



JMS PLANNING & DEVELOPMENT

PLANNING STATEMENT & SEQUENTIAL ASSESSMENT

IN SUPPORT OF A PLANNING APPLICATION

BY DARWEN DEVELOPMENTS

IN RESPECT OF

THE REDEVELOPMENT OF THE SITE TO
PROVIDE RETAIL UNITS (USE CLASS E & SUI
GENERIS), CAR PARKING, EV CHARGING
BAYS AND ASSOCIATED WORKS

AT

LAND SOUTH OF BRAMPTON ROAD,
WOMBWELL, BARNSELY, S73 0NZ



Client: Darwen Developments
Project: Land South of Brampton Road, Wombwell, Barnsley, S73 ONZ
Date: September 2026

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CONTENTS

SECTION 1:	INTRODUCTION	1
SECTION 2:	SITE AND SURROUNDING AREA	2
SECTION 3:	PLANNING HISTORY	5
SECTION 4:	THE PROPOSAL	7
SECTION 5:	PLANNING POLICY FRAMEWORK	9
SECTION 6:	SEQUENTIAL ASSESSMENT	22
SECTION 7:	PLANNING CONSIDERATIONS	35
SECTION 8:	CONCLUSIONS	46



SECTION 1: INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Darwen Developments ('the Client') and is submitted in support of an application for full planning permission for the redevelopment of the Site to provide retail units (Use Class E), car parking, EV charging bays and associated works at Land South of Brampton Road, Wombwell, Barnsley, S73 ONZ ('the Site').
- 1.2 This report continues in Section 2 by providing a summary of the Site's location and its context, with a summary of the planning history for the Site within Section 3. Full details of the proposal are set out in Section 4, including a detailed description of the layout and facilities offered upon the Site. A detailed summary of the planning policy position at national and local level is contained within Section 5.
- 1.3 Section 6 sets out the methodology and results of our sequential assessment in support of the proposal in the context of national requirements, local need, and the policy position. The relevant policy considerations are set out within Section 7 with the conclusions finally drawn in Section 8.

SECTION 2: SITE AND SURROUNDING AREA

- 2.1 The Site is located on the corner of Brampton Road and Dove Road, measuring a total of 0.21 hectares, and is approximately 1.6 km to the south-east of the District Centre of Wombwell. The Site is bound by Brampton Road and Dove Road to the north and east of the Site, and by existing residential development to the south and west of the Site, as demonstrated by **Figure 1** below.

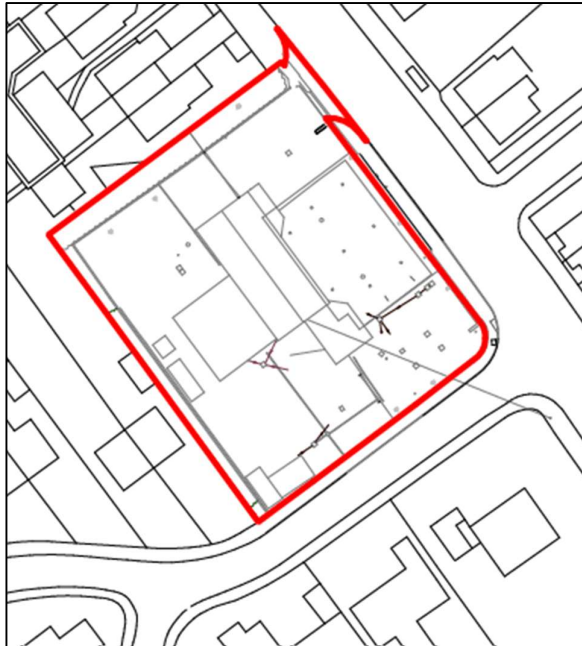


Figure 1 – The Site Location Plan

- 2.2 The Site in its current form is a developed, brownfield parcel of land which historically has been used as a petrol filling station, as evidenced by the Planning History set out in Section 3 of this Statement. Upon review of the Site on Google Maps, it suggests that the Site is being used a Car Wash and Tyre Shop. This was confirmed as such when undertaking a site visit which indicated that in addition to the Car Wash and Type Shop, the Site is also being used as a Barbers and Car Sales Area as demonstrated by **Figure 2** below.



Figure 2a – The Existing Site (Taken from Brampton Road)



Figure 2b – The Existing Site (Taken from Dove Road)

- 2.3 The immediate, wider area is characterised by residential development, with a care home also located near the Site.

Planning Designations

- 2.4 The Site, as demonstrated by the Policies Map as shown at **Figure 3**, is not impacted by any planning designations, including any Conservation Area or any National Landscape. The Site is only shown to be within the 'urban fabric',

which is defined as 'land within the settlement (boundary) with no specific allocation'.

- 2.5 Outside of the above, the Site is located within Flood Zone 1 which has the lowest probability of flooding, nor is the Site impacted by any surface water flooding impacts. The Site is also not a listed building nor a scheduled monument, nor are there any listings near the Site.



Figure 3 – An Extract of the Policies Map (Site – Red)



SECTION 3: PLANNING HISTORY

- 3.1 A review of the Site's planning history has been undertaken using the Council's online search system and mapping functionality and are listed within Table 1 below.

Reference No.	Description	Decision	Date
B/88/1220/WW	Outline for petrol filling station/car servicing/and motorists convenience store	Unknown	3 November 1988
B/89/0057/WW	Refurbishment of garage/filling station premises (Retrospective)	Unknown	14 December 1989
B/90/1377/WW/AD	Illuminated signs	Unknown	1 November 1990
B/92/0988/WW	Formation of car sales and parking area to existing service station	Unknown	1 October 1992
B/99/1335/WW	Use of OPS Room at rear of petrol station as Taxi Base. (Planning permission not required)	Planning Permission Not Required	22 December 1999
B/05/0870/WW	Residential Development of 23 apartments (Outline)	Approved	1 December 2006
2012/1374	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	5 February 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 June 2016

- 3.2 Based upon the Site's planning history, two applications are of most relevance to this current proposal; The first being Ref. **B/05/0870/WW** which approved an outline application for 23 apartments. Unfortunately, there is no documentation available on the Council's website for us to understand the design, scale and massing of the proposals, or the justification for the Council's decision.
- 3.3 The most recent application at the Site (Ref. **2016/0480**) granted approval for the renovation of the petrol station including the erection of single storey front extension, alterations to existing retail unit, new shopfront, installation of an ATM machine, and the conversion of garage into a retail unit, erection of 2m high boundary fence and raising of the existing canopy height. An extract of the approved Block Plan is shown at **Figure 4** below. Upon review of the Site, the application has not been built out, and the permission has therefore lapsed.
- 3.4 Given the nature of the previous application, which included a retail element, and the Council's approval of the application, this provides a strong precedent for the current proposal.

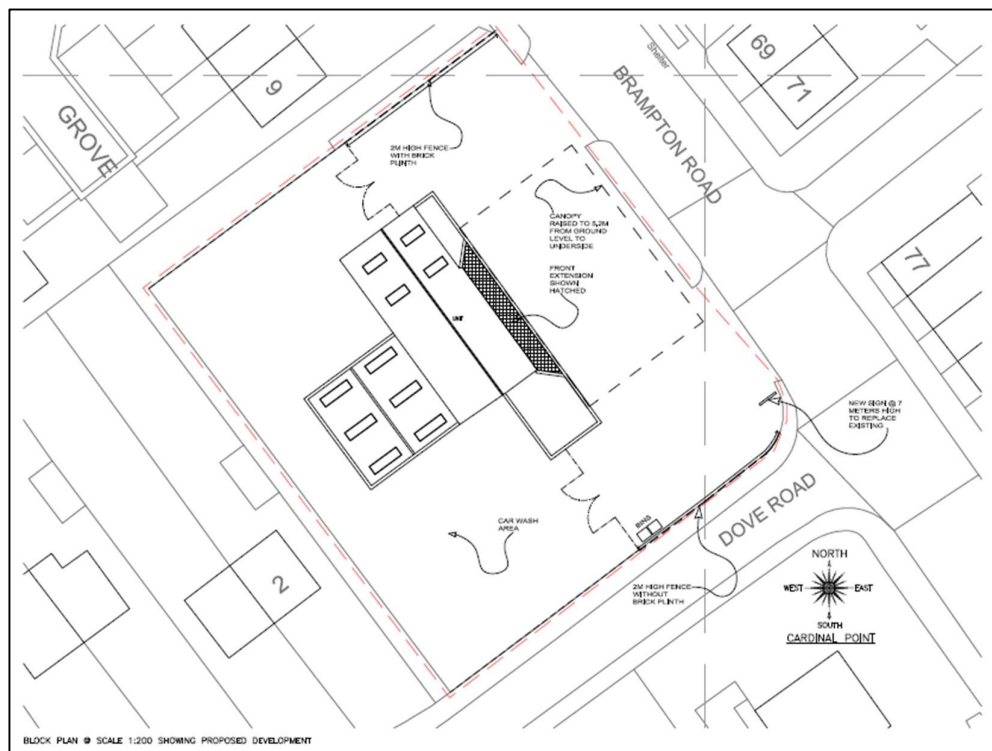


Figure 4 - The Block Plan Associated with Ref. 2016/0480

SECTION 4: THE PROPOSAL

- 4.1 This Planning Statement has been prepared on behalf of Darwen Developments ('the Client') and is submitted in support of an application for full planning permission for the redevelopment of the Site to provide retail units (Use Class E), car parking, EV charging bays and associated works at Land South of Brampton Road, Wombwell, Barnsley, S73 0NZ ('the Site').
- 4.2 In line with the proposed description of development, the proposal seeks to demolish the existing structure on the Site, and to replace this with a total of three retail units, with a total floorspace of 685 sq.m. The proposed units would be split into one larger unit totalling 390 sq.m, with the remaining two units measuring 112 sq.m each. At this time, whilst there are no proposed operators for any of the units, it is considered that the Site will be used by a convenience retail operator and two other retailers.
- 4.3 Outside of the proposed retail units, the proposal will also provide a total of thirty-six car parking spaces, including 6 EV charging bays and four accessible bays. In line with the Parking SPD document, the proposal seeks to provide a total of ten cycle parking spaces via 5 Sheffield stands.
- 4.4 A delivery area is proposed to the west of the Site, and a single access is proposed from Brampton Road, with traffic broadly flowing through the Site in a one-way direction. A postal locker is also proposed outside of Unit 1, as seen on the Proposed Site Plan, an extract of which is shown at **Figure 5** below.



