

<b>Application Reference Number:</b>	2025/0638.		
<b>Application Type:</b>	Full.		
<b>Proposal Description:</b>	Erection of single bay wash canopy.		
<b>Location:</b>	Burrows Kia, Oakwell View, Barnsley, S71 1HH.		
<b>Applicant:</b>	Mr Tony Rath (Vertu Motors (Property) Limited).		
<b>Third-party representations:</b>	None.	<b>Parish:</b>	
		<b>Ward:</b>	Central

**Summary:**

The applicant is seeking planning permission for the erection of a single bay wash canopy.

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. Development is therefore acceptable in principle if proposals would not adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved.

The proposed development would have no adverse impact on residential amenity, visual amenity, and highway safety, and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

Recommendation: **APPROVE subject to conditions.**

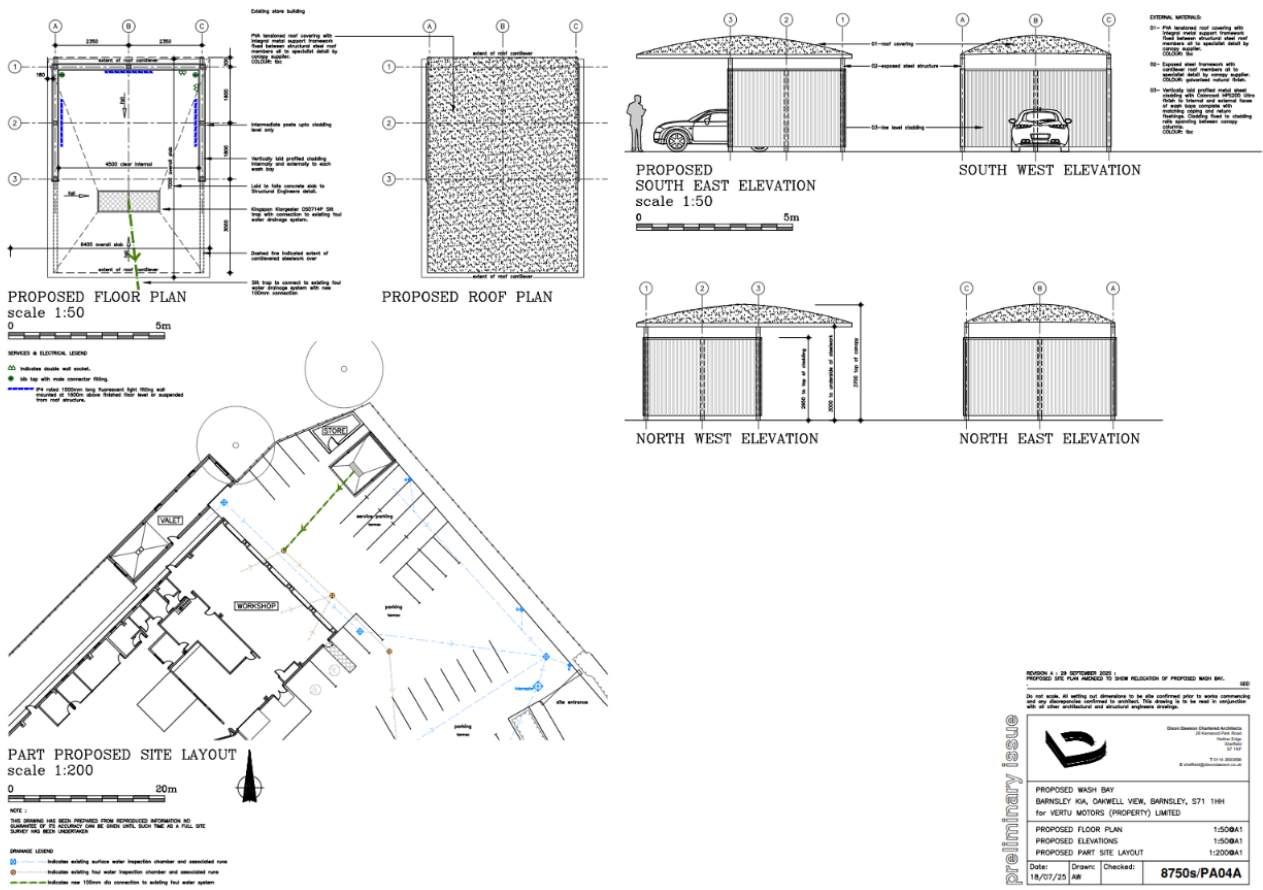


# Proposed Development

The applicant is seeking planning permission for the erection of a single bay wash canopy.

