

Application Reference Number:		2026/0648.	
Application Type:		Variation of Condition(s).	
Proposal Description:		Variation of condition 2 (approved plans) of application 2025/0942: Change of use of land to commercial car sales including the relocation of existing security fencing to new site boundary.	
Location:		M D Car Sales, Wombwell Lane, Stairfoot, Barnsley, S70 3NT.	
Applicant:		MRT Holdings.	
Third-party representations:	None.	Parish:	
		Ward:	Stairfoot.

<p>Summary:</p> <p>The applicant seeks a variation of condition 2 (Approved Plans) of application 2025/0942: Change of use of land to commercial car sales including the relocation of existing security fencing to new site boundary, with the proposed changes including a diverted fence line to avoid a manhole; a maintenance strip around the fence perimeter; and the height of the fence being increased from 2.4-metres-high to 3-metres-high.</p> <p>This proposal provides replacement forecourt space within an existing settlement and sustainable location as part of a land exchange deal needed to compensate for the loss of existing forecourt space affecting an existing business in preparation of future infrastructure improvement works to the Stairfoot roundabout and surrounding area. As such, the principle of development remains acceptable and in accordance with NPPF Policies S3, S4, HC8, GB6 and GB7 and Local Plan Policy GS1. Significant weight is attributed to the principle of development.</p> <p>A financial contribution for the loss of green space has been secured and transferred in accordance with NPPF Policy DM6 and Local Plan Policy I1. Significant weight is attributed to this element in favour.</p> <p>This proposal is considered acceptable in respect of its potential impacts on biodiversity and geodiversity, trees, visual amenity, highways and public rights of way, and residential amenity, health and pollution control, in accordance with NPPF Policies N2, N3, DP3, TR3, TR4, TR8 and P3 and Local Plan Policies BIO1, D1, T3, T4, GD1 and POLL1. Significant, moderate and modest weight has been attributed in favour, in accordance with national decision-making policies and planning judgement.</p> <p>The anticipated benefits of approving this development would not be substantially outweighed by any adverse effects, when assessed against the national decision-making policies, to otherwise justify a refusal in accordance with NPPF Policy S4.</p> <p>Planning permission should therefore be granted subject to the necessary condition(s) without delay in accordance with NPPF Policy S3(1)(c).</p> <p>Recommendation: Approve with Conditions.</p>

Site Description

This application relates to an area of greenspace (Wombwell Lane) characterised by trees and shrub that acts as a vegetation buffer between the adjacent public bridleway (TPT) and the sales forecourt of the adjacent car sales business. Vegetation has since been cleared and a tarmac surface installed following the approval of planning permission under 2025/0942.

Planning History

2008/0717	Change of use of site from car sales to car wash, car sales and tyre sales and the siting of portacabin.	Approved.
2025/0737	Repositioning of 2no. existing 48-sheet digital advertising displays (Amended Description).	Approved.
2025/0942	Change of use of land to commercial car sales including the relocation of existing security fencing to new site boundary.	Approved.