Figure 5 - The Proposed Site Plan

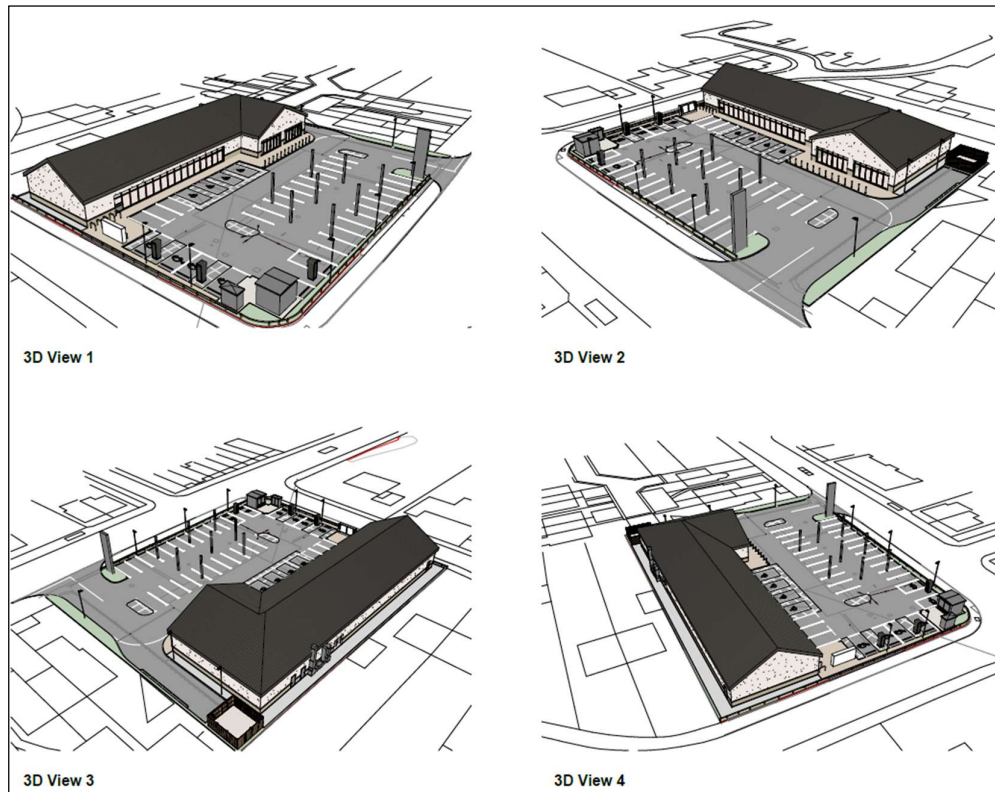


Figure 6 – The Proposed 3D Views of the Site



SECTION 5: PLANNING POLICY FRAMEWORK

- 5.1 This Section of the supporting Statement sets out national and local planning policy framework relevant to the proposed planning application.

National Planning Policy Framework

- 5.2 The National Planning Policy Framework ('NPPF') sets out the Government's planning policies for England and how these should be applied and was most recently updated in August 2026. The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure, and acts as a material consideration when determining planning applications.
- 5.3 The relevant policies associated with this Planning Statement are set out below:
- 5.4 **Policy DM3** in relation to Determining Development Proposals sets out that Local Planning Authorities ('LPAs') should take a positive, proactive and proportionate approach when assessing development proposals, working collaboratively with applicants to resolve issues and reach timely decisions. They should consider the scale, complexity and potential impacts of proposals, take account of matters raised through pre-application engagement and public representations, and only seek input from statutory or internal consultees where necessary. Authorities should avoid unnecessary delays in decision-making, consider whether planning conditions or obligations could make an otherwise unacceptable proposal acceptable, and should approve applications that comply with the development plan, national planning policy and other material considerations rather than refusing them unnecessarily.
- 5.5 **Policy DM5** regarding Development Viability states that development proposals that comply with up-to-date development plan policies and national planning policies should generally be assumed to be financially viable. In particular, policies relating to developer contributions, such as affordable housing and infrastructure provision, should be expected to be deliverable as part of a policy-compliant scheme.
- 5.6 However, in some circumstances a developer may submit a viability assessment to demonstrate that full compliance with policy requirements would make a development unviable. This may be justified where the proposed development differs significantly from the assumptions used in the plan-making viability assessment, where the site has unusual characteristics, where unforeseen costs arise that were not previously considered, or where there has been a substantial change in economic conditions since the development plan was prepared.
- 5.7 The policy makes clear that the price paid for land, or an agreed option price, should not be used as a reason to avoid complying with planning policies. Land



transactions should therefore not undermine the delivery of policy requirements such as affordable housing and infrastructure contributions.

- 5.8 Where a viability assessment is submitted, it must be robust, transparent and evidence based. It should reference and build upon the viability assessments that informed the development plan, clearly justify any differing assumptions, and follow the methodology set out in national planning guidance. Viability assessments should also be made publicly available to ensure transparency in the decision-making process.
- 5.9 Ultimately, it is for the decision-maker to determine the weight that should be given to a submitted viability assessment, taking account of the specific circumstances of the proposal and the reasons why the assessment has been provided.
- 5.10 **Policy S3** in relation to the Presumption in Favour of Sustainable Development establishes as such when determining planning applications. Development proposals within settlement boundaries should be assessed against Policy S4, while proposals outside settlements should be considered under Policy S5. Regardless of location, proposals that are consistent with an up-to-date development plan and the relevant decision-making policies within the Framework should be approved without delay.
- 5.11 Where a proposal spans land both inside and outside a settlement boundary, the relevant parts of the scheme should be assessed separately against Policies S4 and S5 as appropriate. The planning authority should then consider the proposal as a whole and reach an overall judgment based on the combined assessment.
- 5.12 **Policy S4** provides guidance on the Principle of Development Within Settlements in that development proposals should generally be approved unless any adverse impacts would substantially outweigh the benefits when assessed against the national decision-making policies set out in the Framework.
- 5.13 The policy identifies circumstances where refusal may be justified. These include proposals that would have a significant adverse impact on land or buildings allocated or safeguarded for specific uses in the development plan, unless there is no realistic prospect of the allocated use being delivered or the safeguarding is no longer necessary. Refusal may also be warranted where development would harm protected areas or assets covered by policies relating to recreational land and facilities, Local Green Space, biodiversity and geodiversity, Protected Landscapes, or certain forms of development within residential curtilages.
- 5.14 In addition, development is unlikely to be supported where it would result in the loss of undeveloped land used for cemeteries, burial grounds, water storage, or flood risk management, unless suitable replacement provision is made that does not increase flood risk elsewhere. Finally, proposals should be refused



where they conflict with national decision-making policies that specifically require refusal in particular circumstances.

- 5.15 **Policy CC2** regarding the Mitigation of Climate Change seeks to ensure that development proposals contribute to climate change mitigation and the transition to net zero carbon emissions. Where relevant, developments should promote sustainable travel by supporting walking, wheeling, cycling, public transport, and infrastructure for zero-emission vehicles. They should also be located and designed to reduce the need to travel by providing good access to services, supporting local facilities, and encouraging employment opportunities close to where people live.
- 5.16 The policy encourages resource-efficient design and construction, including measures to conserve energy, reuse existing buildings and materials, and make use of non-contaminated excavated materials on-site. Developments should also take opportunities to connect to low-carbon and decentralised energy networks, such as district heating schemes, and maximise the use of surplus heat and energy where available.
- 5.17 In addition, proposals should help create, restore, and protect natural carbon stores, such as woodlands, peatlands, and salt marshes, while avoiding harm to these important habitats. The extraction of fossil fuels is generally discouraged unless it complies with the relevant minerals policy.
- 5.18 The policy also requires decision-makers to give substantial weight to the benefits of proposals that improve the energy efficiency of existing buildings or increase the use of renewable and low-carbon energy technologies, including district heat networks, heat pumps, and solar panels.
- 5.19 Policy CC3 in relation to the Adaptation to Climate Change requires development proposals to consider both current and future impacts of climate change throughout the lifetime of the development and to incorporate measures that improve resilience and reduce vulnerability. Proposals should be located in areas with the lowest possible flood risk, ensure flood risks can be managed safely without increasing risk elsewhere, and comply with policies relating to flooding, coastal change, and sustainable drainage. Developments should also include sustainable drainage systems to control surface water runoff and reduce flood risk.
- 5.20 The policy further promotes climate-resilient design by encouraging measures that reduce overheating, integrate green infrastructure, and provide appropriate tree planting. Where wildfire risk is a concern, developments should include proportionate mitigation measures, such as reducing combustible vegetation, creating defensible spaces, incorporating firebreaks, and avoiding design features that could increase fire spread.
- 5.21 In addition, significant weight should be given to proposals that improve the resilience of existing buildings and public spaces to the expected effects of climate change.



