May 2022

Planning & Sequential Assessment

Nether Mill Barn
Barnsley Road (A628)
Penistone
S36 8AD

Proposed conversion of existing building to form veterinary surgery (Class E)

On behalf of

Donaldson's Vets Ltd

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Appendix 1: Sequential Sites, Penistone

1.0 Introduction

1.1 This Sequential Assessment has been prepared on behalf of Donaldson's Vets Ltd in support of a full planning application and Listed Building Consent for the proposed change of use and alterations to Nether Mill Barn, Barnsley Road, Penistone, S36 8AD to form a veterinary surgery (Class E).

1.2 Nether Mill Barn is an existing Grade II Listed property situated north of Barnsley Road (A628) to the north of Penistone.

1.3 The proposed occupier is Donaldson's Vets, founded over 150 years ago making it one of the most long standing veterinary practices in the UK. During this time they have provided personal, professional care to their small animal, farm and equine customers alongside recent developments in the use of cutting-edge technology.

1.4 Whilst nearly 70% of veterinary practices in the UK are now corporate owned, Donaldson's Vets are the only independent veterinary group remaining in the Huddersfield area and they have developed into a significant employer with over 180 staff across their 7 practices. Being regularly featured on national TV shows such as Yorkshire Vet, Spring Time On The Farm and This Week On The Farm, the team at Donaldson's Vets have become known as strong promoters and advocates of the local area, the countryside, and their varied clients.

1.5 In addressing the Sequential Test, our assessment takes the starting point as the development plan before taking account of relevant material planning considerations including the National Planning Policy Framework (NPPF) and associated guidance contained in the National Planning Policy Guidance (PPG).

1.6 The report proceeds as follows:

- Section 2 describes the site and surrounds:
- Section 3 provides a summary of the proposed development;
- Section 4 reviews relevant planning policy;
- Section 5 addresses relevant town centre policy considerations; and
- Section 6 sets out our conclusions.

2.0 Site Description & Local Context

Site Description

2.1 The application relates to the existing Grade II Listed Nether Mill Barn, located north of Barnsley Road (A628) to the north of Penistone.

2.2 Nether Mill Barn forms part of an existing cluster of buildings generally situated to the rear of the barn, away from Barnsley Road. The buildings have historically formed part of Nether Mill Farm and until recently have been in an active agricultural use. This submission relates to Nether Mill Barn only, with other parts of the complex including barns and outbuildings individually sold.

2.3 Nether Mill Barn is constructed in local grit stone with stone quoins to some corners and a stone lintels and sills. It includes a number of door and window openings. The building has a GIA of 292m^2.

2.4 The surrounding application site is formed of an irregular parcel of land surrounding the barn, measuring 0.12ha. The site fronts Barnsley Road to the south, with boundary treatment along the southern edge of the site formed of dry stone wall.

2.5 Nether Mill Barn is currently vacant and is deteriorating in quality. It fronts towards Barnsley Road and has good visibility from the highway, occupying a gateway location into Penistone from the north east along the A628. Wide pavements are located on either side of the A628 and the B642 towards Penistone Town Centre.

Planning History

2.6 Our search of the Council's public access revealed the following planning applications relating to the site:

- **2013/0597**: Listed Building Consent for residential development of 20 no. dwellings including 13 no. build properties with garages and the conversion/alteration of existing listed and non listed buildings into 7 no. dwellings. (Listed Building Consent) – Withdrawn 10th November 2016.
- **2013/0598**: Residential development of 20 no. dwellings including 13 no. build properties with garages and the conversion/alteration of existing listed and non listed buildings into 7 no. dwellings. (Listed Building Consent) – Withdrawn 10th November 2016.

3.0 Proposed Development

3.1 The proposed development seeks full planning permission and Listed Building Consent for the proposed change of use and alterations to Nether Mill Barn, Penistone, S36 8AD to form a veterinary surgery (Class E).

3.2 The application site measures 0.12ha and lies to the north of Barnsley Road (A628), to the north of Penistone.

3.3 The proposed occupier of Nether Mill Barn is Donaldson's Vets.

Donaldson's Vets

3.4 Donaldson's Vets was founded over 150 years ago, making it one of the most long standing veterinary practices in the UK. During this time, they have provided personal, professional care to their small animal, farm and equine customers alongside recent developments in the use of cutting-edge technology.

3.5 Whilst nearly 70% of veterinary practices in the UK are now corporate owned, Donaldson's Vets are the only independent veterinary group remaining in the Huddersfield area and they have development into a significant employer with over 180 staff across their 7 practices. They pride themselves on the devoted professional care to their patients and their owners and have developed clinical care to attract pet owners from across the UK

3.6 Being regularly featured on national TV shows such as Yorkshire Vet, Spring Time On The Farm and This Week On The Farm, the team at Donaldson's Vets have become known as strong promoters and advocates of the local area, the countryside, and their varied clients.

