway which will be highlighted on site. There are current 10 and an additional 7 car parking spaces to the front of the building specifically for employee parking.'

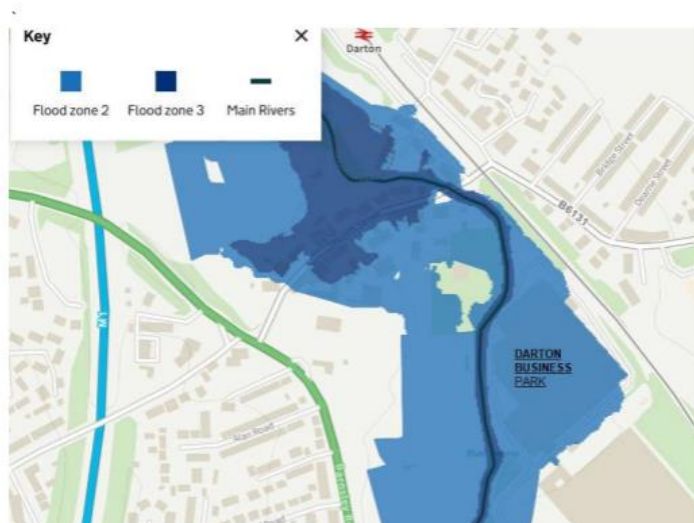
The Highways Officer has no objections to the proposal and no conditions are required. There should be no significant impact upon highway safety and there is sufficient parking provided for the proposed use, in accordance with policy T4 of the Local Plan and the SPD Parking. As a result, the impact upon Highways is considered to be moderate.

Drainage and Flood Risk

The Environment Agency flood risk map suggests that land and property within Flood Zone 2 has a medium probability of flooding. Policy CC3 Flood Risk states that the extent and impact of flooding will be reduced by:- *not permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding or would give rise to flooding elsewhere.*

The proposal is for a change of use of the building only and there would be no external alterations with the exception of new windows and doors. A Flood Risk Assessment has been submitted with the application and indicates that proposed Unit is to incorporate 5 indoor Padel Courts and integral bases which are located nominally above the FFL of the existing unit FFL. Given the minimal works to be carried out, there would not be an acceptable risk to the users due to flooding, nor would the proposal give rise to flooding elsewhere. The Councils Drainage Officer, Environment Agency and Yorkshire Water have raised no objections. The proposal is therefore considered in compliance with policy CC3 of the Local Plan. The impact of the proposal upon Flood Risk and Drainage is therefore moderate.

FLOOD RISK



Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant site specific policy, relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be an acceptable and justified form of development.

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Noise Assessment submitted
- Justification for loss of employment unit
- Sequential Assessment

Recommendation:- Approve with conditions