- 5.22 **Policy E2** regarding Meeting the Need for Business Land and Premises promotes sustainable economic growth and business investment by requiring substantial weight to be given to the economic benefits of commercial development that enables businesses to invest, expand, adapt, or improve productivity. Particular support is given to proposals that align with local economic strategies, national industrial priorities, freight and logistics improvements, and designated growth areas. Significant weight should also be given to development that modernises farming and agriculture where it delivers benefits for food production, animal welfare, or the environment.
- 5.23 Where a proposal must demonstrate an unmet need for development, decision-makers should consider evidence of market demand, including whether there is a shortage of suitable business land or premises within the relevant catchment area, taking account of changing business requirements and the availability of existing sites and buildings. Consideration should also be given to whether existing development plan allocations can meet the proposal's specific locational needs.
- 5.24 The policy recognises that certain developments may require particular locations to succeed. This includes proposals involving the expansion of existing businesses, the growth of industry clusters such as technology, creative, data-driven and knowledge-based sectors, or developments that depend on specific infrastructure such as electricity grid connections, water supply, wastewater capacity, or opportunities to co-locate major energy users and generators. Support is also provided for developments that meet local, regional, or national needs for more efficient, reliable, and sustainable freight, storage, processing, distribution, and logistics facilities.
- 5.25 **Policy TC3** requires a sequential approach to proposals for main town centre uses that are not located within an existing centre and are not allocated for that purpose in an up-to-date development plan. Applicants must first demonstrate that suitable sites within a town centre have been considered, followed by edge-of-centre locations if no town centre sites are feasible.
- 5.26 Out-of-centre locations should only be considered where suitable and available sites cannot be found within or are not expected to become available within a reasonable period. In assessing alternative locations, preference should be given to sites that are accessible and well connected to the town centre by sustainable transport modes.
- 5.27 Both applicants and local planning authorities are expected to adopt a flexible approach to the scale and format of development to ensure all suitable town centre and edge-of-centre opportunities have been explored. Planning permission should be refused where a proposal fails the sequential test or is likely to have a significant adverse impact on the considerations set out in Policy TC4. The sequential test does not apply to applications for small-scale rural offices or other small-scale rural development.



- 5.28 **Policy TC4** requires an impact assessment for retail and leisure developments proposed outside town centres where the development exceeds the floorspace threshold set in the local development plan and is not allocated for that use. Where no local threshold exists, a default threshold of 2,500 m² gross floorspace applies.
- 5.29 The impact assessment must demonstrate that the proposal is unlikely to have a significant adverse effect on existing, committed or planned public and private investment within relevant town centres, and on the vitality and viability of those centres. This includes consideration of consumer choice, trading performance, and the wider retail catchment area, taking account of the scale and nature of the proposed development.
- 5.30 **Policy L2** sets out information regarding Making Effective Use of Land seeks to maximise the efficient use of land and buildings by giving substantial weight to development proposals that make better use of existing sites and previously developed land. Priority is given to schemes that remediate contaminated, derelict, unstable, degraded, or underused land, as well as proposals that bring vacant buildings back into productive use, including empty homes, vacant commercial premises, underutilised retail sites, and redundant spaces above shops, car parks, service yards, and transport infrastructure.
- 5.31 The policy also supports the temporary use of previously developed land and buildings where alternative development is expected to come forward within a reasonable period. In addition, significant support is given to proposals that create additional homes or commercial floorspace within existing settlements through upward extensions, infill development, redevelopment of existing plots, and the use of airspace above existing buildings.
- 5.32 Where additional development is proposed, it should respect the character of the surrounding area and street scene, unless there is a clear justification for larger or taller buildings, such as at prominent corner locations or where changes are supported by an adopted design code. Development must also maintain safe access and provide acceptable living conditions for residents and neighbours, including adequate daylight, sunlight, privacy, and outdoor amenity space.
- 5.33 For development within residential curtilages, proposals should generally not exceed twice the footprint of existing buildings and should retain at least 50% of the undeveloped garden or open area, unless greater development can be accommodated without harming local character and where infrastructure capacity and sustainable location considerations support it.
- 5.34 Finally, the policy states that planning conditions requiring multiple upward extensions to be developed simultaneously should not be imposed unless there is a clear and justified reason for doing so.
- 5.35 **Policy DP3** regarding the Key Principles for Well Designed Places requires development proposals to respond positively to their surroundings by reflecting



the history, character, and distinctive features of their site and wider setting. Development should integrate with and enhance its context through its layout, scale, architecture, materials, and the retention, restoration, and incorporation of heritage assets. While respecting local character, the policy also supports innovation and change where appropriate, particularly where increased density or scale is justified by other planning policies.

- 5.36 To create high-quality places, development should support healthy, vibrant, and inclusive communities that function well over time. Proposals should contribute to climate change mitigation and adaptation through energy-efficient design, resource conservation, and measures that reduce risks such as overheating. They should also provide and connect to high-quality green infrastructure, enhance biodiversity, incorporate sustainable drainage, and maintain or improve tree cover.
- 5.37 Development should promote sustainable movement by prioritising walking, wheeling, cycling, and public transport, while ensuring good connections within and beyond the site. The built form should create attractive streets and public spaces, make efficient use of land, define public and private areas clearly, and contribute positively to views and local character. Public spaces should be safe, accessible, inclusive, and encourage social interaction, recreation, and healthy lifestyles through thoughtful design and natural surveillance.
- 5.38 The policy also emphasises the importance of creating a strong sense of place through distinctive, attractive, and coherent design. Applications that conflict with these principles, or with specific design standards set out in development plans, design codes, guides, or masterplans, should generally be refused unless there is clear justification. Significant weight should be given to compliance with development plan policies, while exceptional or innovative designs that achieve high levels of sustainability and raise local design standards should receive substantial support, provided they remain compatible with their surroundings.
- 5.39 **Policy DP4** in relation to the Design Process emphasises that design quality should be considered at every stage of the development process, from initial concept and pre-application discussions through to assessment, approval, and construction. The aim is to ensure that high-quality design is embedded throughout the evolution and delivery of development proposals, in accordance with national design and placemaking guidance.
- 5.40 To support this, local planning authorities should ensure they have access to and make appropriate use of design review processes and other design assessment tools, particularly for strategic or significant developments. The findings and recommendations of design review panels should be taken into account when determining applications. Authorities should also ensure that planning permissions are supported by clear and accurate plans, drawings, and material specifications so that the approved design is unambiguous and can be properly delivered.



- 5.41 The policy further requires local planning authorities to safeguard design quality after permission has been granted by preventing approved schemes from being materially downgraded through subsequent amendments or changes to approved details. Overall, the policy seeks to maintain high standards of design throughout the planning and construction process and ensure that the quality of approved development is fully realised on completion.
- 5.42 **Policy TR3** provides guidance on Locating Development in Sustainable Locations and aims to ensure that development is located in places that support sustainable travel patterns, provide good accessibility for a range of users, and make effective use of existing and planned transport infrastructure. Development that is likely to generate significant levels of movement should be directed to locations that minimise the need to travel, particularly by private car, and offer genuine opportunities to use walking, wheeling, cycling, and public transport wherever practical.
- 5.43 The policy encourages developers and decision-makers to take advantage of transport infrastructure when determining the scale and density of development that can be accommodated in a particular location. Higher-density development may be appropriate in areas with strong transport links, particularly where this helps increase the use of sustainable transport modes.
- 5.44 Development proposals must also address any significant impacts on the transport network, including congestion, capacity issues, and highway safety concerns. Such impacts should be mitigated through a vision-led approach that prioritises sustainable transport outcomes. In addition, the environmental effects of transport and traffic should be properly assessed, with opportunities taken to minimise harm and secure environmental improvements, including reductions in air pollution.
- 5.45 In rural areas, proposals should seek opportunities to improve local connectivity and enhance infrastructure for walking, wheeling, cycling, and public transport where these improvements can be supported by the development. The policy also requires the use of the Government's Connectivity Tool, alongside other relevant evidence, to assess how well-connected proposed development locations are.
- 5.46 **Policy TR4** regarding Street Design, Access and Parking requires transport considerations to be fully integrated into the design of development so that schemes contribute to the creation of safe, attractive, accessible, and sustainable places. Developments should prioritise walking, wheeling, and cycling above all other forms of movement and, where possible, provide easy access to high-quality public transport. Layouts and development densities should be designed to support sustainable travel patterns and maximise the number of people who can conveniently access public transport services.
- 5.47 To achieve this, developments should incorporate features such as connected and permeable street networks, continuous footways, segregated cycle routes,

secure cycle parking, public seating, and high-quality public transport facilities. Streets and public spaces should be designed to be safe, inclusive, and attractive for all users, with particular attention given to the needs of women and girls, vulnerable groups, disabled people, older people, and children. Design measures should minimise conflicts between pedestrians, cyclists, and vehicles while avoiding unnecessary street clutter.

- 5.48 The policy also recognises the need for practical servicing arrangements and requires developments to accommodate deliveries, servicing, and emergency vehicle access without undermining placemaking objectives. Appropriate parking provision should be provided based on the nature and location of the development, local parking standards, and the level of connectivity, including sufficient infrastructure for electric vehicle charging. A flexible approach to parking standards is encouraged where it would support the redevelopment and more efficient use of previously developed land while still meeting operational and commercial requirements.
- 5.49 **Policy TR6** provides information on Assessing Transport Impacts and requires development proposals that are likely to generate significant movement to be supported by appropriate transport evidence. Depending on the scale and nature of the development, this should include a Transport Statement or Transport Assessment to identify and evaluate transport impacts, together with a Travel Plan setting out how sustainable transport objectives will be achieved, monitored, and managed over time.
- 5.50 Transport assessments, statements, and travel plans should align with both the transport vision for the development and the wider transport strategy for the area. These documents should clearly explain how transport objectives will be delivered and, where relevant, identify contingency measures if proposed actions do not achieve the intended outcomes.
- 5.51 When assessing transport impacts, consideration should be given to realistic future conditions, including traffic at different times of day, cumulative impacts from other developments, travel demand across different transport modes, and opportunities to encourage sustainable travel. Assessment should be undertaken in the context of other relevant planning policies relating to sustainable locations, street design, and placemaking.
- 5.52 Development proposals should be refused where they would result in a severe adverse impact on the transport network, including unacceptable levels of congestion or cumulative effects, or where they would create unacceptable highway safety risks. This assessment should take into account any proposed mitigation measures, wider transport improvements, and provisions to support sustainable travel, and applies both during the construction phase and once the development is operational.
- 5.53 **Policy N2** regarding Improving the Natural Environment requires development proposals to make a positive contribution to the natural environment and support nature recovery. Proposals should consider the environmental qualities



of the site, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities to conserve and enhance these features. They should also take account of agricultural land quality, prioritising the use of lower-quality land where development of agricultural land is necessary.