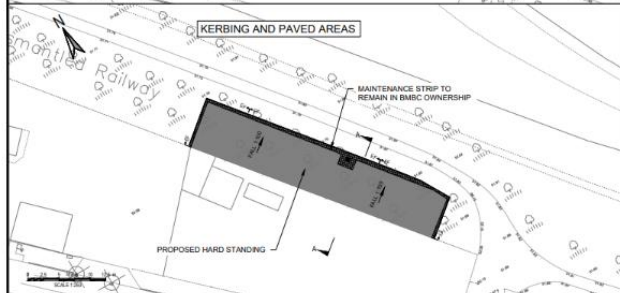
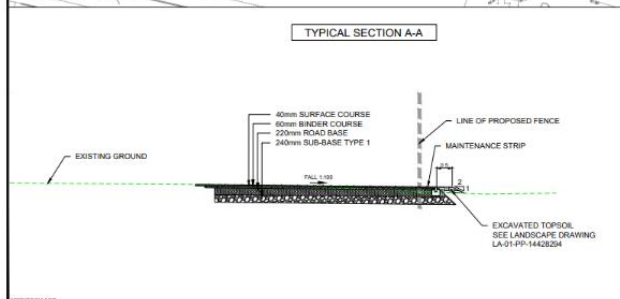
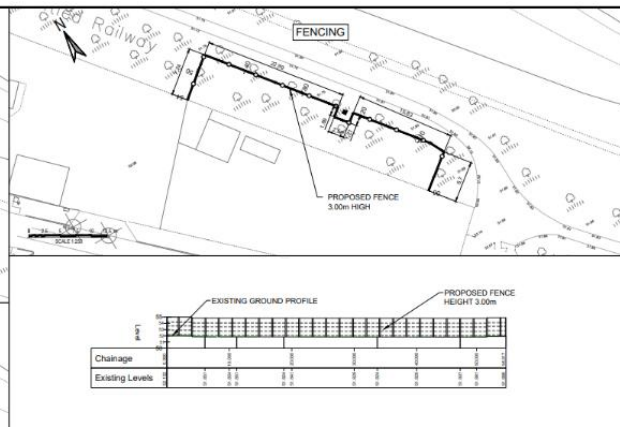
Proposed Development

The applicant seeks a variation of condition 2 (Approved Plans) of application 2025/0942: Change of use of land to commercial car sales including the relocation of existing security fencing to new site boundary.

The proposed changes include a diverted fence line to avoid a manhole; a maintenance strip around the fence perimeter; and the height of the fence being increased from 2.4-metres-high to 3-metres-high.

Vegetation has since been cleared and a tarmac surface installed following the approval of planning permission under 2025/0942.

This application also sought to discharge conditions 3 (Biodiversity Gain Plan) and 4 (Landscaping) imposed by the previous permission (2025/0942). However, these will now be dealt with under a separate discharge of condition(s) application.



KEY

MAINTENANCE PAVING CONSTRUCTION



40mm SURFACE COURSE
60mm BINDER COURSE
200mm ROAD BASE
240mm SUB-BASE TYPE 1

MAINTENANCE STRIP CONSTRUCTION



40mm SURFACE COURSE
60mm BINDER COURSE
200mm ROAD BASE
240mm SUB-BASE TYPE 1

STEERING

OF - 20K15mm FLAT TOP EDGING

No.		Description	
1	FREE	FIRST COPY	
2	100	SITE CLEANANCE NOT REQUIRED FOR UNDESIGNED/UNFILED TRUCKS	

BARNESLEY
Metropolitan Borough Council

**A635 / A633 STAINFOOT
IMPROVEMENTS**

PP:14428294 - MD CAR SALES
GENERAL CONSTRUCTION

Job	Drawn	Checked	Date
MD - 14428294	GC-01C		16/03/2016

File No. FILE

Project Location - GC-01C

Final Client: Barnsley District
 Growth & Environment Directorate
 Environment & Transportation (Business Unit 8)
 P.O. Box 80, Attercliffe Park Road, Attercliffe
 Barnsley, S70 3FA

Relevant Policies

The Development Plan

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

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

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

Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the NPPF should be given very limited weight. The only exception to this is where they have been examined and adopted or made against the NPPF (August 2026). Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the NPPF (August 2026).

The development site is located within the Urban Barnsley settlement and is allocated as green space in the adopted Local Plan.

The following Local Plan policies are therefore relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GI1: Green Infrastructure.*
- *Policy GS1: Green Space.*
- *Policy GS2: Green Ways and Public Rights of Way.*
- *Policy I1: Infrastructure and Planning Obligations.*
- *Policy BIO1: Biodiversity and Geodiversity.*
- *Policy D1: High quality design and place making.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T4: New Development and Transport Safety.*

Supplementary Planning Guidance

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

- *Biodiversity and Geodiversity (Adopted March 2024).*
- *Open Space Provision on New Housing Developments (Adopted May 2019).*
- *Parking (Adopted November 2019).*
- *Planning Obligations (Adopted November 2019).*
- *Trees and Hedgerows (Adopted May 2019).*

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

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

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

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

The following NPPF sections and NPPF policies are relevant in this case:

