



PLANNING STATEMENT

Consolidation of existing retail space at ground floor to create 3 retail units and new storey added to building to create 7 apartments

**Nu Well Shopping Centre
Summer Lane and Hough Lane
Wombwell
Barnsley
S73 0DR**

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Contents

1 INTRODUCTION	4
Context	4
The Proposal	4
Site Context	5
Planning History	6
2 PLANNING POLICY	7
The Local Plan	7
National Planning Policy Framework & Guidance	8
3 PRINCIPLE OF DEVELOPMENT	12
Acceptability In Principle	12
4 MATERIAL PLANNING CONSIDERATIONS	14
Visual Impact	14
Residential Amenity	15
Access And Highway Safety	16
Other matters	16
5 CONCLUSION	17

1 INTRODUCTION

Context

1.1 This Statement has been prepared by DPA Planning Ltd on behalf of WOM1 Ltd (the “Applicant”) to accompany a planning application for the consolidation of existing retail space at ground floor to create 3 retail units and new storey added to building to create 7 apartments (the “Proposed Development”) at the site of Nu Well Shopping Centre, Summer Land and Hough Lane, Wombwell (the “Application Site”).

1.2 This application is supported by the following plans and statements:

- Design and Access Statement;
- Existing TOPO site plan BLD458SP Site Plan;
- Existing site plans 4003-01A Extg Topo;
- Existing elevations P24-00619-MET-EXT-XX-ELE-M2-B-001-1-Elevations;
- Existing floor P24-00619-MET-INT-G-FP-M2-B-001-1-Ground floor plan;
- Existing roof P24-00619-MET-EXT-XX-RFP-M2-B-001-1-Roof plan;
- Existing sections P24-00619-MET-INT-XX-SEC-M2-B-001-1-Sections.
- Proposed location site layout and floor 4003-05C Proposed Plans; and
- Proposed elevations 4003-06C Prop Elevations.

The Proposal

1.3 This application relates to the redline as shown on the submitted plans and consists of the following main elements;

- the consolidation of the existing retail space at ground floor level to create 3 retail units;
- the addition of a single storey to facilitate the creation of 7 apartments;
- resurfacing of existing car park area with marked spaces; and
- external bin stores and other associated infrastructure and paraphernalia.

- 1.4 The three commercial units would vary in size between 360sqm, 215sqm and 81sqm in floorspace. If permitted, a national retailer would be interesting in occupying the largest space.
- 1.5 The seven proposed residential units would consist of six one-bedroom apartments and one two-bedroom apartment, all above the minimum internal space standards (Technical housing standards – nationally described space standard March 2015).
- 1.6 The proposal also involves installing new windows along the street facing elevations and repairing the external façade, as well as creating a parapet roof so the eaves height is consistent throughout the building. The external doors would also be updated. All proposed alterations are detailed in the supporting plans and statements.
- 1.7 The site has a large existing car park to the rear which was previously used for the staff and customers of the Nu Well Shopping Centre, it can provide sufficient parking spaces as well as delivery vehicle manoeuvring space as detailed in the proposed plans.
- 1.8 The hot food takeaways to the lower ground floor remain unchanged by the proposed development.

Site Context

- 1.9 The main building was originally occupied by Wombwell Reform Club in the 1960s but was later converted into a shopping centre named Nu Wells Shopping Centre which opened in June 1992. This has recently closed due to a downturn in the local economy but still consists of a number of small to medium sized retail units spread around a central atrium area as well as two take away units at lower ground level. This is best understood when looking at the existing floorplan survey drawings that have been provided with the application.
- 1.10 A large free public car park is located opposite the site. The surrounding area is predominantly residential, although there are other commercial uses within the locality. Terrace housing abuts the site to the north and west along Summer Lane and Hough Lane.

- 1.11 The application site is in a very sustainable location with bus services available immediately adjacent enabling access to a full range of services. The site is also well connected by an extensive network of footpaths allowing immediate access to nearby local services and facilities.
- 1.12 As stated within the Local Plan, Wombwell is recognised as a small but busy market town which continues to be a well-defined centre. The area suffered from the decline of the coal industry and levels of new housebuilding have been historically low. Wombwell has a train station on the Wakefield to Sheffield line with a park and ride facility.
- 1.13 By car, the 'Dearne Valley Parkway' runs to the south of Wombwell linking from Junction 36 of the M1 to the Dearne Towns and on to Doncaster. Wombwell has a bypass in the form of Mitchell's Way and Valley Way to the east of the town. This forms a link from Urban Barnsley to the Dearne Valley Parkway.