- 5.54 The policy encourages development to strengthen ecological networks beyond the site boundary by linking with wider environmental initiatives such as Local Nature Recovery Strategies. Existing natural features, including trees, hedgerows and other elements of visual, historic or ecological value, should be retained and enhanced wherever possible, supported by appropriate landscaping that helps integrate development into its surroundings.
- 5.55 Development proposals should incorporate green infrastructure and nature-based solutions to deliver multiple benefits, including biodiversity enhancement, sustainable drainage, flood and pollution management, climate change mitigation and adaptation, and opportunities for recreation. Schemes should also minimise impacts on biodiversity and provide measures to support priority and threatened species, such as bats, hedgehogs and swifts, including the installation of integrated nest boxes (swift bricks) unless there are compelling technical reasons why this is not feasible.
- 5.56 The policy further requires green infrastructure and ecological features to be designed and managed in a way that ensures their long-term success. Where significant harm to biodiversity cannot be avoided, adequately mitigated, or compensated for as a last resort, planning permission should be refused. While developments may provide biodiversity enhancements beyond the statutory Biodiversity Net Gain requirements, such higher levels of enhancement should only be required where specifically supported by up-to-date development plan policies for particular site allocations.

The Development Plan

- 5.57 To the extent the Development Plan policies are material to an application for planning permission, a decision must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 5.58 The Development Plan relevant to the application site comprises the Barnsley Local Plan (January 2019) and the Joint Waste Plan (March 2012).
- 5.59 The Spatial Strategy confirms that Wombwell is recognised as a small but busy market town which continues to be a well-defined centre. It is noted that the area suffered from the decline of the coal industry and levels of new housebuilding have been historically low. The Council are keen for Wombwell to continue to flourish as one of the borough's largest district centres offering a range of services and facilities.



- 5.60 **Policy SD1** in relation to the Presumption in Favour of Sustainable Development sets out that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 5.61 **Policy GD1** regarding General Development denotes that proposals for development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents and that they are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.
- 5.62 **Policy LG2** sets out, in regard to the Location of Growth that priority will be given to development in a number of locations, in which Wombwell is listed as a Principal Town.
- 5.63 **Policy T3** in relation to New Development and Sustainable Travel states that new development will be expected to:
- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;
 - Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document;
 - Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework and guidance including where appropriate regard for cross boundary local authority impacts; and
 - Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate regard for cross boundary local authority impacts. Travel plans will be secured through a planning obligation or a planning condition.
- 5.64 Where levels of accessibility through public transport, cycling and walking are unacceptable, the Council will expect developers to take action or make financial contributions in accordance with Policy 11.
- 5.65 **Policy D1** regarding High Quality Design and Place Making denotes that, in terms of design principles, 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, including landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features; views and vistas to key buildings, landmarks, skylines and gateways; and heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.



- 5.66 Through its layout and design, development should contribute positively to placemaking by creating healthy, safe and sustainable environments that complement and enhance the character of distinctive areas such as Barnsley Town Centre, Penistone, rural villages and Conservation Areas. It should help regenerate run-down locations lacking identity, while ensuring buildings and spaces are accessible, inclusive and well-connected to surrounding streets and pedestrian networks.
- 5.67 Proposals must promote ease of movement, legibility and natural surveillance through thoughtful building orientation and entrance placement, prioritising safe and secure routes for pedestrians and cyclists. Clear distinctions between public and private spaces should be established, and architectural quality should be evident through appropriate composition, scale, form, materials, colours and detailing. Developments should make effective use of high-quality materials, incorporate robust hard and soft landscaping, and deliver an attractive, high-quality public realm.
- 5.68 **Policy TCI** confirms that support will be given to Town Centres maintaining and enhancing the vitality and viability of the following hierarchy of centres, of which Wombwell is a District Centre.
- 5.69 The District Centres have an important role serving localised catchments and meeting more local needs. To ensure they fulfil this role and continue to complement and support the role of Barnsley Town Centre new retail and town centre development will also be directed to the District Centres.
- 5.70 All retail and town centre developments will be expected to be appropriate to the scale, role, function and character of the centres in which they are proposed.
- 5.71 A sequential approach will be used to assess proposals for new retail and town centre development, as 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 NPPF.
- 5.72 **Policy TC3** in relation to Thresholds for Impact Assessments states that proposals for retail and leisure uses will be required to provide an impact assessment if they are of a scale, role or function where they could have a negative impact on the vitality and viability of the centre and are: Located outside the Primary Shopping Area of a District Centre and are: within the catchment of a District Centre, and have a floorspace in excess of 1,000 square metres gross.



- 5.73 **Policy TC5** provides guidance regarding Small Local Shops, stating that outside existing centres small shops that meet the daily shopping needs of a local community will be permitted where the shops are of a type and in a place that would meet daily shopping needs and this need is not already met by existing shops; and the shops are located and designed to encourage trips by pedestrians and cyclists and would not encourage car trips.
- 5.74 The reasoned justification associated with this policy sets out that local shops perform an important role in meeting the day-to-day needs of communities. They are a vital part of creating sustainable communities, reducing the need for people to travel. The Council confirm that they will encourage small shops where it can be shown that they meet a local need. Proposals for small shops will not normally require a sequential test provided that they accord with the criteria set out in Policy TC5.
- 5.75 Small shops are defined as units having a gross floor area of 500 sqm or less. Because they are intended to serve local needs, developments allowed under this policy must not include large, dedicated car parks. Conditions may be attached to planning permissions to restrict the range of goods to be sold, making sure that the shops continue to serve local day-to-day needs, rather than attracting customers from some distance away.
- 5.76 **Policy CCI** in regard to Climate Change sets out that the Council will seek to reduce the causes of and adapt to the future impacts of climate change by:
- Giving preference to development of previously developed land in sustainable locations;
 - Promoting the reduction of greenhouse gas emissions through sustainable design and construction techniques;
 - Locating and designing development to reduce the risk of flooding;
 - Promoting the use of Sustainable Drainage Systems (SuDS);
 - Promoting and supporting the delivery of renewable and low carbon energy; and
 - Promoting investment in Green Infrastructure to promote and encourage biodiversity gain.
- 5.77 Policy II sets out, in terms of Infrastructure and Planning Obligations that development must be supported by appropriate physical, social, economic and communications infrastructure, including provision for broadband. Development must contribute as necessary to meet all on and off-site infrastructure requirements to enable development to take place satisfactorily.
- 5.78 Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations. Where appropriate, pooled contributions will be used to facilitate delivery of the necessary infrastructure.



Supplementary Planning Guidance

5.79 The following documents should also be considered relevant:

- Parking Standards SPD
- Planning Obligations SPD



SECTION 6: SEQUENTIAL ASSESSMENT

- 6.1 The NPPF requires an impact assessment only for those developments involving an additional 2,500 sq.m gross or more floorspace.
- 6.2 The Local Development Plan at Policy TC3 sets out the Thresholds for Impact Assessment(s), denoting that proposals for retail and leisure uses will be required to provide an impact assessment if they are of a scale, role or function where they could have a negative impact on the vitality and viability of the centre and are:
- Located outside the Primary Shopping Area of a District Centre and are:
 - Within the catchment of a District Centre, and
 - Have a floorspace in excess of 1,000 square metres gross.
- 6.3 The new, proposed sales building will provide a total of 685 sq.m which based on the assessment criteria set out above, means that a Retail Impact Assessment is not required.

The Sequential Assessment

- 6.4 The proposed development is for the provision of 685 sq.m of retail floorspace, with car parking including EV charging bays and associated works and as such, we have sought to undertake a Sequential Assessment.
- 6.5 As set out in Section 2 of this Statement, the Site is located outside of any, designated 'centre', the nearest of which is located at Wombwell, located 1.29 km to the north-west of the Site. Further information in terms of the proposed methodology of the Sequential Assessment undertaken is set out from Paragraph 6.27 onwards.
- 6.6 Notwithstanding the above, Paragraph 24 of the NPPF and the associated Planning Practice Guidance (PPG) (Paragraph 009 – Ensuring the Vitality of Town Centres) confirms that, in reviewing alternative sites, careful regard should be given to their suitability, viability and availability. These are defined as follows:
- Availability – Whether sites are available now or are likely to become available for a development within a reasonable period of time (determined on the merits of a particular case, having regard to, amongst other matters, the Applicant's suitable criteria and timescales).
 - Suitability – With due regard to the requirements to demonstrate flexibility, whether sites are suitable to accommodate the proposal.
 - Viability – Whether there is a reasonable prospect that development will occur on the site at a particular point in time. Again, the importance of



demonstrating the viability of alternative sites depends in part on the nature of the proposal and the timescale over which the Applicant requires it to be delivered.