Section 3: Decision-making policies

- *DM3: Determining development proposals.*
- *DM6: Use of planning conditions and obligations.*
- *DM7: Relationship with other regulatory regimes.*

Section 4: Achieving Sustainable development

- *S3: Presumption in favour of sustainable development.*
- *S4: Principle of development within settlements.*

Section 13: Protecting Green Belt land

- *GB6: Control of development in the Green Belt.*
- *GB7: Development which is not inappropriate in the Green Belt.*

Section 14: Achieving well-designed places

- *DP3: Key principles for well-designed places.*

Section 15: Promoting sustainable transport

- *TR3: Locating development in sustainable locations.*
- *TR4: Street design, access and parking.*
- *TR6: Assessing transport impacts.*
- *TR8: Public rights of way.*

Section 16: Promoting healthy communities

- *HC8: Development affecting Local Green Space.*

Section 17: Pollution, public protection and security

- *P3: Living conditions and pollution.*

Section 19: Conserving and enhancing the natural environment

- *N2: Improving the natural environment.*
- *N3: Trees in new development.*

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

Representations

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

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

A site notice was posted nearby which expired 25th September 2026.

A press notice was used which expired 30th October 2026.

No representations were received.

Consultations

Biodiversity Officer	<i>Comment(s).</i>
Forestry Officer	<i>No comment(s) received.</i>
Highways Development Control	<i>No objection(s).</i>
Pollution Control	<i>No comment(s) received.</i>
Public Rights of Way	<i>No objection(s).</i>
Local Ward Councillors	<i>No comment(s) received.</i>
Trans Pennine Trail	<i>Comment(s).</i>

Planning Assessment

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

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

Principle of Development

NPPF Policy S3(1): Presumption in favour of sustainable development establishes that decisions on development proposals should apply a presumption in favour of sustainable development. This means that NPPF Policy S4 should be applied when considering development proposals within settlements; and in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in the NPPF should be approved without delay.

In this instance, the development site is located within the Urban Barnsley settlement, and therefore, NPPF Policy S4 is applicable.

NPPF Policy S4(1): Principle of development within settlements establishes: Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework (NPPF).

This application has been submitted in preparation of future infrastructure improvement works to the Stairfoot roundabout and surrounding area. To accommodate these improvement works, the existing advertisement displays located to the south-east corner of the existing car sales forecourt are to be re-positioned. This was approved under planning application 2025/0735. A land exchange deal is also needed to compensate the loss of forecourt space affecting the existing business which led to the approval of planning application 2025/0942.

The applicant now seeks a variation of condition 2 (Approved Plans) of application 2025/0942: Change of use of land to commercial car sales including the relocation of existing security fencing to new site boundary.

The proposed changes include a diverted fence line to avoid a manhole; a maintenance strip around the fence perimeter; and the height of the fence being increased from 2.4-metres-high to 3-metres-high.

The proposal would result in the loss of an area of green space of approximately 0.03ha.

NPPF Policy HC8: Development affecting Local Green Space establishes that development proposals for land which has been designated as Local Green Space should be determined in a manner consistent with the relevant national decision-making policies for land in the Green Belt, excluding provisions relating to grey belt and previously developed land.

NPPF Policy GB6: Control of development in the Green Belt establishes that development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7.

NPPF Policy GB7: Development which is not inappropriate in the Green Belt establishes various categories of development that are not inappropriate in the Green Belt. This includes the provision of appropriate facilities (in connection with the existing use of land or a change of use).

This proposal provides replacement forecourt space as part of a land exchange deal needed to compensate the loss of existing forecourt space affecting an existing business in preparation of future infrastructure improvement works to the Stairfoot roundabout and surrounding area. The proposed development is therefore not considered to be inappropriate and would accord with NPPF Policies GB6, GB7 and HC8.

Local Plan Policy GS1: Green Space establishes that proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless: an assessment shows that there is too much of that particular type of greenspace in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or proposal is for small scale facilities needed to support or improve the proper function of the greenspace; or an appropriate replacement greenspace of equivalent or improved quality, quantity and accessibility will be provided which would outweigh the loss.