Proposed Development

3.7 The submitted plans show proposals to carry out refurbishment and alterations to Nether Mill Barn, which has previously been used for agricultural purposes.

3.8 The conversion works would support a change of use to a veterinary surgery which would offer treatment to domestic animals. Internally, it is intended to provide:

- Reception / Waiting Space
- Accessible WCs
- 4x Consulting Rooms
- Dispensary
- Preparation
- Theatre
- Dental
- X-Ray
- Cat Ward
- Dog Ward
- Laundry
- Laboratory

- Morgue
- Office
- Staff Room
- Storage / Plant
- Circulation

3.9 Access into the building is on the south facing elevation, ensuring good connectivity with the frontage to Barnsley Road. A separate private access is on the east elevation to serve the morgue, dog ward and lobby.

3.10 The principal access into the building would connect with the reception and waiting area, with the 4x consulting rooms and toilets all located adjacent to waiting space and positioned on the same level.

3.11 Clinical areas are separated from the public spaces in the northern part of the building.

3.12 Conversion works to support the proposed use would be carried out over ground and first floor level, with the positioning of floor levels seeking to reflect the likely original floor levels of the building to support the reuse of original door opening threshold levels on the south and east facing elevations.

3.13 The proposals would see the GIA of Nether Mill Barn increase from 292m^2 to 311m^2.

3.14 The existing pedestrian and vehicular access point to the south west of the site connecting to Barnsley Road would be retained and utilised by the development.

3.15 A secure cycle parking shelter is proposed to the north of Nether Mill Barn, adjacent to proposed car parking spaces.

3.16 Car parking in the yard area includes for 19 car parking bays for both visitors and staff.

3.17 The availability of car parking spaces to serve the proposed veterinary surgery is a key requirement for the occupier, with visitors bringing pets to the surgery for treatment and therefore generally choosing to arrive by car due to the ease of transportation, particularly when animals are unwell.

4.0 Planning Policy Review

Statutory Development Plan

4.1 Relevant aspects of the adopted statutory development plan for the area are below:

- Barnsley Local Plan (2019); and
- Penistone Neighbourhood Development Plan (2019).

4.2 Our assessment of planning issues therefore focusses on the adopted development plan with key parts and policies in the Plan summarised below.

Barnsley Local Plan (2019)

- Policy TC1: Town Centres
- Policy TC3: Thresholds for Impact Assessments

Penistone Neighbourhood Development Plan (2019)

- Policy LE3: Improve additional business and retail land (Coal Drops)

Material Considerations

National Planning Policy Framework (2021)

4.3 The National Planning Policy Framework ("NPPF") was revised in July 2021. It is a material consideration in the determination of planning applications. The NPPF is clear there should be a presumption in favour of sustainable development where there is no conflict with the development plan.

4.4 The NPPF identified three overarching objectives that contribute to achieving sustainable development at paragraph 8 as follows:

"Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

4.5 At the heart of the NPPF is a presumption in favour of sustainable development set out at paragraph 11, in relation to decision taking, it states: -

"Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

approving development proposals that accord with an up-to-date development plan without delay; or

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole"

4.6 The NPPF sets out guidance in relation to differing themes, a number of which are relevant to the proposed development.

4.7 Section 4 deals with '**Decision making',** paragraph 38 emphasises that local planning authorities should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, and that decision takers at every level should seek to approve applications for sustainable development where possible.

4.8 Section 6 seeks to build a strong, competitive economy and states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 81 states that significant weight should be placed on the need to support economic growth taking into account business needs and wider opportunities for development.

4.9 The NPPF (2021) provides guidance on town centre development. The document highlights two key areas which require assessment for proposals which are edge or out of centre including sequential assessments

4.10 Paragraph 87 of the NPPF confirms a sequential assessment will be required for applications for main town centre uses which are not in an existing centre or in accordance with an up-to-date development plan.

4.11 The search sequence identified in paragraph 87 is that town centre uses should be located in town centres, then in edge of centre locations and only if '*suitable*' sites are not '*available*' should out of centre sites be considered.

4.12 The NPPF (paragraph 88) also states that when considering edge of centre or out of centre proposals, preference should be given to accessible sites that are '*well connected to the town centre*'.

4.13 Finally, paragraph 88 of the NPPF highlights that '*applicants and local planning authorities should demonstrate flexibility on issues such as format and scale'*.

4.14 Guidance on the application of the sequential test is provided by the online PPG which encourages the potential suitability of alternative sites to be discussed between the developer and the local planning authority at the earliest opportunity.

4.15 Against this background the NPPF states that only if *'suitable sites'* are not *'available'* should out of centre sites be considered. The question of *'suitability'* has been the subject of much recent debate and whilst not specifically referred to in the PPG, viability is clearly one aspect of suitability.

4.16 An important issue in setting the parameters for the site search exercise under the sequential test is whether, when considering '*suitability*', a potential alternative site is to be suitable for the 'proposed development' or some other scheme.