- 6.7 Whilst 'viability' is not expressly referenced by the NPPF in relation to planning applications, it is cited as a relevant consideration in the allocation of sites. It is argued that viability remains relevant to the consideration of whether sites are 'suitable' (and therefore for completeness, we would include viability within our consideration of sequentially preferable sites).
- 6.8 The above parameters provide a robust and policy compliant basis for assessment. Considering the relevant sites, we have also applied the '*Dundee*' principle to our assessment and would emphasise the importance of the meaning of '*suitable*' from the perspective of the Applicant, as clearly underlined by this judgment.
- 6.9 This case is material to the operation of the sequential approach. This is a decision from the Supreme Court (21 March 2012) and as such, has currency in England and Wales, although it relates to an appeal by Tesco Stores Limited in Scotland. This appeal was lodged in relation to a planning permission granted to ASDA and MacDonald Estates in Dundee.
- 6.10 The Supreme Court held in *Tesco Stores Ltd v Dundee City Council* [2012] UKSC13, that the specific construction of a planning policy is a matter in law. This important case clarifies that the sequential test should apply to the specific proposal for which the Applicant seeks permission. Therefore, the relevant question is not whether there is a site suitable for meeting identified deficiencies in retail provision in the area but whether there is a site suitable for the development proposed by the Applicant. Further, the question is '*not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site*'.
- 6.11 This approach has subsequently been upheld at appeals in England such as the proposed Sainsbury's in Crawley where the Inspector commented that the Dundee case was a material consideration in the application of the sequential test (PINS ref: APP/Q3820/A/11/2158410).
- 6.12 Consequently, the legally correct approach to the sequential test, as set out in the NPPF and summarised by Lord Hope in the Dundee case, would be as follows:

"It is the proposals for which the developer seeks permission that has to be considered when the questions are asked whether no suitable site is available within or on the edge of the town centre".



- 6.13 The Dundee position has been reiterated in various key Secretary of State decisions most notably, in respect to land adjacent to Skew Bridge Ski Slope, Northampton Road, Rushden (Rushden Lakes) (PINS ref: AAP/G2815/V/12/2190175). This confirms the Sequential Test seeks to see whether the application i.e. what is proposed, can be accommodated on the town centre site. Within the decision, the Inspector states:

“There is no suggestion here that the Sequential Test means to refer to anything other than the application proposal”.

- 6.14 The decision also states that the Dundee decision:

“Expressly rejected the notion that ‘suitable’ means that one should alter or reduce the proposal so as to fit onto an alternative site” (Inspector’s Report; Paragraph 8.44).

- 6.15 The decision also confirms that:

“If a site is not suitable for the commercial requirements of the developer in question then it is not a suitable site for the purposes of the sequential approach ... The question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site” (Inspector’s Report, paragraph 8.45).

- 6.16 This appeal decision is dated 11 June 2014. The above position was also reiterated in a decision dated 25 June 2015 regarding a proposed Sainsbury’s supermarket at Pods Brook Road, Braintree, (PINS Ref: APP/Z1510/A/14/2219101).

- 6.17 Disaggregation is not part of local or national policy in relation to the sequential test. Rather the relevant test to apply is whether or not reasonable flexibility has been applied on issues of format and scale. Part of that judgement is the extent to which there are functional or meaningful links between the different components of the development.

- 6.18 This is confirmed in a recent appeal decision dated 1 March 2022 in respect to Altrincham Retail Park, Unit 1, George Riches Way, Altrincham, WA14 5GR (PINS ref: APP/Q4245/W/21/3267048) which considered the key issue of the sequential test and in particular the issue of disaggregation. The Inspector states at Paragraph 6:

“Disaggregation is not a requirement of the sequential test. However, the PPG is clear that the application of the sequential test will need to be proportionate and appropriate for the given proposals. The Framework is also clear at paragraph 88 that when considering edge and out of centre proposals, applicants and local planning authorities should demonstrate flexibility on issues such as format and scale. It goes on to

note that preference should be given to accessible sites which are well connected to the town centre. Disaggregation is a matter of planning judgement to be addressed on a case-by-case basis. As such, it is important to consider the particular circumstances of each case and the flexibility which can realistically be applied to the proposals."

- 6.19 A more recent appeal decision dated 28 March 2023 concerning Land to the East of Kingsway Road, Scunthorpe, DN16 2AE (PINS Ref: APP/Y2003/W/22/3299625) also confirms at Paragraph 24 that:

"The appellant is not though required to disaggregate the proposal in order to try and find town centre and edge of centre sites, although the framework does require some flexibility to be shown".

- 6.20 Fundamentally, there is no basis either in national planning guidance (either the NPPF or the NPPG) or indeed in any part of the relevant development plan policy which confirms disaggregation is relevant.

- 6.21 In respect to the establishment of the correct catchment area for the application proposal. The NPPG in relation to 'Ensuring the Vitality of Town Centres' was published on the 3 March 2014. In respect to the sequential test, it is confirmed that in respect to how the sequential test should be used in decision making, it confirms that:

"Use of the Sequential Test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification must be provided where this is the case, and land ownership does not provide such justification".

- 6.22 Although it was withdrawn on the 7 March 2014, PPS4 regarding Practice Guidance on Need, Impact and the Sequential Approach provide a more detailed overview of the approach in respect to assessing a Sequential Site Assessment and the issue of the definition of the catchment area. Whilst this document has been withdrawn, and superseded by more condensed guidance in the NPPG, the approach advocated within it remains and therefore the guidance within it is applicable in explaining how, one should undertake a Sequential Site Assessment. This document contained a section entitled 'Planning Applications: Area of Search' which confirmed the following:

"Where LDF's are up to date and based upon sound evidence, the scale and form of development likely to be appropriate in each centre should have been considered carefully. On this basis, it should be self-evident which centre(s) are likely to be appropriate to include in any sequential search of sites appropriate for development. Difficulties tend to arise where this exercise has not been undertaken, the hierarchy is not clearly defined, and a proposal comes forwards for a scale of development

which is not solely related to the needs of an individual centre in its catchment, but to a wider area” (Paragraph 6.21).

- 6.23 In particular, the guidance confirmed that when considering applications, LPAs will need to consider the extent and the catchment area likely to be served by the proposal, and to then identify alternative sites located in the existing centres within the catchment area. This would determine whether sites in the other nearby centres may represent more appropriate locations in which to accommodate the scale and former development proposed (Paragraph 6.22).
- 6.24 In determining the appropriate areas to search for sites, including whether it is appropriate to consider sites within or on the edge of established centres, it is relevant to consider the scale and form of development proposed. For example, some proposals will serve a purely localised need (e.g. ‘local’ food stores) whereas others are likely to serve a materially wider catchment area. In these instances, it would be relevant to consider whether the proposal is of an appropriate scale to the location proposed, or whether some of the need could be better met within the existing single ‘higher order’ centre (Paragraph 6.24).
- 6.25 There will be instances where a specific need for a certain type and form of development can only be realistically accommodated in specific locations (Paragraph 6.25).
- 6.26 The application proposal is for a total of three retail units, with one unit measuring 390 sq.m, with the other two units totalling 112 sq.m each. Each of the respective units will meet a local need, more specifically for the residents in and around Wombwell, West Milton and Brampton Bierlow.
- 6.27 In terms of the methodology that has been adopted for the Sequential Assessment, this is based on a five-minute drive time from the Site, as demonstrated by the Isochrone Map shown at **Figure 7** below. The area encapsulates the District Centre of Wombwell, as well as the Cortonwood Retail Park and the smaller, neighbourhood parades in Brampton, West Milton and Wath Road, all of which have been assessed as part of this Sequential Assessment.

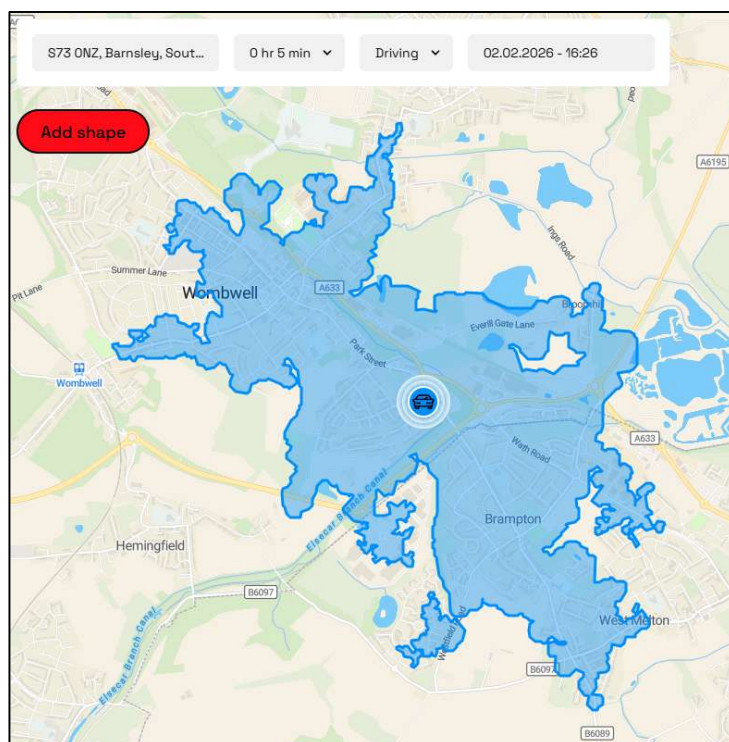


Figure 7 – A Five-Minute Drive-Time Isochrone Map

Wombwell District Centre

- 6.28 As set out within the Local Plan, the District Centre of Wombwell is one of the larger district centres within the Local Authority. The main retail and service offer is located along the High Street.
- 6.29 The area at the time of my visit (08:30 to 10:00) on Wednesday 11th February was quiet, albeit got busier towards mid-morning. The weather was cold, measuring 6 degrees, and was predominately raining throughout.
- 6.30 Wombwell's main strengths as a District Centre are:
- The number and type of shops
 - The large amount of shopping floorspace within the centre
 - The number of multiple retailers
 - The variety of specialist and independent retailers
 - The low vacancy rates
 - Good pedestrian flows and car parking provision
 - Good public transport provision
 - High-quality environment.
- 6.31 Within this District Centre there were three vacant units as described below:

56 High Street, Wombwell

- 6.32 56 High Street, Wombwell was previously in use by Yorkshire Bank however, upon review of historic Street View imagery, closed between April 2019 and April 2021, and has remained vacant since (see **Figure 8**). The internally floorspace of the Unit measures 287 sq.m, as per information set out on LoopNet¹.