This proposal would not meet the above-mentioned criteria. However, this proposal is not considered to significantly affect the existing and potential greenspace needs of the Borough given the minimal loss proposed.

This proposal provides replacement forecourt space within an existing settlement and sustainable location as part of a land exchange deal needed to compensate for the loss of existing forecourt space affecting an existing business in preparation of future infrastructure improvement works to the Stairfoot roundabout and surrounding area. As such, the principle of development remains acceptable and in accordance with NPPF Policies S3, S4, HC8, GB6 and GB7 and Local Plan Policy GS1.

Considering the above, the proposal is considered acceptable in principle subject to an assessment of the following matters and significant weight is attributed in favour.

Planning Obligations

NPPF Policy DM6: Use of planning conditions and obligations establishes that planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Conditions should not be used to require payments of money.

Local Plan Policy I1: Infrastructure and Planning Obligations and its supporting text establishes that developer contributions will be sought in relation to infrastructure and anything considered necessary to make a development acceptable.

A contribution of £3769 was secured under the previous planning application 2025/0942 to compensate for the loss of green space as required by the Open Space Provision on New Housing Developments SPD. This has been funded from the Council's Strategic Transport budget and delivered through internal governance processes, with the commitment to be recorded in the Council's Infrastructure Funding Statement to ensure the process achieves transparency and compliance with policy. The Council's Section 106 Programme Manager has confirmed that this payment has since been transferred to the Section 106 balance sheet code.

The proposal is therefore considered to comply with NPPF Policy DM6 and Local Plan Policy I1: Infrastructure and Planning Obligations and is considered acceptable.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This proposal is subject to BNG.

The previous application (2025/0942) was supported by a Statutory Biodiversity Metric, condition assessments, Preliminary Ecological Appraisal (PEA), and a BNG report. The reports confirmed the presence of other neutral grassland and other woodland broadleaved within the site; both of which were recorded as being in poor condition. The findings were agreed with by the Council's Planning Ecologist.

The development considered and approved under planning application 2025/0942 resulted in the loss of all habitats on-site representing a 0.20 loss of habitat units. To secure the minimum 10% net gain requirement, 0.22 units of medium distinctiveness habitats or greater were required. The BNG report indicated that the applicant intended to purchase units from the Stairfoot Quarry habitat bank. This habitat bank is located within proximity to the site and is therefore welcomed.

This application indicates that BNG has been delivered off-site via credits purchased from Wild Capital. Allocation notices have been submitted to support this. However, this condition cannot be discharged during the application process, and a separate discharge of condition(s) application is required where this information will be considered.

Site clearance activities have the potential to injury and/or kill small mammals and nesting birds, if undertaken in the absence of mitigation. A single tree was identified as having potential to support

small numbers of roosting bats, therefore soft felling of the feature will be required during clearance. A Precautionary Working Method Statement (PWMS) should be prepared to ensure the habitats are cleared sensitively. This could be secured by condition.

To mitigate for the loss of bird nesting and bat roosting habitat in the site, bat and bird boxes should be installed on or within proximity to the development site. This could be secured by condition.

The Council's Planning Ecologist was consulted; and it was stated that the proposed changes are very minimal and therefore, further consultation from a Biodiversity perspective is not required.

Considering the above, on balance, this is considered to weigh significantly in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policy N2: Improving the natural environment and Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable in respect of its potential impacts on biodiversity and geodiversity.

Impact on Trees

The development considered and approved under planning application 2025/0942 extended into a verge adjacent to the TPT and necessitated the removal of several trees and groups of trees and shrubs.

The Council's Forestry Officer was consulted; and it was stated that the specimens being removed are not particularly noteworthy nor of a quality making them a constraint to development. However, it was noted that the trees and shrubs provided screening for users of the TPT from the road and existing business.

It was considered that the relocated boundary fence would act as sufficient protection for the trees during works and as such based on the information submitted, it was not felt that additional protections for retained off-site trees was required in that instance. The trees being removed should need to be replaced on at least a 1:1 basis with as much of that replacement planting as possible being used as replacement screening along the new boundary line. This could be secured by condition.

