

Application reference number	2026/0166
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Application Type	Full Planning Application
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Proposal Description:	Erection of 3 x retail units (Use Class E) with car parking, EV charging points and associated works following the demolition of the existing buildings/structures
Location:	Former Car Wash, Land west of Brampton Road, Wombwell, Barnsley

Applicant	Darwen Developments		
Number of Third Party Reps	3	Parish:	
		Ward:	Wombwell

SUMMARY

The application seeks full planning permission for the erection of 3 x retail units (Use Class E) with car parking, EV charging points and associated works following the demolition of the existing buildings/structures.

The site lies within the Urban Fabric which has no specific land allocation. The application is supported by a retail sequential assessment, a requirement of Local Plan policy TC1 and of Framework policy TC3. It is considered this satisfactorily demonstrates that there are no sequentially preferable sites or buildings in Wombwell which could accommodate the proposal.

There are no outstanding consultee objections or material concerns which would weigh against the proposal.

The proposal will have a moderately positive economic impact in terms of job creation both long term for employees of the units and shorter term for construction jobs. There would be positive environmental benefits in terms of providing provision of electric vehicle charging points and there would be no harm to residential or visual amenity, the ecological value of the site or highways safety and is considered to be acceptable in policy terms.

The proposal is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2026).

Recommendation: **GRANT Planning Permission subject to conditions**

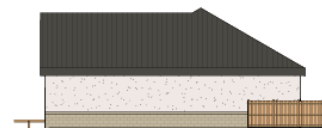
Proposed site plan



Proposed Elevations



Front Elevation2
1 : 200



Side Elevation2
1 : 200



Rear Elevation2
1 : 200



Side Elevation2
1 : 200

Site Description

The application site sits on a corner plot off Brampton Road and Dove Road. The site was historically a petrol station and most recently has been used as a hand car wash which is still operating on the site. The shop previously associated with the petrol station appears to be closed down and in a state of disrepair. The site is open along the frontage of Brampton Road and there is mesh fencing along the southern side of the site along Dove Road. The site is predominantly surrounded by residential properties.

Relevant Site History

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
2012/01374	Extension and alterations to existing retail unit including new shop front, ATM machine, conversion of garage to retail and erection of 2m high boundary fencing	Approved 05/02/2013
2016/0480	Renovation of petrol station including erection of single storey front extension, alterations to existing retail unit, new shopfront, installation of ATM machine, conversion of garage into retail unit, erection of 2m high boundary fence and raising of existing canopy height	Approved 21/06/2016

Detailed Description of Proposal

The applicant seeks permission to erection of 3 x retail units (Use Class E) with car parking, EV charging points and associated works following the demolition of the existing buildings/structures.

The new retail units will be located to the rear of the site along the west boundary within a similar footprint to the existing building. The canopy structure which was formally over the petrol filling area will be demolished and this area will be opened up to provide ample car parking with EV charging along the southern boundary along Dove Road.

Access will be taken to the from the existing access in the northern corner of the site off Brampton Road.

Policy Context

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 was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

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.

Local Plan

The site is identified as Urban Fabric within the Local Plan and as such the following policies are considered to be relevant to this application:

Local Plan Policy GD1 General Development
Local Plan Policy TC5: Small Local Shops
Local Plan Policy TC1: Town Centres
Local Plan Policy T3: New Development and Sustainable Travel
Local Plan Policy T4: New Development and Transport Safety
Local Plan Policy D1: High Quality Design and Place Making
Local Plan Policy SD1: Sustainable Development
Local Plan Policy BIO1: Biodiversity and Geodiversity
Local Plan Policy POLL1: Pollution Control and Protection

Adopted Supplementary Planning Documents

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case are:

Biodiversity and Geodiversity
Residential Amenity and the Siting of Buildings
Parking
Biodiversity and Geodiversity
Sustainable Construction and Climate Change Adaptation

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

National Planning Policy Framework (NPPF) (2026)

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework 2026 sets out the overarching planning framework for England. It has replaced the previous version published in December 2024 and introduced a revised structure comprising, in the main body of the framework, national decision-making policies organised by policy code rather than paragraph number. Paragraph 1 confirms that the NPPF is a material consideration of critical importance for making decisions on development proposals in England.

Paragraph 15 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and NPPF Policy S3 sets out a presumption in favour of sustainable development, with paragraph 17 setting out the three overarching objectives of sustainable development: economic, social and environmental. Relevant policies have been taken into account throughout the

assessment of this application according to the issues raised by the proposal.