4.17 The question of *'suitability'* has been the subject of a significant amount of case law and a number of key appeal decisions.

4.18 Notably, the *Tesco Stores Ltd v Dundee City Council, 21st March 2012, UKSC13* ruling confirmed that whether a site is considered suitable should be based on:

"***…whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site***".

4.19 The *Zurich Assurance Limited (trading as Threadneedle Property Investment) v North Lincolnshire Council and Simons* ([2012] EWHC 3708 [Admin]) ruling further emphasised the sequential approach should be addressed having regard to the "real world" and applied having regard to the developer's requirement as opposed to some other scheme which the LPA may regard as appropriate.

4.20 The Rushden Lakes (APP/G2815/V/12/2190175) Call-In decision (June 2014) further considered the application of the sequential test. The Secretary of State supported the approach of the Inspector who concluded:

"…The sequential test relates entirely to the application proposal and whether it can be accommodated e.g. on a town centre site." (paragraph 8.48

4.21 In *Aldergate Properties Limited v Mansfield District Council [2016] EWHC 1670 [Admin]* the judgement emphasised that in considering how to apply '*suitability*' and '*availability*' the general meaning would be that a site should be:

"…"suitable" and "available" for the broad type of development which is proposed in the application by approximate size, type and range of goods. This incorporates the requirement for flexibility in [24] NPPF, and excludes, generally, the identify and personal or corporate attitudes of an individual retailer…." (paragraph 35 of Judgement)"

4.22 A further relevant Secretary of State decision in the context of how the sequential test should be applied is the grant of planning permission for an out of centre factory outlet centre (FOC) at Scotch Corner issued in December 2016 (APP/V2723/V/15/3132873 & APP/V2723/V/16/3143678). In this case the SoS endorsed his Inspector's conclusions on the sequential approach as follows:

"In carrying out the sequential test it is acknowledged that whilst Framework paragraph 24 [now paragraph 86] ***indicates that applicants should demonstrate flexibility on issues such as format and scale, it does not require the applicant to disaggregate the scheme. The sequential test seeks to see if the application, i.e. what is proposed, can be accommodated on a town centre site or on sequentially preferable sites."***

4.23 It is noted the revised NPPF does not dissent from this approach and does not require disaggregation. If it was intended that disaggregation should be taken into account, it would have been included in the revised NPPF and it was not.

4.24 The PPG checklist (paragraph 010) indicates that when carrying out a sequential test it is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development proposed but rather to consider what contribution more central sites are able to make individually to accommodate the *'proposal'*.

4.25 To summarise, the NPPF (paragraph 87) makes clear that local planning authorities should require applications for main town centre uses to be located in town centres and then follow the sequential sequence.

4.26 The sequential test seeks to see whether the application (i.e. what is proposed) can be accommodated on a sequentially preferable site.

4.27 This is made clearer when the whole of paragraph 87 is read together. Paragraph 87 refers to "planning applications" in the first sentence.

4.28 There is no suggestion in the NPPF that the sequential test means to refer to anything other than the application proposals.

4.29 However, the NPPF goes on to state that applicants and local planning authorities should demonstrate **flexibility** on issues such as format and scale so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

4.30 Neither the NPPF nor the PPG offers any detailed guidance on the degree of flexibility that should be demonstrated and this is where various decisions/judgements have interpreted how the sequential test should be applied.

4.31 However, the PPG offers some guidance on the application of the sequential test as it states that with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the 'proposal' been considered?

4.32 It continues by asking whether there is scope for flexibility in format and/or scale of the proposal. It confirms that it is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make "individually" to accommodate the proposal.

4.33 Therefore, whilst flexibility is to be shown, the application of the sequential test is about the proposal (Paragraph 010, Ref ID:2b-010-20140306) and as the above case law and appeal decisions demonstrate it is widely accepted that when considering flexibility the applicant is not required to disaggregate a proposed development (i.e. Rushden Lakes).

4.34 Taking account of all the above it is clear the application of the sequential test applies to the "proposed development" whilst also demonstrating flexibility on issues such as format and scale.

4.35 In this case the proposed development is for the conversion of an existing barn to provide a veterinary surgery with a GIA of 311m^2. The application site area includes for dedicated car parking and measures 0.12ha in total.

4.36 However, as the proposal seeks to provide a town centre use in what is an 'out of centre' location around 615m from the defined boundary of Penistone District Centre, a Sequential Assessment has been undertaken.

5.0 Sequential & Town Centre Policy Assessment

5.1 The revised NPPF was published in July 2021 and provides guidance on how the location of new main town centre uses are to be addressed. The document highlights two key areas which require assessment for proposals which are edge or out of centre including sequential and impact assessments.