Figure 1.1: Application site in context

Planning History

- 1.14 The most relevant planning history is detailed as below:
- B/03/1807/WW - Outline Application for Residential Development, REFUSED, 16/3/2004
 - 2010/0844 – Change of use from Café to Hot Food Takeaway – Approved 24th August 2010
 - 2024/ENQ/00145 - Pre-application enquiry at the Former Shopping Mall and Bed Store, off Summer Lane and Hough Lane, Wombwell, Barnsley- Advice received 29th May 2024

2 PLANNING POLICY

The Local Plan

- 2.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 2.2 The Local Plan was adopted in January 2019 and is also now 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 and are a material consideration in the decision-making process. A review of the Local Plan took place in 2022 and concluded that the plan remains fit for purpose and is adequately delivering its objectives. The next review is due to take place in 2027 or earlier if circumstances require it.
- 2.3 The relevant Local Plan Policies include:
- SD1 Presumption in favour of sustainable development
 - GD1 General Development
 - H1 The Number of New Homes to be Built
 - H2 The Distribution of New Homes
 - H4 Residential Development on Small Non-Allocated Sites
 - H6 Housing Mix and Efficient Use of Land
 - H8 Housing Regeneration Areas
 - T3 New Development and Sustainable Travel
 - T4 New Development and Transport Safety
 - D1 High Quality Design and Place Making

- CC1 Climate Change
- CC2 Sustainable Design and Construction
- CC4 Sustainable Drainage Systems
- CC5 Water Resource Management
- RE1 Low Carbon and Renewable Energy
- CL1 Contaminated and Unstable Land
- Poll1 Pollution Control and Protection
- TC1 Town Centres
- TC2 Primary and Secondary Shopping Frontages
- TC5 Small Local Shops
- TC3 Thresholds for Impact Assessments

2.4 Relevant supplementary guidance includes:

- Design of Housing Development
- Sustainable Construction and Climate Change
- Sustainable Travel
- Shop Front Designs
- Parking
- Residential Amenity and the Siting of Buildings

National Planning Policy Framework & Guidance

2.5 The National Planning Policy Framework (NPPF) was last updated in December 2023, this revised Framework replaces the previous National Planning Policy Framework published in July 2023. Local Planning Authorities (LPAs) are required to take its content into account when preparing their Development Plans and it is a material consideration when making decisions on planning applications or appeals.

2.6 Paragraph 7 of the NPPF states that 'The purpose of the planning system is to contribute to the achievements of sustainable development'. According to Paragraph 8, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need

to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- i) An economic objective
- ii) A social objective
- iii) An environmental objective

- 2.7 Paragraph 12 relates to the presumption given to sustainable development 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'
- 2.8 Section 6 concerns 'Building a strong, competitive economy' and states at paragraph 85 that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 2.9 With regard to transport, Paragraph 115 states that 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.
- 2.10 Paragraph 123 states that Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 2.11 Paragraph 124 states that planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well- designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. They should also allow mansard roof extensions on suitable properties where their external appearance harmonises with the original building, including extensions to terraces where one or more of the terraced houses already has a mansard. Where there was a tradition of mansard construction locally at the time of the building's construction, the extension should emulate it with respect to external appearance. A condition of simultaneous development should not be imposed on an application for multiple mansard extensions unless there is an exceptional justification.

- 2.12 Section 12 states at paragraph 131 that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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 goes on to state that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history.
- 2.13 Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 2.14 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

3 PRINCIPLE OF DEVELOPMENT

Acceptability In Principle

- 3.1 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways and these include identifying and coordinating the provision of infrastructure (economic objective) and by fostering a well- designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well- being (social objective), and, to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy (environmental objective).
- 3.2 The application site lies outside of the Principal Town boundary of Wombwell and is shown as Urban Fabric within the Local Plan Map. Policy GD1 is therefore applied which states that development for changes of use and extensions to existing buildings are acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety and accord with the relevant national and local policies.
- 3.3 Whilst currently not occupied the site is capable of supporting multiple smaller businesses to operate as a shopping centre. The Applicant is looking to consolidate the multiple smaller units into three larger units which will attract larger commercial operators such as a national retail supermarket. The commercial revival of the existing site will create employment locally and enhance the provision of services. This element of the proposed development

is deemed to comply with Local Plan Policy TC1 and considered acceptable in principle subject to the review of other material considerations.

- 3.4 The development also consists of the provision of seven apartments. The Local Plan housing policy sets out the number of new homes to be constructed during the plan period (Policy H1). Within Policy H2 the distribution of new homes for Wombwell is set at 2069 for the plan period. Additionally, the policy makes reference to windfall allowance.
- 3.5 The NPPF at Paragraph 70 part d states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 3.6 The NPPF at Paragraph 124 part d also states that planning policies and decision should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).
- 3.7 The proposed development will bring additional housing and significantly enhance the aesthetics of the site by bringing back into use the existing retail and takeaway units with a simple consolidation of the space. This will have a meaningful contribution to local housing supply as well as significant long term direct economic benefits to the local and wider area with the creation of jobs for local people as well as providing access to local services which have not been available since the closure of the shopping centre. There will also be numerous indirect economic benefits associated with the retail units as well as the economic benefits during the construction stage. It will also see an end to the anti-social behaviour that has been occurring on site since the shopping centre closed. The proposed development is therefore in principle considered acceptable subject to the consideration of other material planning considerations, which are discussed in turn as follows.