The most relevant sections are:-

Section 3 - Decision making policies

Section 4 - Achieving sustainable development

Section 5 – Meeting the challenge of climate change

Section 7 – Building a strong, effective economy

Section 8 – Ensuring the vitality of town centres

Section 12 – Making effective use of land

Section 14- Achieving well designed places

Section 15 – Promoting sustainable transport

Section 16 - Promoting healthy communities

Section 17 – Pollution, public protection and security

Section 19 – Conserving and enhancing the natural environment

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.

Relevant Consultations:

Consultee	Summary of comments
Pollution Control	No objection subject to conditions
Planning Policy	No objection following confirmation of amendments
Public Health	Objected to hot food takeaway which has since been removed from the proposal
Biodiversity	No objection subject to conditions
Highways DC	No objection subject to conditions
Rotherham Council (Planning Policy)	No comments received.
Local Ward Councillors	No comments received.

Representations

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

Neighbour notification letters were sent to the surrounding properties and a site notice was placed nearby. The application has also been advertised on the Council Website.

Three representations were received from members of the public. The representations raised the following material planning issues:

- Noise and disturbance
- Increased traffic and parking issues
- Impact on local convenience store

The following matters were also raised, however these are not material planning considerations and as such are afforded no weight:

- Increase in the potential of criminality

Assessment

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.

The NPPF (2026) at paragraph 3 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The main issues for consideration are as follows:

- The principle of the development
- The impact on the character of the area
- The impact on residential amenity
- The impact on the highway network and highways standards
- The impact on biodiversity/ecology
- Consideration of representations

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of development

The application site is located within the Urban Fabric and is not subject to any specific land allocation. Local Plan Policy TC1 states that retail and town centre developments should be appropriate to the scale, role, function and character of the centre in which they are proposed. The policy also requires a sequential approach to be applied to proposals for new retail and town centre development in order to support the borough's spatial strategy by directing development to identified centres in the first instance. Edge of centre and out of centre development will only be supported where it accords with the requirements of the National Planning Policy Framework (NPPF).

NPPF Policy TC3 states that the sequential test means that main town centre uses involving new development should be located within town centres identified in the development plan; then, if this is not feasible, 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. When considering edge of centre and out of centre locations,

preference should be given to accessible sites which are well connected to the town centre by sustainable transport modes.

The application site lies outside Wombwell District Centre and cannot be regarded as an edge-of-centre location. Consequently, a Sequential Assessment has been submitted in support of the proposal. This has been reviewed by the Council's Planning Policy Officer, who is satisfied that it demonstrates there are no sequentially preferable sites or premises capable of accommodating the proposed development within Wombwell District Centre, Cortonwood Retail Park, or the nearby local shopping parades in Brampton, Wath and West Melton.

Policy TC5 is also relevant and supports the provision of small shops outside existing centres where they meet the day to day shopping needs of the local community, provided that:

- the development would meet an identified local need that is not already adequately served by existing facilities; and
- the development is located and designed to encourage journeys by foot and cycle and would not promote unnecessary car travel.

Small shops are defined as units with a gross floor area of no more than 500 square metres. In this case, all three proposed units fall below this threshold, comprising two units of approximately 112sqm and a larger unit of approximately 391sqm. Whilst the future occupiers are not known at this stage, the units are proposed within Use Class E and could accommodate a range of commercial, business and service uses, including retail, food and drink, and professional services that would serve the needs of the surrounding community.

It is acknowledged that the proposal incorporates a substantial parking area to the front of the units, which does not strongly prioritise pedestrian and cycle movements as set out in Policy TC5. However, cycle parking facilities are proposed on site and, given the site's location within an established residential area, it is anticipated that a proportion of customers would access the development on foot or by bicycle. The site is also well located in terms of its proximity to public transport in accordance with policy TC3 of the NPPF.

Taking the above considerations into account, the principle of the proposed development is considered acceptable in this instance and is compliant with Policies TC1 and TC5 of the Local Plan and Policy TC3 of the NPPF, subject to compliance with all other relevant development plan policies and material planning considerations which are discussed below.

Impact upon Character and Appearance of Surrounding Area

Policy D1 of the Local Plan seeks to ensure that development is of a high quality design. It states that Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley. It goes on to state that through layout and design development should help to transform the character of physical environments that have become run down and are lacking in distinctiveness, which is particularly relevant for this site.

The application seeks permission for the erection of three commercial units following the demolition of the existing buildings and structures on the site. The proposed development would create three modestly scaled units, comprising two smaller units and a larger unit, together with associated parking, cycle storage, EV charging infrastructure and landscaping.

