

Application reference number	2025/0256
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Application Type	Full planning permission
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Proposal Description:	Erection of a single storey extension to existing building to extend the size of the gym facilities and amendments to car parking area
Location:	26 Laxton Road, Athersley North, Barnsley, S71 3DH

Applicant	Mr Luke Hirst (agent)
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Number of Third Party Reps	Two	Parish:	n/a
		Ward:	St Helen's Ward

SUMMARY

The application seeks full planning permission for the erection of a single storey extension to a property used as a gym, and alterations to the car parking area. The proposal is considered to be acceptable in policy terms being sited on land designated as urban fabric within the Local Plan. The existing use of the site is authorised and the proposed extension and amended parking area are considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2024).

The report demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties or the highway network or the wider character of the area subject to suitably worded conditions.

Recommendation: **GRANT Planning Permission**

Introduction

The application seeks full planning permission for the erection of a single storey extension to the gym and alterations to the car parking area.

Site Description

The application site is a part two storey, part single storey detached building, with black painted facing bricks and flat roofs. The building sits to the left hand (north) of the site frontage with an existing car park accessed from the right hand (south) side of the site frontage. Laxton Road has a footway on the application site side of the road, but on the other side of the road there is no footway, only a grass verge which appears to be subject to

unauthorised parking, with the fenced greenspace of Newstead Road recreation ground with play equipment beyond.

The wider area is predominantly residential but to the immediate south of the application site is a recently permitted building with a swimming pool at ground floor and a flat over; and beyond that is local convenience store. A public footpath runs along the north boundary connecting Laxton Road with Beeston Square to the east. An existing hot food takeaway operates from the gym, appears to have done so for less than 10 years and does not have consent.

Proposal

The applicant seeks permission to extend the gym and re-order the car parking around the site. The application has been amended to address concerns in relation to the size of the extension and the suitability of the proposed car parking.

The proposed extension measures 14.6m x 14.6m x 3.87m high. It has a flat roof and grey metal cladding.

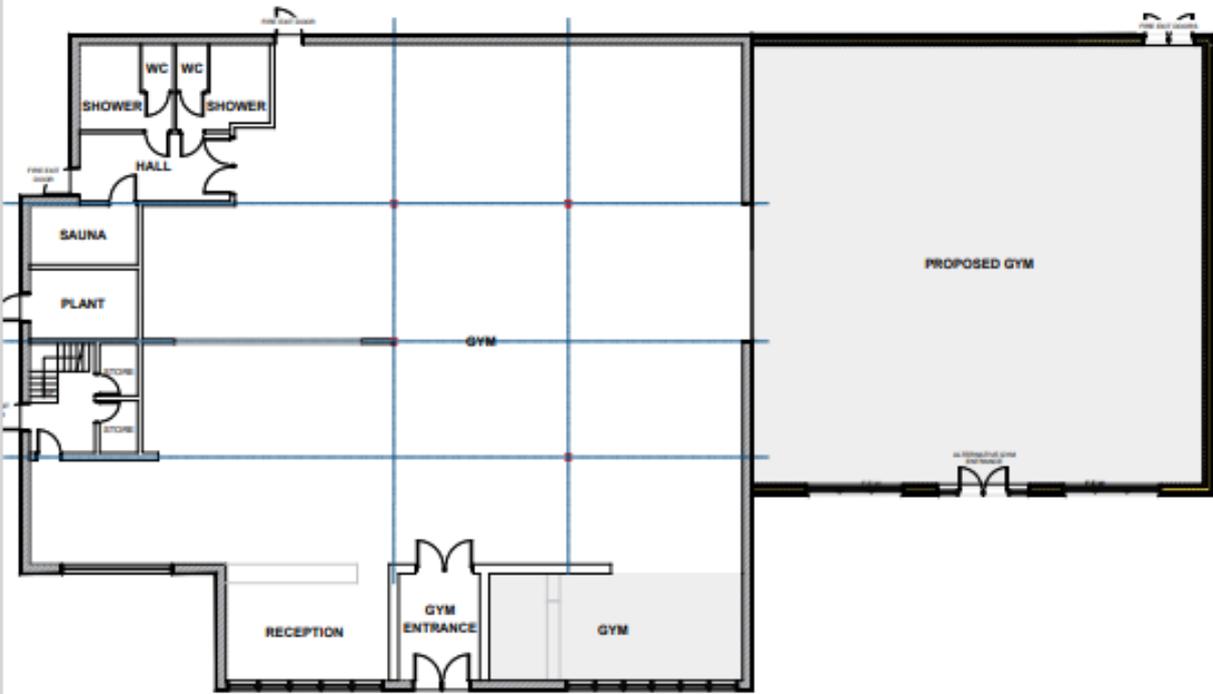
The proposed gym extension is sited on an area used for parking. The proposed layout shows that 22 parking spaces will be provided, five of them tandem spaces for staff.