Considering the above, on balance, this is considered to weigh significantly in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policy N3: Trees in new development and Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable in respect of its potential impacts on trees.

Impact on Visual Amenity

NPPF Policy DP3(1): Key principles for well-designed places establishes development proposals should respond to their context so that they integrate with and enhance their surroundings. This should not preclude innovation or change where appropriate.

NPPF Policy DP3(3) establishes that substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

Local Plan Policy D1: High Quality Design and Placemaking, establishes support would be given to development if proposals would achieve a high quality of design and would respect, take advantage of, and reinforce the distinctive local character and features of Barnsley.

This application relates to an area of green space (Wombwell Lane) characterised by trees and shrub that acts as a vegetation buffer between the adjacent public bridleway (TPT) and the sales forecourt of the adjacent car sales business. It is noted that the trees and shrubs provide screening for users of the TPT from the road and existing business. Vegetation has since been cleared and a tarmac surface installed following the approval of planning permission under 2025/0942.

This proposal is not considered to present a materially different impact and represents very minor changes compared with the scheme approved under planning application 2025/0942. As such, it is considered that the assessment undertaken under planning application 2025/0942 remains relevant and that this proposal is not considered to have a significant adverse impact on visual amenity and is considered acceptable subject to condition(s) and further consideration of landscaping details at a later date via a separate discharge of condition(s) application.

Considering the above, on balance, this is considered to weigh moderately in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policy DP3: Key principles for well-designed places and Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding its potential impact on visual amenity.

Impact on Highways and Public Rights of Way

NPPF Policy TR3: Locating development in sustainable locations supports development that is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure.

NPPF Policy TR4: Street design, access and parking establishes that to contribute to creating well-designed places, transport considerations should be integral to the design of development.

NPPF Policy TR6(4): Assessing transport impacts establishes that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

NPPF Policy TR8: Public rights of way establishes that development proposals should protect and enhance the network of public rights of way.

This application relates to an area of green space (Wombwell Lane) characterised by trees and shrub that acts as a vegetation buffer between the adjacent public bridleway (TPT) and the sales forecourt of the adjacent car sales business. While the sales forecourt would extend further north-east, a strip of land would be maintained between the extended forecourt and the TPT.

Highways Development Control were consulted; and no objections were received. It was stated that there is no anticipated impact on the public highway resulting from the proposal.

The LPA has no reason to disagree with the professional opinions of Highways Development Control colleagues in this instance. It is not considered that this proposal would have a severe impact on the transport network (in terms of capacity and congestion, including cumulative impacts) or an unacceptable impact on highway safety to otherwise justify a refusal in accordance with NPPF Policy TR6.

The Trans Pennine Trail (TPT) and Walk Wheel Cycle Trust (WWCT) and Public Rights of Way (PROW) were consulted on this application, and comments were received regarding the need for the TPT to remain open to all users at all times. If a diversion is required, then this should be

agreed with PROW. The proposal should accommodate all users and be fully accessible and appropriately signed. The preferred option would be Banksmen in situ with advanced warning notices.

While access to the TPT by users during work is not a material planning consideration, all comments have been relayed to the relevant parties for consideration. Appropriate informative notes could also be included.

It has also been suggested that works should be carried out from the existing forecourt to minimise the potential impact to trail users and any remaining vegetation. Further comments were received in relation to the need to maintain access to the TPT, to have appropriate signage in situ, and for rapid clearance of debris. If trail users insist on passing while works are being undertaken, then this should be accommodated. No vehicles should be parked on the TPT at any time and any tarmacking works should be undertaken from the existing sales forecourt. All comments have been relayed to relevant parties for consideration and informative notes could again also be included on any positive decision where necessary.

This proposal when completed would not affect the TPT, and is therefore, not considered to be prejudicial to highway safety or to the proper function of the TPT.

Considering the above, on balance, this is considered to weigh moderately in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policies TR3: Location development in sustainable locations, TR4: Street design, access and parking and TR8: Public rights of way and Local Plan Policies T4: New Development and Transport Safety and GS2: Green Ways and Public Rights of Way and is considered acceptable regarding its potential impacts on highway safety and public rights of way.