The site is located within the urban area and is surrounded by predominantly residential dwellings with some commercial premises in the wider vicinity. Given the existing commercial use of the site, the proposal is considered to represent a logical redevelopment

of a previously developed site and would significantly improve the established commercial character of this part of Brampton Road.

The proposed units form one overall building which is single storey in form and, by virtue of their footprint, height and overall massing, would not appear overly prominent or visually intrusive within the street scene. The footprint and scale of the proposed building is not dissimilar to that of the existing building on site.

The development incorporates contemporary materials and design features commonly associated with commercial premises and is considered capable of integrating satisfactorily with the surrounding built environment. Furthermore, the provision of cycle parking and EV charging facilities reflects the sustainability objectives of policies TC5 and T3 and contributes positively to the overall quality of the development.

Overall, it is considered that the proposal would result in an appropriately scaled and designed form of development that would enhance the visual appearance of the area in accordance with Local Plan Policy D1; this carries significant weight in favour of the application.

Residential Amenity

Policy GD1 of the Local Plan states that proposals for development will be approved if there will be no significant adverse effects on the living conditions and residential amenity of existing and future residents. In assessing the proposal, consideration has been given to the potential impacts upon neighbouring occupiers in terms of overshadowing, loss of privacy and noise and general disturbance.

The proposed units are single-storey in nature and would be separated from neighbouring residential properties by existing highways and boundary treatments. Given the scale and height of the buildings, the development is not considered likely to result in any significant loss of privacy or overshadowing for nearby residents. The general bulk and scale of the proposed building will not be dissimilar to the existing and there any current impact is not considered to be considerably exacerbated. As such, amenity is considered to be protected in this regard.

Whilst the proposal would introduce additional commercial activity to the site, the units fall within Class E and are intended to provide local retail and service uses. The site occupies a location adjacent to an existing highway within an urban area where a degree of vehicle movement and activity can reasonably be expected. The scale of the development, together with the separation distances to neighbouring dwellings, is such that any increase in activity is not considered likely to result in unacceptable levels of noise or disturbance.

The proposal includes a dedicated parking area comprising 36 spaces, including accessible bays and EV charging facilities. Whilst vehicle movements associated with the development will occur throughout the day, the level of activity generated is not considered excessive for this location and would not result in significant harm to residential amenity. A Condition will be included within the decision notice to restrict operating hours to minimise disruption during unsociable hours.

The Councils Pollution Control Officer has raised no objection to the proposal subject to conditions which will secure further details of construction and dust management, as well as secure construction hours, operating hours, delivery hours and implementation of mitigation measures set out in the Noise Impact Assessment.

Overall, the proposal is not considered to cause significant harm to the amenity of surrounding occupiers and would comply with Policy POLL1 of the local plan which seeks to protect residential amenity.

Highway Safety

Policy T4 of the Local Plan states that new development will be expected to be designed and built to provide all transport users within and surrounding the development safe, secure and convenient access and movement.

A Transport Statement has been submitted in support of this application. The Transport Statement demonstrates that the proposed level of parking provision is in accordance with the requirements of Barnsley's Parking SPD for the scale and nature of the development, with 35 spaces provided including accessible and EV charging bays. Cycle parking is also provided within the site.

The Highways Development Control Officer is content that the submitted trip generation assessment indicates that the development would not result in a material impact upon the operation of the surrounding highway network. Highways DC are also satisfied that the southernmost existing access will be closed and the remaining access modified to serve the development. This is a significant improvement and benefits highways safety.

A Swept path analysis has been provided for a 10m rigid delivery vehicle and demonstrates that the vehicle is able to access, manoeuvre within and egress the site in a satisfactory manner. The Highways DC Officer is satisfied that suitable servicing arrangements can be achieved.

Based on the above assessment it is considered that the proposed development would not have a detrimental impact on the highway network, the safe and free flow of traffic and as such is in compliance with Local Plan Policies T3 and T4; this carries significant weight in favour of the application.

Biodiversity / Ecology

Policy BIO1 of the Local Plan seeks to ensure development conserves and enhances the biodiversity and geological features of the borough. Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest.

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the Planning Practice Guidance) are met.

This application is not exempt from the requirement to provide BNG as it affects more than 25 square metres of habitat.

A Preliminary Ecological Appraisal (PEA) has been submitted in support of the application. The appraisal identifies that the site is predominantly comprised of hardstanding and existing built structures, with limited areas of scrub, grassland and hedgerow vegetation located around the site boundaries. The assessment identifies the potential for the site to support a number of protected and priority species, including amphibians, breeding birds, bats and hedgehogs.