The submission indicates that the proposal will result in one extra full time and one extra part time employee; and that the hot food takeaway has been removed from the proposal.

Proposed layout showing extension and parking



Proposed extension ground floor plan



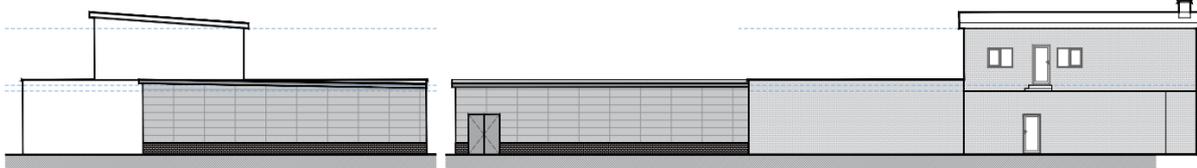
Proposed Ground Floor Plan
Scale 1:100

Proposed extension elevations



Proposed Western Front Elevation
Scale 1:100

Proposed Northern Side Elevation
Scale 1:100



Proposed Southern Side Elevation
Scale 1:100

Proposed Eastern Rear Elevation
Scale 1:100

Relevant Site History

Application Reference	Application description	Status
2023/0273	Erection of ground floor extension to existing building to extend the size of the gym facilities and creation of a new car parking area.	Refused
2016/0514	Change of use from training centre (D1) to gym and fitness centre (D2) approved subject to conditions including hours of use.	Granted

Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

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

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

Local Plan

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

Policy SD1 Presumption in favour of Sustainable Development – indicates that we will take a positive approach reflecting the presumption in favour of sustainable development in the National Planning Policy Framework and that we will work proactively with applicants to find solutions to secure development that improves the economic, social and environmental conditions in the area

Policy GD1 General Development – sets a range of criteria to be applied to all proposals for development.

Policy T3 New development and Sustainable Travel – expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians of cycles. Also sets criteria in relations to minimum levels of parking, provision of transport statements and of travel plan statements.

Policy T4 New development and Transport Safety – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

Policy D1 High Quality Design and Place Making – indicates that development is expected to be of high quality design and to reflect the distinctive, local character and features of Barnsley.

Policy TC1 Town Centres – indicates that new retail and town centre development will be directed to centres in order to maintain and enhance their vitality and viability and that a sequential approach will be used to assess proposals for new retail and town centre development outside the designated centres.

Policy Poll1 Pollution Control and Protection – sets criteria to ensure that new development does not unacceptably affect or cause nuisance to the natural and built environment or to people; or suffer from unacceptable levels of pollution.

Adopted Supplementary Planning Documents relevant to this application:

Parking SPD – gives guidance on parking standards and indicates that the Council encourages the provision of electric vehicle charging infrastructure.

Residential amenity and the siting of buildings SPD – sets out the design principles that will apply to applications for non-residential buildings in proximity to existing residential properties.

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. NPPF policy of relevance to this application includes:

Para 85 Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Para 91. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan.

Para 116 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety

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

Relevant Consultations:

Highways DC – Initial comments recommended deferral for clarification of the staff parking arrangements.

In response to reconsultation – the applicant confirms that the parking arrangement for staff will be managed to keep to a minimum swapping of vehicles in tandem spaces. As such, no objections subject to a condition requiring hard surfacing.

Pollution control – no objections subject to a condition and informative about hours of construction and not causing a nuisance during construction.

Enterprising Barnsley – support the proposal as it will lead to further employment growth and support business rates uplift.

Public Rights of Way – no objections subject to informative regarding the public footpath that runs adjacent to the north boundary of the site.

Ward Councillors – no comments received

Representations

Neighbour notification letters were sent to 9 surrounding properties and a site notice was placed nearby.