Figure 8 – 56 High Street, Wombwell

- 6.33 Having spoken to the landlord of the property, they have confirmed that the basement floorspace has been let out and as such, further reduces the amount of potential floorspace available. This raises a number of issues from both a delivery and security perspective, given that there would be two potentially conflicting uses within the same unit. Furthermore, a planning application would need to be made to the LPA in order to address the current shopfront, and to make it suitable.
- 6.34 In addition to the above, whilst it is acknowledged that 56 High Street is of an appropriate size to house the two food-to-go units, which measure 112 sq.m each, this would result in a cluster of takeaways which are discouraged in line with the Hot Food Takeaways SPD. Paragraph 4.7 of the document provides information in terms of 'concentration issues', setting out that:

¹ <https://www.loopnet.co.uk/listing/56-high-st-wombwell/21598106/>

“To protect the street scene, achieve a diverse mix of shops and maintain good standards of design, planning permission will not be granted for A5 uses where it would result in a clustering of A5 uses to the detriment of the character, function or vitality of a centre/parade of shops, or if it would have an adverse impact on the standard of amenity for existing and future occupants of land and buildings. Therefore, in order to avoid clustering, there should be no more than one A5 use in any one length of frontage”.

- 6.35 As the proposed unit would be able to house both food-to-go units, this would result in a cluster of takeaway offerings within the same section of frontage and in turn, would not accord with the information set out in the SPD. Furthermore, given that there are a number of existing food-to-go options within the District Centre, the provision of two additional options would further dilute the offerings available within Wombwell.
- 6.36 On this basis, it is considered that the vacant unit at 56 High Street would not be suitable and can be discounted as part of our sequential assessment.

10 to 16 High Street, Wombwell

- 6.37 10 to 16 High Street, Wombwell was previously in use by Thomas Cook which, upon review of historic Google Streetview images, closed at some point between April 2021 and May 2023. The listing information for the Site² sets out the Unit measures 331.2 sq.m, and at the time of my visit, was being worked on internally, as demonstrated by **Figure 9**.
- 6.38 As demonstrated by the image included at Figure 9, the Site is not currently being actively marketed, with the listing removed from the Mark Jenkinson website following the auction of the property in June 2023. Furthermore, and as referenced above, works were being undertaken internally to the property which suggests that the property has been sold and was being prepared for re-occupation.
- 6.39 On this basis, it is considered that the vacant unit at 10 to 16 High Street is not available and as such, can be discounted from this sequential assessment.

² <https://www.markjenkinson.co.uk/property/33450>



Figure 9 – 10 to 16 High Street, Wombwell.

9 Station Road, Wombwell

- 6.40 9 Station Road, Wombwell (See Figure 10) was previously in use as 'Estetica'; a beauty salon. Upon review of their website, the Shop closed during 2024 and has marketed for sale since such time.
- 6.41 Upon review of the sales particulars available on RightMove³, the ground floor has a sales area measuring approx. 25 sq.m, with the entire property, including residential use on the upper floors, totalling 88 sq.m. As such, the property is too small for the proposed, retail purposes sought in relation to our application.
- 6.42 On this basis, it is considered that this property can be disregarded as part of our sequential assessment of the area.

³ https://www.rightmove.co.uk/properties/154984736#/?channel=COM_BUY



Figure 10 – 9 Station Road, Wombwell.

Other Properties.

- 6.43 Outside of the vacant units identified above, there are a number of retail units up for sale within the Town Centre, however, at the time of my visit, all of the shops were still being utilised, as listed below:
- 31 to 33 Marsh Street⁴ is a freehold property arranged as two mixed-use buildings comprising two ground floor commercial units and two, self-contained three-bedroom flats above totalling 206.16 sq.m.
 - 26 High Street⁵ is an existing bakery located within a mid-terrace property with approximately 140 sq.m of internal area.
 - 50 High Street⁶ is an existing delicatessen albeit there is no information online in terms of the size of the unit.
- 6.44 Based on the information set out below, it is considered that none of the existing properties would be suitable for the provision of any of the proposed units sought as part of our development. Given that all of the units are currently in use, have small ground floor footprints and the units are being sold with a view to increasing their yield, they can be sufficiently discounted as part of this sequential assessment.

⁴ https://www.rightmove.co.uk/properties/171590510#/?channel=COM_BUY

⁵ https://www.rightmove.co.uk/properties/145705376#/?channel=COM_BUY

⁶ <https://www.ernest-wilson.co.uk/Business-Details/590785/>

Cortonwood Retail Shopping Park

- 6.45 Cortonwood Retail Shopping Park is approximately 0.97 km to the west of the Site and offers a comprehensive retail experience for visitors seeking a convenient shopping destination. The Site provides a diverse array of shops, (as listed below) catering to various needs and preferences.
- Argos
 - Asda Living
 - B&M
 - B&Q
 - Boots
 - Costa Coffee
 - Halfords
 - JD
 - M&S Foodhall
 - Matalan
 - McDonalds
 - Morrison's (including Petrol Station)
 - Mountain Warehouse
 - Pets at Home
 - Poundland
 - SCS
 - Smyths Toys
 - Sports Direct
 - Superdrug
 - TK Maxx
- 6.46 In addition to the extensive retail offerings, the shopping park also features a choice of eateries, providing convenient options for a quick snack or a more substantial meal during your visit.
- 6.47 At the time of my visit (11:00 to 11:30), the Park was well utilised, especially when considering it was a mid-week morning. The units across the Park are significantly larger than those which we're and are available in the District Centre and are catered towards major retailers.
- 6.48 There were two vacant units across the park. Unit 7, measuring approx. 1,190 sq.m, was previously occupied by H&M and was permanently closed in the summer of 2024.
- 6.49 Unit 1, previously occupied by Wilko, has been closed since February 2024. There have been a number of planning applications since its closer however, there was no indication that the works associated with these approvals had taken place.
- RB2024/0983 - Removal of existing entrance doors and installation of new frontage. Approved 2nd September 2024.

- RB2025/O882 - Application to vary condition O6 (to allow the sale of food from unit 1B) imposed by RB2015/1101. Approved 20 August 2025.

6.50 For the purpose of our sequential assessment, given the size of the potentially available units within the Shopping Park, these are significantly over-sized and in excess of what is required as part of our development proposals for the Site. The nature of our proposal is to provide smaller, convenience units to serve the significant residential population in the surrounding area. As such, it is considered that the units located at Cortonwood Retail Shopping Park are not sequentially preferable.

Neighbourhood Parade - Brampton

6.51 Approximately 500 metres to the South of the Site are two, small shopping parades on either side of Knollbeck Lane, as demonstrated by the images shown at **Figure 11a** and **11b** below. The shops along the parades include a post office, pharmacy, takeaway, café, convenience store and a nail bar and salon.



Figure 11a - The Neighbourhood Shopping Parade on the Western Side of Knollbeck Lane



Figure 11b – The Neighbourhood Shopping Parade on the Eastern Side of Knollbeck Lane

- 6.52 Given that there are no vacant units along this parade of shops, this shows the health of the respective shopping parades. On this basis, there is no potential for the development to come forward in this location and can be sufficiently discounted as part of our sequential assessment.

Neighbourhood Parades – Wath Road and West Milton

- 6.53 To the south-east of the Site are a number of individual or pair of units which seek to serve the predominately residential development within which they are situated.
- 6.54 All of these units were currently occupied and as such, there would not be any scope for the proposed development to come forward in these locations. On this basis, the units can be discounted as part of our assessment.

Sequential Assessment Conclusion

- 6.55 Based on the information set out above, there are no sequentially preferable sites or available units which could accommodate the application proposal. It therefore must be concluded that the application site meets the Sequential Test and accords with Policy TC3 and TC5 of the Local Plan, as well as the relevant information contained within the NPPF.



SECTION 7: PLANNING CONSIDERATIONS

7.1 This Section of the Planning Statement sets out the general planning matters which should form part of the consideration of the determination of this application. Accordingly, the following general planning matters are considered below:

- The Principle of Development;
- Job Creation Benefits;
- Amenity;
- Highways;
- Flood Risk;
- Ecology and BNG; and
- Contamination

The Principle of Development

7.2 This Section of the Planning Statement sets out the general planning matters which should form part of the consideration of the determination of this application. Accordingly, the following general planning matters are considered below:

7.3 As set out within this Statement, the Site comprises an existing car wash facility, tyre shop, barbers and car sales area, with the proposal for the Site seeking to demolish the existing structure(s) and redevelop the Site for the provision of three retail units totalling 685 sq.m and ancillary car parking provision including EV charging.

7.4 In terms of the principle of developing the Site, in line with the NPPF, Policy L2 sets out information regarding Making Effective Use of Land seeks to maximise the efficient use of land and buildings by giving substantial weight to development proposals that make better use of existing sites and previously developed land.

7.5 Policy TC5 of the Local Plan provides guidance regarding Small Local Shops, stating that outside existing centres, small shops that meet the daily shopping needs of a local community will be permitted where the shops are of a type and in a place that would meet daily shopping needs and this need is not already met by existing shops. Furthermore, it details that the shops should be located and designed to encourage trips by pedestrians and cyclists would discourage trips by car.