5.2 Policy TC1 of the Barnsley Local Plan (2019) outlines the Council's approach to town centre uses in Barnsley.

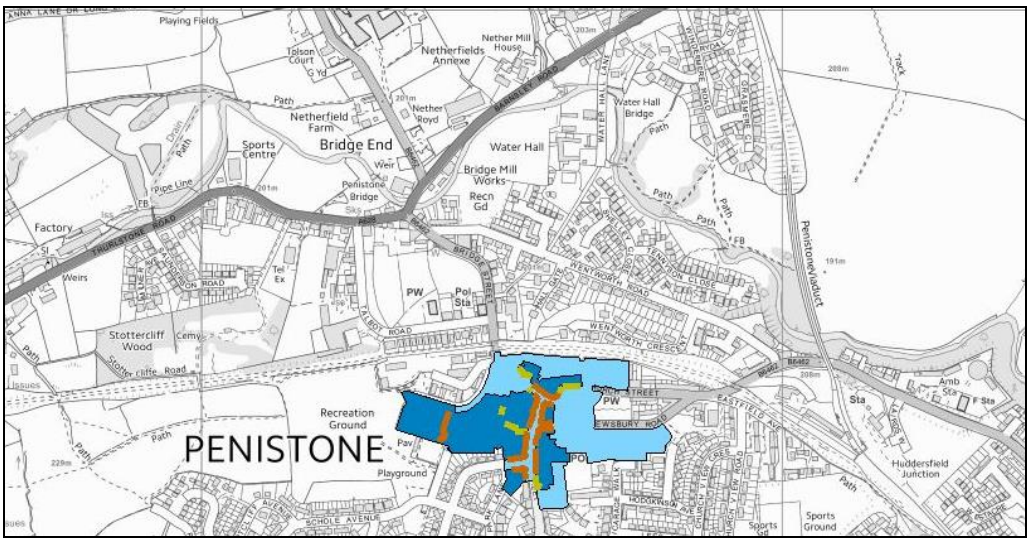
5.3 The policy establishes a hierarchy and list of defined centres, with Penistone identified as a District Centre. The role and function of District Centres is described as having an important role serving localised catchments and meeting more local needs.

5.4 In determining applications for main town centre uses, the policy outlines such uses shall be appropriate to the scale, role, function and character of the centres in which they are proposed.

5.5 A sequential approach will be used to assess proposals for new town centre development to help to achieve the spatial strategy for the borough, focussing first on identified centres and then edge and out of centre locations.

5.6 The application site is located to the north of Barnsley Road (A628), to the north of Penistone.

5.7 The site lies approximately 615m to the north of the Penistone District Centre boundary, along a key gateway route towards the centre, as confirmed by the below extract from the Barnsley Local Plan (2019) Policy Map.



5.8 The NPPF (2021) confirms that for retail purposes 'edge of centre' sites are locations that are well connected to, and up to 300m from, the primary shopping area. For all other main town centre uses this comprises a location within 300m of a town centre boundary.

5.9 The application site is therefore an 'out of centre' site and a Sequential Test is required to accompany the application.

5.10 In terms of the Impact Assessment, Policy TC3 Policy TC3 'Thresholds for Impact Assessments' confirms an impact assessment is required for retail and leisure proposals located outside the Primary Shopping Area of a District Centre where having a floorspace in excess of 1,000m^2.

5.11 The proposed redevelopment is for a veterinary surgery and measures 311m^2. An Impact Assessment is therefore not required.

5.12 In light of the above, matters relating to the Sequential Test are considered below. The scope of the assessment is based around the role and function of Penistone District Centre and the scale, nature and function of the proposal.

5.13 As stated earlier, the proposed veterinary surgery would be operated by Donaldson's Vets. The veterinary group provide personal, professional care to small animal, farm and equine customers and are well established in the area.

5.14 The application site location has been identified due to its ability to provide access to both town and rural clients. The practice currently has a large number of customers in the Penistone area and hope to minimise the number and distance of car journeys undertaken to access their services, through having more local premises and thereby reducing their environmental impact. Improving their local presence will ensure a smoother service for both clients and vets, particularly during a medical emergency.

5.15 In addition, a large ground floor area is required for the waiting room and consulting rooms and is particularly important when animals are being moved under general anaesthetic within the in-patient facilities (preparation room to x-ray, to operating theatre, to anaesthetic recovery). It is not practical to undertake such clinical work in a multi-level building.

5.16 Nether Mill Barn is unique within the local area in providing the required area of accommodation that is predominantly located on the ground floor.

5.17 Most clients visit the practice by car or by public transport and, again uniquely within the local area, the site provides adequate space for car parking requirements as well as access to public transport infrastructure. Similar car parking is not available at any alternative town-centre site.

5.18 It is essential that clients are able to locate our premises (especially in a medical emergency situation) and so prominent main-road frontage is essential, with the application site comprising a strong frontage to Barnsley Road at a key gateway location in Penistone.

Sequential Test

5.19 Paragraph 87 of the NPPF confirms a sequential test will be required for applications for main town centre uses which are not in an existing centre or in accordance with an up-to-date development plan. The search sequence identified is that town centre uses should be located in town centres, then in edge of centre locations and only if *'suitable'* sites are not *'available'* should out of centre sites be considered.