Two representations were received from one local resident. The representations raised the following material planning issues:

- Loss of privacy due to use of equipment out on the balcony where users can see through my bedroom windows and into my garden. They use fire doors to go out on the balcony.

Assessment

The main issues for consideration are as follows:

- The principle of development
- Retail policy
- The impact on the character and appearance of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards
- Public rights of way

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

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

Principle of development

The application site has a designation of urban fabric in the Local Plan where Policy GD1 sets a range of criteria against which planning applications must be judged. Subject to assessment of the following criteria, the proposal has the potential to secure the existing jobs and additional full and part time jobs (1.5FTE) in the gym and modest weight in favour of the proposal is given to this material consideration.

As the proposal is for a main town centre use in an out of centre location consideration against the provisions of Local Plan policy TC1 is necessary.

Retail policy

The application is for an existing gym to be extended. A gym is a main town centre use, and the application site is in an out of town location. It is accepted retail planning principle that an extension to a main town centre use may justify a sequential assessment. The submitted assessment demonstrates that there is not sequentially preferable location for the proposal. It is therefore concluded that the proposal is in conformity with Local Plan policy TC1 and modest weight in favour of the proposal is given to this material consideration.

Impact on the character and appearance of the area

The existing building on the site is part two and part one storey, flat roofed with black painted brickwork. The proposed extension is set back from the main front wall of the existing building and is the same height as the existing one storey element. The extension is proposed to have grey trapezoidal cladding on the walls which is capable of appearing acceptable in relation to the existing black painted brickwork walls. Subject to a condition requiring full details of the walling material to be agreed it is considered that the design of the proposed extension will appear acceptable in the street scene and modest weight in favour of the proposal is given to this material consideration.

Residential Amenity

The application is accompanied by a section drawing which shows the relationship between the existing dwellings to the east of the application site and the proposed extension. The extension does not meet the requirements of the SPD Residential Amenity and the Siting of Buildings, including that the requirement for a separation of 25 metres between the proposal and the existing dwellings to the east. However, the submission shows that the separation is 22 metres and that the existence of a substantial and mature tree screen along the boundary reduces visual intrusion and means that there would be no unreasonable overlooking, overbearing or loss of privacy due to the siting of the extension. It also shows that the extension would not intersect a 25 degree line taken from the centre point of the lowest habitable room on the nearest dwelling – the SPD acknowledges that compliance with the 25 degree rule demonstrates acceptable levels of daylighting to neighbouring properties. The objection from a local resident appears to relate to loss of privacy from gym users on the existing single storey flat roof building. The applicant has confirmed that users are not allowed on roof of the building and that this management issue will be dealt with. A condition is recommended clarifying that there is no use of the flat roof permitted and subject to this it is concluded that the proposal meets the requirements of Local Plan policies GD1 and D1 and of the SPD Residential Amenity and the Siting of Buildings. The proposal will not adversely affect the amenity of local residents and modest weight in favour of the proposal is given to this material consideration.

Highway Safety

The applicant has confirmed that the tandem staff parking will be organised in a manner that keeps to a minimum swapping of vehicles in tandem spaces. Subject to this clarification and reflecting the advice from the Highway Engineer, it is considered that the parking provision for the proposal is acceptable and in compliance with the requirements of Local Plan policy T3. Modest weight in favour of the proposal is given to this material consideration.

Public Rights of Way

The Public Rights of Way officer has recommended an informative relating to the need to ensure that the public footpath to the north of the site is kept free during construction. The

proposal itself has no impact on the public footpath and no weight is given to this material consideration.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site suitable for the development proposed and this weighs in favour of the application. In addition the clarification of the relationship with the nearby dwellings that has been submitted has shown that a suitable relationship with neighbouring properties will be achieved and this weighs in favour of the application. The further clarification regarding management of the car park provides confidence that the proposed car parking provision will be adequate for the development proposed.

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

Having balanced all material planning considerations, whilst two objections have been received in respect to the proposal they have been suitably addressed through the information supplied. As a consequence, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations.

The proposal is therefore, on balance, recommended for approval subject to conditions.

RECOMMENDATION

GRANT PLANNING

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

The above objections, consideration and resulting recommendation have had due regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

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

- To clarify the suitability of the proposed staff parking arrangements.
- To demonstrate an acceptable relationship between the proposed extension and the existing residential neighbours.