4 MATERIAL PLANNING CONSIDERATIONS

Visual Impact

- 4.1 Paragraph 131 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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. The NPPF contains a further section, paragraph 135, outlining in part (f) that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 4.2 This application is accompanied by a number of plans showing how the proposed development can be accommodated within the application site. These show that the site can be designed to both facilitate the Applicants aspirations for growth but also ensure the development assimilates into the locality. The new storey will in total provide seven apartments, one being a two bed and the rest one bed, each above the minimum internal space standards (Technical housing standards – nationally described space standard March 2015).
- 4.3 As explained fully within the supporting Design and Access statement, the visually modern extension builds on and incorporates existing older elements of the building, ensuring it is visually acceptable whilst enhancing the current form. The residential level is to be set back from the edge of the new parapet level, reducing the impact to the street scene whilst also providing external amenity spaces for the apartments.
- 4.4 The internal consolidation of existing retail spaces into three proposed retail units will improve the visual appearance of the site through installation of new windows along the street facing elevations and repairing the external façade, as well as creating a parapet roof so the eaves height is consistent throughout the building. The external doors would also be updated. All proposed alterations are detailed in the supporting plans.

4.5 Overall, it is considered that the proposal will have a significant positive impact on the visual character and appearance of either the street scene or the wider locality and therefore satisfies the requirements of the Local Plan at Policy D1 as well as the Housing Design Supplementary Guidance and the NPPF at paragraph 135.

Residential Amenity

4.6 Local Plan Policy GD1 states that proposals for development will be approved if there are no significant adverse effect on the living conditions and are compatible with neighbouring land and do not significantly prejudice the current or future use of neighbouring land.

4.7 The new proposed apartment level is set back from the edge of the new parapet level, ensuring the new element of the proposed development does not dominant the street scene views, additionally, the position of all windows has been carefully considered with regards to existing properties around the application site.

4.8 The new storey will in total provide seven apartments, one being a two bed and the rest one bed, each above the minimum internal space standards (Technical housing standards – nationally described space standard March 2015).

4.9 Regarding the consolidation of the existing retail space to provide three retail units, this is considered a deintensification of the site with sufficient parking to the rear and opposite the site as well as the suitable manoeuvring room for delivery vehicles.

4.10 Whilst the two takeaway units will remain, their extraction above the roof of the building will remain, albeit will be placed on top of the new roof and therefore having impact on residents.

4.11 It is not therefore considered that the either element of the proposed development will harm the residential amenity and conversely the improvements to the site and rejuvenation will benefit the wider area of Wombwell, improving the vibrancy.

Access And Highway Safety

- 4.12 Paragraph 115 of the NPPF states that 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.
- 4.13 As explained in this submission, the access into the site remains as existing. There will be a reduction in the amount of car parking required compared to that of the existing shopping centre and this is shown on the submitted plans. Overall, therefore it is anticipated there will be a reduction in the use of the access and parking areas as a whole.

Other matters

- 4.14 Landscaping or biodiversity net gain has not been proposed with the application due to the existing car park being used and the development essentially being fully focused on the existing shopping centre building. Whilst there is some resurfacing proposed this is on top of the existing hardstanding surface which has eroded a bit over of time and is in need of improvement.

5 CONCLUSION

- 5.1 Paragraph 38 of the NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.2 The application site lies outside of the Principal Town boundary of Wombwell and is shown as Urban Fabric within the Local Plan Map. Policy GD1 is therefore applied which states that development for changes of use and extensions to existing buildings are acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety and accord with the relevant nation and local policies.
- 5.3 The proposed development will bring additional housing and significantly enhance the aesthetics of the site by bringing back into use the existing retail and takeaway units with a simple consolidation of the space. This will have a meaningful contribution to local housing supply as well as significant long term direct economic benefits to the local and wider area with the creation of jobs for local people as well as providing access to local services which have not been available since the closure of the shopping centre. There will also be numerous indirect economic benefits associated with the retail units as well as the economic benefits during the construction stage. It will also see an end to the anti-social behaviour that has been occurring on site since the shopping centre closed.
- 5.4 All relevant material planning considerations have been addressed and the development will have no negative impacts with regard to visual impact, residential amenity or highways impacts.
- 5.5 Given the above the local planning authority is respectfully requested to view the proposal favourably.