Impact on Residential Amenity, Health, Safety and Pollution Control

NPPF Policy P3(1): Living conditions and pollution establishes: Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. Within this context development proposals should accord with NPPF Policy P3(2) (a-f) where applicable.

Local Plan Policy GD1: General Development, indicates that support will be given to development if there will be no significant adverse impact on the living conditions and residential amenity of existing and future residents, and the development would be compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.

Local Plan Policy POLL1: Pollution Control and Protection, establishes that support will be given to development if it is demonstrated that proposals would not be likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause nuisance to the natural and built environment or to people.

This proposal would not contribute to significant increased levels of overshadowing, overlooking and loss of privacy or reduced outlook. The development site is located in a principally commercial area and therefore, this proposal is unlikely to have a significant detrimental impact on the health and the quality of life of those living and/or working in the locality. The Council's Environmental Health Officer (Pollution Control) was consulted; and no objections were received.

Considering the above, on balance, this is considered to weigh modestly in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policy P3: Living conditions and pollution and Local Plan Policies GD1: General Development and POLL1: Pollution Control and Protection and is considered acceptable regarding its potential impacts on residential amenity, health and pollution control.

Planning Balance and Conclusion

In accordance with the provisions of NPPF Policy S3 and Local Plan Policy SD1 this proposal is considered within the context of the presumption in favour of sustainable development.

The applicant seeks a variation of condition 2 (Approved Plans) of application 2025/0942: Change of use of land to commercial car sales including the relocation of existing security fencing to new site boundary, with the proposed changes including a diverted fence line to avoid a manhole; a maintenance strip around the fence perimeter; and the height of the fence being increased from 2.4-metres-high to 3-metres-high.

This proposal provides replacement forecourt space within an existing settlement and sustainable location as part of a land exchange deal needed to compensate for the loss of existing forecourt space affecting an existing business in preparation of future infrastructure improvement works to the Stairfoot roundabout and surrounding area. As such, the principle of development remains acceptable and in accordance with NPPF Policies S3, S4, HC8, GB6 and GB7 and Local Plan Policy GS1. Significant weight is attributed to the principle of development.

A financial contribution for the loss of green space has been secured and transferred in accordance with NPPF Policy DM6 and Local Plan Policy I1. Significant weight is attributed to this element in favour.

This proposal is considered acceptable in respect of its potential impacts on biodiversity and geodiversity, trees, visual amenity, highways and public rights of way, and residential amenity, health and pollution control, in accordance with NPPF Policies N2, N3, DP3, TR3, TR4, TR8 and P3 and Local Plan Policies BIO1, D1, T3, T4, GD1 and POLL1. Significant, moderate and modest weight has been attributed in favour, in accordance with national decision-making policies and planning judgement.

The anticipated benefits of approving this development would not be substantially outweighed by any adverse effects, when assessed against the national decision-making policies, to otherwise justify a refusal in accordance with NPPF Policy S4.

For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance.

Planning permission should therefore be granted subject to the necessary condition(s) without delay in accordance with NPPF Policy S3(1)(c).

RECOMMENDATION: Approve with Conditions.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

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

Condition(s):

1. The development hereby approved shall be carried out strictly in accordance with the approved plans:

2026/0648:

PP-14428294-GC-01C

2025/0942:

GA-LA-19 A received 25th November 2025.

Arboricultural Report and Impact Assessment prepared by AWA Tree Consultants ref. AWA7181 dated January 2026 and received 5th January 2026.

BM-8856-01 Statutory Biodiversity Metric completed by Brooks Ecological Ltd and dated 16th October 2025.

CA-8856-01 Condition Assessments completed by Alice Miller and dated 13th October 2025.

Preliminary Ecological Appraisal Report prepared by Brooks Ecological Ltd ref. ER-8856-01 and dated 21st October 2025.

Biodiversity Net Gain Assessment prepared by Brooks Ecological Ltd ref. ER-8856-02 and dated 21st October 2025.

and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making.