5.20 The NPPF (paragraph 88) also states that when considering edge of centre or out of centre proposals, preference should be given to accessible sites that

are *'well connected to the town centre'*. Paragraph 88 also indicates that applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

5.21 Guidance on the application of the sequential test is provided by the online PPG. The guidance is clear in that:

"The application of the test should be proportionate and appropriate for the given proposal." (Paragraph 010)

5.22 Adopted development plan Policy TC1 provides the starting point in the consideration of the sequential test. However, material considerations should also be taken into account, including the NPPF and associated guidance. The latter is clear in that assessments should be proportionate and appropriate. Other relevant material considerations include the local context and the nature of the proposed development.

5.23 The first stage in the application of the sequential test is to establish the area of search for any potential sequentially preferable sites.

5.24 The proposed development lies around 615m to the north of Penistone District Centre, with the Local Plan (2019) confirming District Centres have an important role serving localised catchments and meeting more local needs. Penistone is identified as one of the smaller district centres and a historic market town. Its main strengths are identified as the number and type of shops, low vacancy rates and good sustainable transport links. Aims for the centre include improvement of car parking.

5.25 The development proposes conversion of an existing building in a gateway location to Penistone to provide a veterinary surgery. The practice seeks to provide veterinary services to the local catchment of Penistone and adjacent agricultural uses. Due to the small scale nature of the proposal and function of Penistone District Centre, our assessment of whether there are any sequentially preferable sites in or on the edge of centres identified in the retail hierarchy in Policy TC1 has had regard to the suitability and availability of sites within and on the edge of the Penistone District Centre.

5.26 This approach is considered to be proportionate and appropriate and was recognised in a recent Pre-Application enquiry undertaken with Barnsley District Council. The response confirmed the requirement for a sequential test and that:

"*This assessment must demonstrate that there are no suitable vacant units within the Town Centre which could potentially accommodate the class E use proposed."*

5.27 In order to demonstrate there are no sites we have assessed the centre and locations within 300m of the defined centre boundary to determine if there are any sequential sites which could accommodate the proposal.

5.28 When setting the site search parameters to determine if there are any suitable or available sites for the proposal at the edge of Penistone District Centre, in this case the proposed development seeks the change of use and conversion of Nether Mill Barn of floorspace to provide a veterinary surgery (311m^2) with

19 associated car parking spaces. The majority of space is provided across one level within the building. Nether Mill Barn has good frontage to Barnsley Road, a key route through Penistone. It also lies adjacent to more agricultural areas to the north. It is therefore location specific in the sense that it relates to an existing built development.

5.29 In terms of applying the sequential approach, it is unrealistic to assume the applicant would look to construct a new building in another location as an alternate to occupying Nether Mill Barn.

5.30 It is also unrealistic to assume the applicant would look to construct the development in a location lacking in a good frontage or visibility to the road network or in a destination without dedicated car parking, due to the need for customers arriving with animals, who may often be unwell, requiring convenient transportation to the surgery. The location will also allow convenient access for the practice's equine and agricultural clients.

5.31 A further aspect which is important to the practice is the provision of floorspace largely across one level, due to the need to move animals under general anaesthetic between in-patient facilities. It would therefore not be practical to transport animals across multi-storey facilities.

5.32 The findings of the Dundee judgement, accepted by the Secretary of State at Rushden Lakes, emphasised the need for the application of commercial reality when considering the sequential test and that prime regard has to be had to the development proposed.

5.33 The PPG checklist (paragraph 010) indicates that when carrying out a sequential test it is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development proposed but rather to consider what contribution more central sites are able to make individually to accommodate the *'proposal'*. In this case such an exercise is very much a theoretical assessment as developers operate in the real world and the reality is that the proposal would not relocate elsewhere. Nonetheless, the assessment has been carried out.

5.34 The proposal in this case is for a proposed veterinary surgery (Class E).

5.35 As established earlier, there is no requirement to disaggregate the floorspace under the sequential test and neither would it make any sense in this case based on the linked function between all aspects of the surgery and the need to transport animals under general anaesthetic between in-patient facilities.

5.36 In light of the above, the only manner in which an assessment can be made of any town centre / edge of centre sites under the sequential approach concerns what contribution they could make individually to accommodate the proposal.

5.37 The total GIA of the development amounts to 311m^2, with a total site area of approximately 0.12ha.

5.38 The search for sites has taken a flexible approach with the search for sites having considered whether there are any smaller or larger sites than the application site, applying 10% flexibility.

5.39 A number of sequential sites were identified within and at the edge of Penistone District Centre and are discussed below.

Penistone District Centre

5.40 The defined boundary of Penistone District Centre is approximately 615m from the application site. The District Centre is anchored by a large Tesco Superstore at the north west end of the centre.