In respect of bats, the building proposed for demolition was subject to an initial inspection which identified a low potential for roosting bats. A subsequent dusk emergence survey was undertaken and no bats were recorded emerging from the building. The survey therefore

concludes that a bat roost is unlikely to be present and that the proposed demolition works would not adversely affect bats or their roosting habitat.

The PEA also identifies the presence of Wall Cotoneaster (*Cotoneaster horizontalis*) within the site. As this species is listed under Schedule 9 of the Wildlife and Countryside Act 1981, it is an offence to cause it to spread in the wild. Appropriate measures for the removal and disposal of this species will be secured through a planning condition to ensure compliance with relevant legislation.

The submitted ecological appraisal includes a range of precautionary measures to safeguard protected and priority species during construction, together with recommendations for biodiversity enhancement through the installation of bat and bird boxes on the proposed buildings. These measures are welcomed and will be secured by planning condition.

A Biodiversity Net Gain (BNG) Assessment and Statutory Biodiversity Metric have also been submitted. These demonstrate that the development would result in the loss of approximately 0.15 habitat units and 0.027 hedgerow units. The submitted information confirms that the required biodiversity gain can be achieved through the provision of off-site biodiversity units, with full details to be secured through the discharge of the statutory biodiversity gain condition.

Whilst the proposed development includes areas of modified grassland, opportunities remain for limited on-site enhancement. It is considered that additional landscaping and tree planting could be explored at the biodiversity gain plan stage to increase the biodiversity value of the site and potentially reduce reliance on off-site compensation measures. Given the limited extent of on-site habitat creation proposed, a Habitat Management and Monitoring Plan is not considered necessary in this instance.

Subject to conditions requiring the implementation of the ecological mitigation and enhancement measures detailed within the submitted reports, together with compliance with the statutory biodiversity gain requirements, the proposal is considered acceptable in ecological terms and compliant Policy BIO1 of the Local Plan

Consideration of Representations

Three representations were received raising concerns relating to noise and disturbance, increased traffic and parking issues, and the potential impact upon existing local convenience stores. These matters have been carefully considered as part of the assessment of the application.

With regard to noise and disturbance, the proposed development comprises three Class E commercial units on a site which has a long established commercial use, most recently operating as a hand car wash and previously as a petrol filling station. The proposal is therefore not introducing commercial activity into a wholly new environment. The Council's Pollution Control Officer has raised no objection subject to conditions controlling construction activities, operating hours, delivery times and the implementation of mitigation measures identified within the submitted Noise Impact Assessment. Having regard to the scale of the development, the nature of the proposed uses and the separation distances to neighbouring dwellings, it is not considered that the proposal would result in unacceptable impacts on residential amenity as a whole.

Concerns regarding traffic generation and parking have also been taken into account. A Transport Statement has been submitted and assessed by the Council's Highways Development Control Officer, who raises no objection to the proposal. The development would provide an appropriate level of parking, including accessible bays and EV charging spaces, together with cycle parking facilities. The submitted assessment demonstrates that

the development would not have a material adverse impact on the operation of the surrounding highway network. Furthermore, the rationalisation of accesses, including the closure of the southernmost access, is considered to represent an improvement in highway safety. As such, the concerns raised in relation to traffic and parking are not considered to justify refusal of the application.

In respect of concerns regarding impacts on existing local convenience stores, the proposal has been assessed against Local Plan Policies TC1 and TC5, together with the relevant provisions of the National Planning Policy Framework. A Sequential Assessment has been submitted and reviewed by the Council's Planning Policy team, who are satisfied that there are no sequentially preferable sites available to accommodate the proposed development. The proposal consists of relatively modest-scale retail units intended to serve day-to-day needs within the local community and is therefore considered acceptable in retail policy terms. Whilst the potential for commercial competition is acknowledged, impacts on individual operators are not generally afforded significant weight unless they would result in demonstrable planning harm to the vitality and viability of a centre, which has not been evidenced in this case.

For the reasons set out above, it is considered that the issues raised through the representations have been appropriately addressed within the assessment of the application and do not outweigh the benefits of the proposal or justify a refusal of planning permission.

PLANNING BALANCE & CONCLUSION

In accordance with National decision making policy S3 of the NPPF (2026) the proposal is considered in the context of the presumption in favour of sustainable development.

The proposal is considered to be located within a sustainable location and would not impact on the character of the area, highway safety, residential amenity or ecological value of the site, and this weighs considerably in favour of the application.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs in favour of the application.

The proposal is therefore, on balance, recommended for approval.

RECOMMENDATION

APPROVE THE PROPOSED DEVELOPMENT SUBJECT TO CONDITIONS