2. The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application [The Statutory Biodiversity Metric] by [Brooks Ecological Ltd] reference [BRT Stairfoot] and dated [16th October 2025].

Reason: In the interests of clarification and to help deliver a biodiversity net gain on site in accordance with Schedule 7a of the Town and Country Planning Act 1990.

3. Within 3 months of the date of this permission, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping details shall be implemented in the first planting season following the installation of the new boundary fence; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making and Local Plan Policy BIO1: Biodiversity and Geodiversity.

4. The development hereby approved shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures.

- At least two bat and bird boxes to be installed in suitable locations within the new building, or at a suitable location on-site;
- A sensitive lighting scheme; and
- A Precautionary Working Method Statement (PWMS) to ensure habitats on-site are cleared sensitively to avoid impacts to small mammals, birds and bats.

A scheme comprising the above-mentioned measures shall be submitted to and approved in writing by the Local Planning Authority prior to completion of the development. The approved details shall be implemented prior to completion and retained thereafter.

Reason: In the interests of biodiversity and in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

5. No part of the development hereby permitted shall cause surface water runoff from the site to discharge or flow onto the adjacent public right of way.

Reason: To protect and ensure the continued safe use of the existing public right of way in accordance with Local Plan Policy GS2: Green Ways and Public Rights of Way.

Informative(s):

1. The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

2. The Town and Country Planning Act has been amended to make every grant of planning permission deemed to have been granted subject to the following General Biodiversity Gain Condition:

The development may not be begun unless:

- a. a Biodiversity Gain Plan has been submitted to the planning authority; and
- b. the planning authority has approved the plan.

The purpose of the General Biodiversity Gain Condition is to secure the 'Biodiversity Objective', which requires the post-development biodiversity value to exceed the pre-development biodiversity value of the on-site habitat by at least 10%.

Biodiversity net gain can be achieved through habitat creation or enhancement on-site or off-site; the purchase of biodiversity units from a habitat bank; or as a last resort through the purchase of statutory credits; or a mixture of these.

3. The General Biodiversity Gain Condition has a separate legal basis in contrast to other planning conditions and will apply to all planning permissions, unless exempt. The General Biodiversity Gain Condition will therefore not appear on the decision notice along with the list of planning conditions imposed on the application, rather it will be referenced separately.

The General Biodiversity Gain Condition cannot be varied or removed by an application under section 73 of the Town and Country Planning Act. It also cannot be discharged as part of the grant of planning permission.

4. A public right of way (TPT) runs adjacent to the northeast of the proposed development

site. Safe public access on the right of way should remain open and available at all times, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time, then a temporary closure should be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact publicrightsofway@barnsley.gov.uk.

5. No vehicles shall be parked on the adjacent public right of way (TPT) at any time during works. The access from Wombwell Lane onto the TPT/NCN should also not be closed or blocked at any time during works.
6. Where possible works shall be undertaken from within the existing car sales forecourt and not from the adjacent public right of way (TPT).
7. The works should be undertaken outside of the bird nesting season (March-August inclusive). Should this not be possible then a suitably qualified ecologist should undertake a nesting bird check no more than 48 hours prior to the start of works. Should active nests be found, works should cease until the nests are no longer active and the chicks have fledged and the ecologist has deemed the area to be free of nesting birds.
8. If a protected species (such as any bat, great crested newt, badger, barn owl or any nesting bird) is discovered using a feature on site that would be affected by the development or related works all activity which might affect the species at the locality should cease. You should then seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), the Protection of Badgers Act 1992 and the Wild Mammals Act 1996. This advice note should be passed on to any persons or contractors carrying out the development/works.
9. If a bat or evidence of the presence of bats is discovered on site prior to or during development all work should stop immediately. A licensed bat consultant or Natural England must be contacted and works implemented only in accordance with methods advised by them. This advice note should be provided to any persons/contractors carrying out the development along with the contact details of a relevant ecological consultant. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017.
10. It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke or dust. No waste should be burnt. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, dust or smoke nuisance from being created.
11. The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.