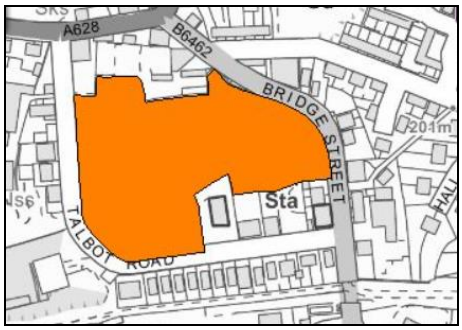
5.41 The centre includes a mix of other small convenience, comparison, leisure and service units to meet local needs. Smaller units are focussed along St. Mary's Street, Market Street and High Street within the historic core of the centre, much of which is designated as a Conservation Area.

5.42 As set out above, our search under the sequential approach has considered the suitability and availability of sites within and at the edge of the District Centre.

5.43 Having regard to the need for commercial reality, as emphasised in the Dundee judgement, our search focussed on existing vacant units which could be converted to provide a veterinary surgery, rather than new build opportunities.

5.44 With this in mind, the following undeveloped sites were discounted at the first stage of our assessment. An extract of site locations are shown below for clarity, with both sites being new development or redevelopment opportunities.

- Land at Talbot Road: Greenfield site at the edge of Penistone District Centre, allocated for housing (HS71) in the Local Plan (2019).



- Coal Drops, at the St Mary's Street / Stottercliffe Road roundabout: 0.3ha site allocated for business and retail uses (Policy LE3) in the Penistone Neighbourhood Development Plan (2019).



5.45 In order to provide an up-to-date assessment of any suitable and available in or edge of centre properties which were either vacant or subject to marketing, a centre visit to Penistone was carried out on the 16th May 2022.

5.46 Whilst our visit included 'edge of centre' locations in Penistone, it is noted due to the size of Penistone edge of centre locations on the whole comprise quiet, residential streets which were generally considered to be unsuitable locations for the proposed veterinary surgery.

5.47 Following the initial sieve of sites and our visit to Penistone District Centre, the following sites were identified for consideration as part of our sequential assessment:

- ST1: Former Yorkshire Building Society, 13 Market Street, Penistone
- ST2: Former Barnsley Hospice, 3 High Street, Penistone
- ST3: Former JB's Divine Art, 6 Shrewsbury Road, Penistone

ST1: Former Yorkshire Building Society, 13 Market Street, Penistone

5.48 **13 Market Street** is an end of terrace property located on the eastern side of Market Street, within the defined District Centre boundary for Penistone. The property is a vacant unit previously occupied by the Yorkshire Building Society. The unit was being marketed by Lancasters Property Management during our visit to the centre.



5.49 Following the identification of 13 Market Street as an 'in centre' property which is currently vacant, an online search was conducted to obtain further details on the property.

5.50 At ground floor level, the building is understood to have a GIA of 33.5m^2 with further room in the basement (22.2m^2) and at first – third floor level (63.3m^2) with the building totalling 119m^2. The property does not appear to benefit from any dedicated car parking.

5.51 Based on the above, the size of the building is considered to be significantly below that of the proposed development (311m^2). 13 Market Street is therefore considered to be 'unsuitable' for the development based on size alone.

5.52 Furthermore, whilst it is unclear if it is just the ground floor of the property, or all floors of the building that are available, in any case the ground floor (33.5m^2) is too small for the proposal whilst the use entire building would be impractical given it would require animals often under general anaesthetic to be transported across different building levels, creating significant operational issues.

5.53 The lack of any dedicated car parking is a further issue, meaning the customer base of the proposed vets would struggle with direct access into the surgery whilst transporting animals, often for medical emergencies.

5.54 The location of the unit would also preclude the veterinary surgery from offering equine and agricultural services due to its location within a dense urban environment with poor connectivity with more rural areas.

5.55 In relation to 'availability' we are unable to find online marketing details for the property, which we understand is being let by Lancasters Property Management. It is therefore unclear if the building is still available, or if it is all of the building being marketed or just the ground floor. In any case, the marketing opportunity is 'to let' and represents a less certain long-term prospect in comparison to Nether Mill Barn.

5.56 Based on the above, it is not possible to conclude whether 13 Market Street is **unavailable** or whether it is just part of the building which is being marketed.

5.57 In any case, 13 Market Street is considered to be **unsuitable** for the proposal due to its restricted size, multi-storey format, lack of dedicated car parking and poor connectivity with potential equine and agricultural customers.

5.58 The site is therefore discounted.

ST2: Former Barnsley Hospice, 3 High Street, Penistone

5.59 **3 High Street** is also located on the eastern edge of High Street, within the defined Penistone District Centre.

5.60 The unit was vacant during our visit to Penistone District Centre, although works were being undertaken to the property with signage indicating a new occupier was due to open in the building as shown below.



5.61 Based on the signage at 3 High Street indicating 'Bake Boutique' are set to open in the building and given the lack of marketing being undertaken, we conclude the building is **unavailable**.