- 7.6 Based on the wording of Policy TC5, the proposed development at the Site will provide a large retail unit, and two smaller retail units. Whilst it is acknowledged that there are a number of small shopping units located in the wider area, the provision of additional retail provision in this location will serve a significant number of residential properties, providing additional convenience provision to residents in close proximity to the Site. Furthermore, the Site is well located and would encourage pedestrian and cycling provision, as well as being well located in terms of access to public transport, and therefore any trips undertaken by car are likely to be limited.
- 7.7 The reasoned justification associated with Policy TC5 sets out that local shops perform an important role in meeting the day-to-day needs of communities. They are a vital part of creating sustainable communities and for reducing the need for people to travel. The Council will encourage small shops where it can be shown that they meet a local need. Proposals for small shops will not normally require a sequential test provided that they accord with the criteria set out in Policy TC5.
- 7.8 In any case, we have sought to undertake a sequential assessment in support of our application, which is set out above within Section 6.
- 7.9 Small shops are defined as units having a gross floor area of 500 sq.m or less. Because they are intended to serve local needs, developments allowed under this policy must not include large, dedicated car parks. The proposed retail development of the Site, which includes three units all under 500 sq.m, is supported by a total of 36 car parking spaces, which accords with the requirements of the Parking Standards SPD. Despite this, the proposal seeks to support the local role it has been designed to meet and will encourage the use of the Site to be utilised via sustainable methods.
- 7.10 In addition to Policy TC5, Policy CCI sets out that the Council will give preference to development of previously developed land in sustainable locations. As demonstrated throughout this Statement, the Site is a brownfield parcel of land which is located in a sustainable location and as such, its development is acceptable in relation to Policy CCI.
- 7.11 Based on the Planning History of the Site (see Section 3), the Site has previously secured approval for retail provision in this location, albeit ancillary to the petrol station use. However, in any case, this demonstrates that retail provision in this location is considered acceptable and as such, the principle of developing the Site for additional retail provision should be supported by the Local Planning Authority ('LPA').



Job Creation Benefits

- 7.12 Whilst it is acknowledged that the existing use across the Site provides some level of employment, the proposed change of use of the Site will generate additional employment opportunities, which will be suitable for local residents, particularly those who wish to be flexible in terms of their working hours.
- 7.13 The proposal will therefore bring a wide range of economic benefits in both the short and long term and accords with the role and focus as set out within the NPPF, as well as SD1 of the Local Plan.

Amenity

- 7.14 Policies DP3 and DP4 of the NPPF promote the delivery of high-quality, sustainable, and well-designed development that responds positively to its surroundings and contributes to creating attractive, healthy, and inclusive places. Development should reflect local character, history, and distinctiveness through its layout, scale, architecture, materials, and treatment of heritage assets, while also supporting innovation where appropriate.
- 7.15 Proposals should enhance environmental sustainability by incorporating energy-efficient design, biodiversity improvements, green infrastructure, sustainable drainage, and measures to address climate change. They should prioritise walking, cycling, public transport, and high-quality public spaces that are safe, accessible, and support community wellbeing, while making efficient use of land and reinforcing local character and a strong sense of place.
- 7.16 The policies also emphasise that design quality must be embedded throughout the entire development process, from inception to construction and completion. Development that fails to accord with relevant design policies, design codes, guides, or masterplans should generally be refused unless justified by exceptional circumstances.
- 7.17 Conversely, innovative schemes that achieve outstanding design quality and sustainability should be strongly supported, provided they remain sensitive to their context. The policies also seek to prevent post-permission amendments from undermining approved design quality, ensuring that high standards are maintained through to completion.
- 7.18 In support of the NPPF, Policy GD1 of the Local Plan denotes that proposals for development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents and that they are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.

- 7.19 The proposed development of the Site will utilise an existing, under-developed Site and ensures the safeguarding of the wider area. The development has been designed to a high standard and will provide an attractive proposal which is over and above that which is currently present across the Site.
- 7.20 As demonstrated by the Proposed Site Layout, as indicated at **Figure 5** above, the proposed building is located in close proximity of the southern / western boundary, adjacent to the residential property located on Dove Road. The proposed building is single storey in nature and will ensure that sufficient daylight and sunlight provision is maintained to the existing, residential property.
- 7.21 From a visual perspective, the proposal seeks to erect a 3-metre high, timber acoustic fence to help minimise any visual impact the development has on the neighbouring residential property (**Figure 12**). This, in addition to the existing hedgerows and planting, will ensure that any noise and visual impacts to the neighbouring residential property are minimised.



Figure 12 – The Nearest Residential Properties Adjacent to the Site on Dove Road

- 7.22 The nearest property located in proximity to the proposed delivery bay is on Eastwell Grove, approximately 15 metres away (direct). In terms of product deliveries to and from the Site, the times in which these can be undertaken can be sufficiently controlled via condition should the proposal secure a positive determination from the LPA.
- 7.23 In support of our proposal, a Noise Impact Assessment has been prepared by Sound Solution Consultants and should be read in conjunction with this Statement.



- 7.24 The assessment for the proposed development evaluated the existing sound levels at the Site boundary and applied the BS 4142 methodology to predict cumulative rating levels at nearby residential receptors using indicative manufacturer data and assumed operational activities. Results showed that predicted noise levels would remain below background sound levels during both day and night, indicating a low impact, supported by a contextual Site review.
- 7.25 In the absence of detailed plant specifications, a cumulative noise limit has been recommended, with indicative assessments demonstrating that these limits can be achieved through appropriate plant selection, silencing measures, and boundary mitigation.
- 7.26 The assessment concludes that noise should not form grounds for planning refusal, with effects remaining below the LOAEL threshold of the NPSE and is unlikely to alter the area's acoustic character.
- 7.27 If planning approval is granted, noise can be effectively managed through daytime-only deliveries and suitable silencer installations, and the local authority may seek to condition noise limits from the nearest residential windows.
- 7.28 Based on the information set out above, it is proposed that the development will ensure sufficient amenity provision is retained to the nearest, neighbouring residential properties to the Site. Furthermore, the proposed single storey nature of the development allows for sufficient, continued, daylight / sunlight provision to be retained.
- 7.29 As such, the proposal accords with the relevant national and local policies in relation to amenity provision.

Highways

- 7.30 Policy TR3 seeks to ensure that development is located in sustainable and accessible locations that encourage travel by walking, wheeling, cycling, and public transport, while reducing reliance on private cars. Development that generates significant movement should be directed to areas with good existing or planned transport connections, with the scale and density of development reflecting the capacity of available infrastructure.
- 7.31 Proposals must assess and mitigate any significant impacts on the transport network, including congestion, capacity constraints, highway safety issues, and environmental effects such as air pollution, using a vision-led approach that prioritises sustainable transport outcomes. In rural areas, developments should also seek opportunities to improve local connectivity and enhance active travel and public transport infrastructure where feasible.



- 7.32 The policy further requires the use of the Government's Connectivity Tool, alongside other relevant evidence, to demonstrate that proposed development sites are well connected and capable of supporting sustainable travel patterns.
- 7.33 Policy TR6 of the NPPF requires development proposals that are likely to generate significant levels of movement to be supported by appropriate transport evidence, including a Transport Statement or Transport Assessment and, where necessary, a Travel Plan. These documents should assess the likely transport impacts of the development, demonstrate how sustainable transport objectives will be achieved, and align with the wider transport strategy for the area.
- 7.34 Assessments must consider realistic future conditions, including peak-time traffic, cumulative impacts from other developments, travel demand across different transport modes, and opportunities to promote sustainable travel, while also reflecting relevant planning policies on sustainable development, street design, and placemaking.
- 7.35 Development proposals should be refused where they would result in severe adverse impacts on the transport network, unacceptable congestion, cumulative transport effects, or highway safety risks, taking into account proposed mitigation measures, wider transport improvements, and impacts during both the construction and operational phases.
- 7.36 Policy T3 of the Local Plan in relation to New Development and Sustainable Travel states that new development will be expected to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists, whilst also providing the minimum levels of parking as set out in the relevant SPD.
- 7.37 Due consideration has been given to the Site's layout, and the proposal seeks to utilise the existing access and egress provision which presently exists, ensuring that there will not be any impact on the local highway.
- 7.38 The proposed development of the Site, which measures approx. 685 sq.m will include a total of 36 car parking spaces, of which, 6 spaces will be utilised for EV charging purposes, and 4 disabled parking spaces are proposed. In line with the SPD Parking Standards, as set out at **Figure 13** below, the proposal is required to provide 30 spaces ($390\text{sq.m (food retail)} / 20\text{sq.m} = 19.5$; $295\text{sq.m (non-food retail)} / 30 = 9.8$).

Table 1 Numbers of spaces recommended*			
Use	Urban Barnsley	Borough wide (excluding Urban Barnsley)	Threshold above which standard applies*
A1 Shops			
Food Retail	1 space per 14-25 m ²	1 space per 14-20 m ²	1000 m ²
Non-food Retail	1 space per 25-60 m ²	1 space per 20-30 m ²	1000 m ²
	1 space per 20 m ²	1 space per 20 m ²	All development below 1000 m ²

Figure 13 – The Barnsley Parking Standards

- 7.39 On this basis, the proposed number of car parking spaces is considered acceptable, and accords with the car parking standards set out within the Parking SPD. Given that the Site is located in a predominately residential area, there is scope for residents to walk to the Site, with a large number of properties located within a 10-minute radius of the Site, as demonstrated by **Figure 14** below.
- 7.40 In terms of the EV charging provision proposed, whilst there are no specific standards set out within the Council's Parking SPD, its inclusion should be welcomed and works towards achieving the Council's sustainability agenda by virtue of encouraging sustainable transport options.
- 7.41 In terms of cycle parking provision, a total of 10 will be provided in close proximity to the units and is an over-provision when assessed against the relevant standards set out within the Parking SPD.