The proposed single bay wash canopy would measure approximately 4.9 metres (W) x 6.9 metres (L) x 3.7 metres (H). The canopy would be constructed of an exposed steel frame with vertically laid profiled metal sheet cladding on its north, east and south sides, and a cantilevered roof with a PVA tensioned roof covering. The proposal would incorporate concrete slabs positioned to fall towards a silt trap to be connected to the existing foul water drainage system.

During the application process, the proposed single bay wash canopy was re-located within the site to avoid any potential impact on the rooting systems of adjacent trees.



## 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 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.

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. The following Local Plan policies are therefore relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy D1: High quality design and place making.*
- *Policy T4: New Development and Transport Safety.*
- *Policy BIO1: Biodiversity and Geodiversity.*

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

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 12: Achieving well designed places.*

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.

### 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:

- *Residential amenity and the siting of buildings (Adopted May 2019).*
- *Trees and Hedgerows (Adopted May 2019).*
- *Parking (November 2019).*

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

## Consultations

This planning 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. Additionally, a site notice was placed nearby, expiring 30<sup>th</sup> August 2025. No representations were received.

Highway Drainage	<i>No objection(s).</i>
Pollution Control	<i>No objection(s).</i>
Yorkshire Water Services Limited	<i>No objection(s).</i>
Forestry Officer	<i>No objection(s).</i>
Local Ward Councillors	<i>No comments received.</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 unless the NPPF establishes a specific weight:

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

### Principle of Development

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. Development is therefore acceptable in principle if proposals would not adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved.

Proposals will also be expected to demonstrate that they are not likely to result, directly or indirectly, in increases in pollution which would otherwise unacceptably affect or cause nuisance to the natural and built environment or to people.

### Impact on Residential Amenity, Health and Pollution Control

It is not considered that the proposal would contribute to significant overshadowing, overlooking and loss of privacy, or reduced outlook impacts which may otherwise adversely affect the amenity of the occupants of the application and neighbouring premises. The proposed single bay wash canopy will adopt a modest size with a restrained roof height and would be erected adjacent to the east boundary where only adjacent areas of hardstanding are likely to be affected. The proposed bay wash canopy is considered an acceptable form of development within a principally commercial setting.

There could be some potential disturbance and disruption because of construction works, and whilst any potential impact is anticipated to be temporary, should the application be approved, a condition could be used to control construction hours should planning permission be granted.

Considering the above, this is considered to weigh moderately in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.*

#### Impact on Visual Amenity

The proposed development would not significantly detract from the character of the street scene as it would be implemented to the north-east corner within an established car dealership site. The bay wash canopy would not be an overtly prominent and dominant structure and is considered to be an acceptable form of development within a principally commercial setting. The canopy would adopt an appearance and design that is common for such development.

Considering the above, this is considered to weigh significantly in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding visual amenity.*

#### Impact on Highways

The proposed development would be erected within an area currently utilised for vehicular parking, and while the proposal would result in the loss of parking spaces, these would all be replaced within the development site. There are no other alterations to access or on-site parking arrangements, and therefore, it is not considered that the proposal would be prejudicial to highway safety.

Considering the above, this is considered to weigh moderately in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.*

#### Impact on Trees

The proposed bay wash canopy was originally intended to be erected on the northern boundary that is abutted by trees. As such, the Council's Forestry Officer was consulted, and additional information was sought regarding the proposed extent of any excavations due to the potential impact on rooting systems. Ultimately, the applicant decided to re-locate the proposed canopy to the south-east of an existing detached store and away from any trees. The Council's Forestry Officer raised no objections to the amended location.

Considering the above, this is considered to weigh moderately in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.*

#### Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), this proposal is considered in the context of the presumption in favour of sustainable development and therefore, for the reasons given above, and taking all other material matters into consideration, the proposal complies with the relevant local and national planning policies and guidance and as such, planning permission should be granted subject to necessary conditions.

**RECOMMENDATION: Approve subject to conditions.**

#### **Justification**

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

*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:*

- *Potential impact on the rooting systems of adjacent trees.*

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.