5.62 In any case, whilst we have not been able to locate specific details of the building due to the lack of marketing, the unit appears to be similar in size to 13 High Street which was roughly a third smaller than Nether Mill Barn. Planning history also suggests the upper floors of 3 High Street are in residential use following an approval for residential conversion of these floors in October 2005 under 2005/1887. 3 High Street is therefore considered to be too small for the development.

5.63 Furthermore, 3 High Street lacks any dedicated car parking and is located within a dense urban centre, meaning it would be difficult for Donaldson's Vets to operate from the building whilst providing equine and agricultural veterinary services.

5.64 Due to the limited size, lack of car parking and poor rural connectivity of 3 High Street, the property is considered to be **unsuitable** for the proposed development.

5.65 It is therefore concluded the site is both **unsuitable** and **unavailable** for the proposed development and the site is therefore discounted.

ST3: Former JB's Divine Art, 6 Shrewsbury Road, Penistone

5.66 **6 Shrewsbury Road** is located on the southern side of Shreswbury Road and comprises a single storey unit positioned adjacent to other commercial premises.

5.67 The property is located 65m east of the defined Penistone District Centre boundary, which extends eastwards along Shrewsbury Road ending at the Shrewsbury Road Car Park. It lies around 280m from the defined Primary Shopping Area. The site is therefore an 'edge of centre' site.

5.68 6 Shrewsbury Road appeared to be vacant or subject to an internal fit out during out visit to Penistone District Centre, as pictured below.



5.69 There was no active marketing of the unit observed during our visit. A further search online did not reveal any further marketing information. On that basis, we conclude the unit is **unavailable** due to the lack of any active marketing.

5.70 Due to the lack of marketing, planning history or recent sales activity associated with the building, our search has revealed limited details relating to the building, including its size.

5.71 Our analysis is therefore based upon a visual assessment of the building during our visit and use of online mapping.

5.72 An approximate measurement of 6 Shrewsbury Road using online mapping suggests the building floorplate measures around 30m^2. Whilst it is recognised the measurement is not completely accurate, it is clearly well below the size of Nether Mill Barn (311m^2) and the unit is therefore clearly too small for the proposed veterinary surgery.

5.73 Furthermore and similar to consideration of sites ST1 and ST2, 6 Shrewsbury Road does not appear to benefit from any dedicated car parking, albeit in this case it is recognised Shrewsbury Road Car Park is roughly 65m from the property, located on the same side of the road with interconnecting pavement access.

5.74 Nevertheless, the lack of dedicated customer and staff car parking is a significant shortfall of the property compared to Nether Mill Barn where car parking for customers would be without charge and directly adjacent to the veterinary surgery, maximising convenience for those bringing unwell pets to the practice including those needing surgery.

5.75 6 Shrewsbury Road is also considered to have poorer roadside visibility, being located on a quieter road in comparison to Barnsley Road. It also has poorer connectivity to agricultural areas when compared with Nether Mill Barn,

meaning it would be much less practical to provide equine and agricultural veterinary services.

5.76 Due to the limited size, lack of dedicated car parking opportunities and poor connectivity with agricultural areas surrounding Pensitone, 6 Shrewsbury Road is considered to be **unsuitable** for the development.

5.77 The site is therefore discounted as it is too small for the proposal and therefore **unsuitable**. It is also undergoing construction works and is subject to a pending application to support a new business in the building which looks to be opening shortly. It is therefore not **available**.

Conclusion

5.78 The above assessment has considered the suitability and availability of sites in and at the edge of Penistone District Centre in the context of the proposed development.

5.79 The assessment has concluded that there are no suitable or available sequentially preferable sites either within or at the edge of Penistone District Centre to accommodate the proposed development.

5.80 The locations of each of the sequential sites above are identified at Appendix 1.

Town Centre Policy Assessment

5.81 As identified earlier, **Policy TC1** of the BLP (2019) advises main town centre uses shall be located in defined centres as shown on the Policies Map and then in accordance with the sequential test.

5.82 The application site lies 615m from the defined boundary of Penistone District Centre and therefore in town centre policy terms is an 'out of centre' site.

5.83 A Sequential Test has therefore been undertaken to support the proposed change of use of Nether Mill Barn to a veterinary surgery (Class E).

5.84 Our consideration of the Sequential Test has considered the suitability and availability of sites in Penistone District Centre. The search also included any edge of centre sites.

5.85 As confirmed earlier, in order to reflect commercial reality and the nature of the proposed development which seeks conversion of an existing building, our search has discounted any sites which would require the construction of a new building. The provision of floorspace across one level, good roadside frontage and dedicated car parking was also a key requirement.

5.86 Our search has therefore focussed on vacant premises in and at the edge of Penistone District Centre.

5.87 Our assessment concludes there are no sequentially preferable sites which are both suitable and available to accommodate the proposal in or at the edge of the District Centre.