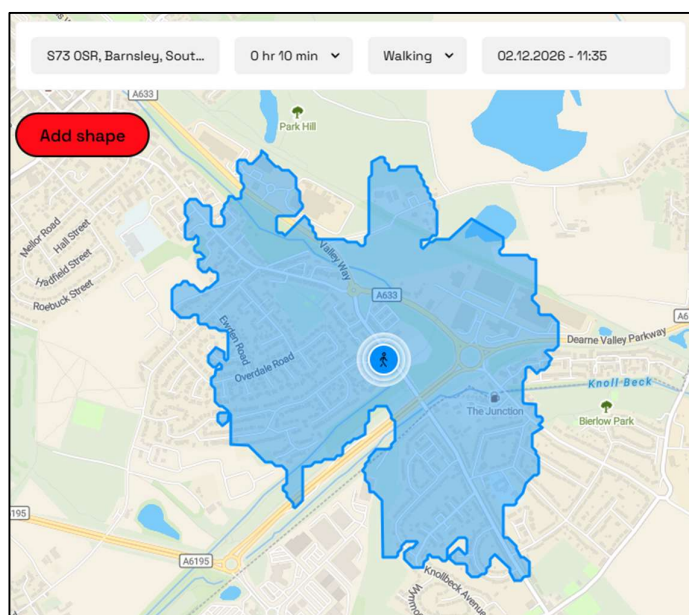


Figure 14 – A 10-minute walking radius from the Site.



- 7.42 In addition, the Site is in close proximity to a number of bus stops, which provide access a number of services (22x, 226 and 649) to Barnsley Town Centre, Rotherham Town Centre, Thurnscoe and Wombwell respectively.
- 7.43 On this basis, it is considered that the Site is located in a sustainable location, and the 'lack' of car parking provision should not be a reason for refusing the proposal. The proposal accords with the relevant national and local policies and should be considered acceptable on these grounds.

Flood Risk

- 7.44 As detailed within the Planning Designations Section of this Statement, the Site is located within Flood Zone 1 which has the lowest probability of flooding. Furthermore, the Site is not impact by any surface water flooding impacts, and as such, it is not considered that the Site will be impacted by or generate any flooding impact to the surrounding area. Given that the Site is less than 1 hectare in size, no supporting Flood Risk Assessment ('FRA') has been provided.

Ecology and Biodiversity Net Gain

- 7.45 Policy N2 of the NPPF requires development proposals to deliver a positive contribution to the natural environment by conserving and enhancing habitats, landscape character, natural beauty, and other environmental assets, while also taking account of agricultural land quality and seeking to utilise lower-quality agricultural land where development is necessary.
- 7.46 The policy encourages developments to strengthen wider ecological networks through connections with initiatives such as Local Nature Recovery Strategies and to retain and enhance existing natural features, including trees, hedgerows, and other elements of ecological, historic, or visual importance. Proposals should incorporate green infrastructure and nature-based solutions that provide multiple environmental benefits, including biodiversity enhancement, sustainable drainage, flood risk management, climate change resilience, pollution reduction, and recreational opportunities.
- 7.47 Development should minimise impacts on biodiversity and include measures to support priority and threatened species, such as bats, hedgehogs, and swifts. Green infrastructure and ecological features must be designed and managed to ensure their long-term success, and planning permission should be refused where significant harm to biodiversity cannot be avoided, adequately mitigated, or compensated for.



- 7.48 Policy CCI of the Local Plan provides guidance in relation to Climate Change, stating that the Council will seek to reduce the causes of, and adopt to the future impact of Climate Change by (not extensive) promoting and encouraging biodiversity gain.
- 7.49 In support of our proposal, a Preliminary Ecological Assessment ('PEA') has been prepared by Collington Winter Ecology and should be read in conjunction with this part of the Statement.
- 7.50 The report confirms that the Site is characterised predominantly by hardstanding with limited areas of boundary vegetation comprising modified grassland, scrub and a non-native hedgerow. The Site lies approximately 450m from the Dearne Valley Wetlands SSSI and within its Impact Risk Zone; however, the appraisal concludes that the Site has limited ecological value due to its heavily developed nature, low habitat connectivity and existing levels of disturbance.
- 7.51 The assessment found no notable habitats or flora of ecological significance within the Site and concluded that the Site provides only limited opportunities for protected and notable species. Great crested newts were discounted due to the absence of suitable ponds within 250m of the Site, while reptiles, badgers, otters, water voles, dormice and other protected mammals were also considered unlikely to be present.
- 7.52 The boundary vegetation has the potential to support nesting birds and may provide occasional foraging or commuting opportunities for common amphibians and hedgehogs.
- 7.53 A bat roost assessment and subsequent nocturnal bat survey confirmed that the existing building does not support roosting bats, with only very low levels of bat activity recorded across the site. No further ecological surveys are considered necessary to support the planning application.
- 7.54 The report recommends a range of precautionary mitigation measures during construction, including timing vegetation clearance outside of the bird nesting season (or undertaking pre-commencement nesting bird checks), implementing sensitive lighting design to minimise impacts on bats, and adopting precautionary measures for common amphibians and hedgehogs should they be encountered during works.
- 7.55 Subject to these measures, the appraisal concludes that the proposed development is unlikely to result in significant adverse ecological effects and that there are no ecological constraints that would prevent redevelopment of the Site.



- 7.56 In addition to the above, Collington Winter also prepared a Biodiversity Net Gain Assessment, which sets out that the habitats present are of generally low ecological value and were assessed as having low strategic significance due to the Site's urban location and limited habitat connectivity.
- 7.57 The baseline assessment identified 0.17 habitat units and 0.03 hedgerow units on the Site, reflecting the predominance of hardstanding and the limited extent of semi-natural habitat present. The proposed development would retain only a small area of boundary grassland alongside the new built development and associated hardstanding. As a result, the assessment concludes that the development would generate an on-site biodiversity loss of 90.75% in habitat units and 100% in hedgerow units, with the statutory trading rules not satisfied through on-site measures alone.
- 7.58 Consequently, off-site biodiversity compensation will be required to achieve the mandatory minimum 10% Biodiversity Net Gain required under the Environment Act 2021. The assessment calculates that the provision of 0.17 habitat units and 0.03 hedgerow units through off-site offsetting will be necessary to secure compliance with BNG requirements.
- 7.59 Subject to the provision of these off-site biodiversity units, the development can achieve the required net gain and satisfy national biodiversity policy objectives.

Contamination

- 7.60 A Phase I Preliminary Risk Assessment was undertaken by Geo2 and should be read in conjunction with this Statement and focused on identifying any potential risks to human health and controlled waters arising from the historical and current land uses.
- 7.61 The Site's long-standing operation as a petrol filling station since the 1960s, along with the presence of decommissioned but foam-filled underground storage tanks (USTs), suggests a potential for residual hydrocarbon contamination, although no documented spills or leaks have been found. The condition of the soils surrounding the USTs remains unknown due to the absence of intrusive investigation.
- 7.62 The Site is underlain by the Pennine Middle Coal Measures, a Secondary Aquifer comprising moderately permeable sandstones and mudstones, where localised fracturing could enable lateral contaminant migration. Given the distance to nearby surface water bodies (over 100 m), the sensitivity of controlled water receptors is considered Low to Moderate, and the corresponding surface water risk is also Low to Moderate. However, due to the underlying sandstone's moderate permeability and the uncertainty surrounding the USTs, groundwater risk is assessed as Moderate.



- 7.63 In terms of human health, potential risks include the migration of hydrocarbon vapours into future or existing commercial buildings, assessed as Low to Moderate because no leaks are known, though vapour risks cannot be discounted without further investigation. Off-site vapour migration is considered unlikely due to separation between potential source areas and nearby residential properties.
- 7.64 Given that the proposed development will predominantly comprise hardstanding and commercial buildings, direct contact with contaminated soils for future occupants is expected to be minimal, resulting in a low-risk classification for on-site users.
- 7.65 Overall, the assessment identifies several potential pollutant linkages that warrant further investigation but does not indicate any immediate high-risk concerns that would prevent redevelopment of the Site.



SECTION 8: CONCLUSIONS

- 8.1 This Planning Statement and incorporated Sequential Assessment has been prepared on behalf of Darwen Developments ('the Client') and is submitted in support of an application for full planning permission for the redevelopment of the Site to provide retail units (Use Class E / Sui Generis), car parking, EV charging bays and associated works at Land South of Brampton Road, Wombwell, Barnsley, S73 0NZ ('the Site').
- 8.2 The NPPF identifies the need for planning positively for community facilities and economic development which meets and supports the needs of local people.
- 8.3 The principle of the additional retail provision and associated parking provision should be accepted given that the Site has previously secured planning permission for a development of this nature (Ref. 2016/0480) in June 2016, and as such, should be a material consideration.
- 8.4 The Site is located outside of the nearest District Centre of Wombwell however, would serve the large, predominantly residential developments of Brampton Road and its surroundings. The proposal will bring a wide range of economic benefits and accord with the role and the focus as contained within the NPPF and the Development Plan.
- 8.5 The proposals will enable the provision of 36 car parking spaces across the Site, which accords with local parking standards, as well as encouraging the use of walking and cycling to the Site, given its convenient location.
- 8.6 Detailed consideration has been given to the layout of the Site to ensure the operation of the Site and traffic flows through it are optimised, without compromising highway safety. Furthermore, the provision of 6 EV charging spaces provide additional highways benefits.
- 8.7 In terms of residential amenity, the proposed design, scale and massing of the building will ensure that there is no adverse impact on the immediate, residential neighbours of the Site, and as such, will not generate any impact in relation to the appearance of the Site nor wider street scene.
- 8.8 The supporting documents in relation to noise and contamination have both concluded that the proposed development of the Site would not generate any significant impact in relation to either aspect.
- 8.9 Based on both National and Local Plan Policies and based upon the size of the proposed development at the Site, a Sequential Assessment has been undertaken as set out within Section 6 above. No sequentially, preferable sites have been identified as part of our Assessment.



- 8.10 Associated information and policy justification has been provided with reference to flooding, ecology, and biodiversity net gain, and accord with the relevant National and Local planning policies.
- 8.11 On the basis of the above, it is respectfully requested that planning permission is forthcoming for this proposal.