5.88 Our assessment has also confirmed the proposed change of use to a veterinary surgery (Class E) would not meet the requirement for an Impact Assessment, in respect of the proposed use and scale of development, as set out by Policy TC3 of the Local Plan (2019).

5.89 The site itself lies in a key gateway location at the north east edge of Penistone, with good roadside frontage and with floorspace provided mostly across a single level. The change of use would support the conversion and re-use of a vacant listed building which is deteriorating in quality due to prolonged vacancy.

5.90 In light of the above, we conclude no material conflict with Policies TC1 and TC3 of the BLP (2019), the Penistone Neighbourhood Development Plan (2019) or town centre policies contained in the NPPF (2021).

6.0 Conclusions

6.1 This Sequential Assessment has been prepared on behalf of Donaldson's Vets Ltd in support of a full planning application and Listed Building Consent for the proposed change of use and alterations to Nether Mill Barn, Barnsley Road, Penistone, S36 8AD to form a veterinary surgery (Class E).

6.2 The application site lies approximately 615m from the edge of Penistone District Centre and therefore occupies an 'out of centre' location.

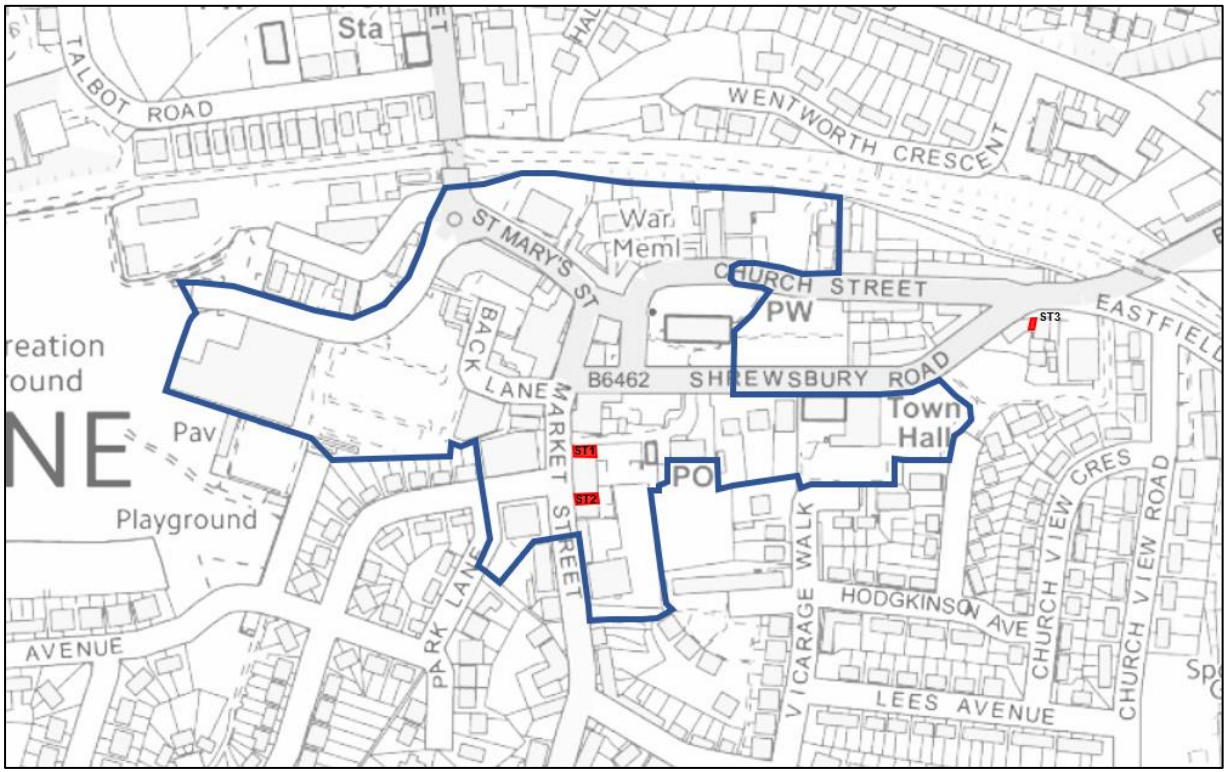
6.3 A Sequential Test has therefore been undertaken to identify whether there are any 'in' or 'edge of centre' sites which are suitable and available for the proposed veterinary surgery.

6.4 Our assessment has concluded there are no suitable or available sites to accommodate the development either within Penistone District Centre, or at the edge of centre of the centre.

6.5 The proposed development therefore accords with relevant town centre policies contained in the Barnsley Local Plan (2019), the Penistone Neighbourhood Development Plan (2019) and the NPPF (2021).

Appendix 1 – Sequential Site Map

Sequential Sites: Penistone District Centre



Key	
	Penistone District Centre boundary
	Sequential Site

Ref.	Site Name
ST1	13 High Street
ST2	3 High Street
ST3	6 Shrewsbury Road

***District Centre boundary taken from Barnsley Local Plan (2019)*