Application reference number	2026/0598

Application Type	Full

Proposal Description:	Combining units 6, 11 and 12 to create a sports centre, including 3 Padel courts, Pilates studios and gymnasium with ice and sauna facilities, refreshment bar and kitchen facilities
Location:	Unit 6 Darton Business Park, Barnsley Road, Darton, Barnsley, S75 5QX

Applicant	Mr Peter Eyre

Number of Third Party Reps	3 letters of support	**Parish:**	
		Ward:	Darton West Ward

SUMMARY

The proposal seeks full planning permission for the change of use of units 6, 11 and 12 to create a sports centre, including 3 Padel courts, Pilates studios and gymnasium with ice and sauna facilities, refreshment bar and kitchen facilities. In line with the NPPF requirements, a Sequential Assessment Report has been carried out and concludes that there is not a sequentially preferable location for the proposed development. The proposal would generate employment opportunities and will not result in a significant loss of existing employment uses or jobs. The proposal is in compliance with Local Plan Policy E4 on this basis. The proposal would not have a significant impact upon Highway Safety, Drainage/Flood Risk, Amenity and as such is considered to be acceptable.

Recommendation: **GRANT Planning Permission subject to conditions**

Site Description

Darton Business Park is predominately occupied by large industrial buildings. The business park is located to the north east side of Huddersfield Road. The access to the business Park is off a large entrance from Huddersfield Road. Parking is provided adjacent to the units, including areas for HGV vehicles.

The business park has a number of light industrial and storage uses in operation mainly under use class B8, however there are other uses on the site, including a brewery use with a bar. The units are typically constructed of corrugated sheeting; some do have brickwork in places and corrugated roofing sheets with large shutter doors.

To the north of the site is a railway line and beyond this are new build dwellings, set off Station Road and Orchard Close which are older dwellings, and are approx. 60m away from the units.

Proposed Development

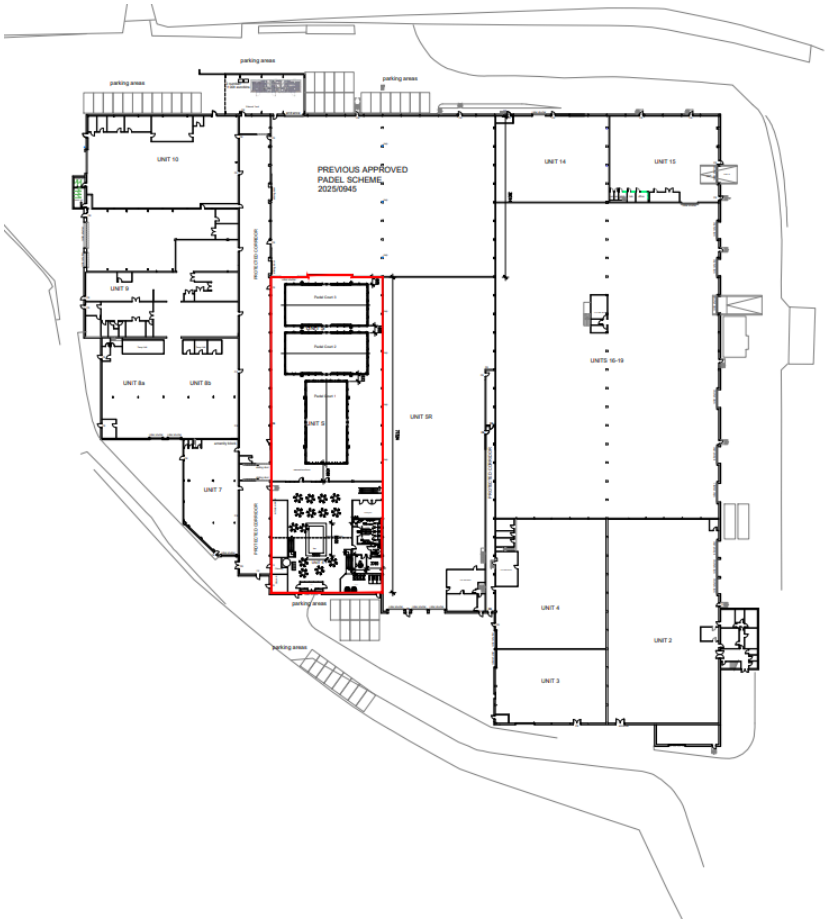
The application seeks full planning permission for the combining of units 6, 11 and 12 to create a sports centre, including 3 Padel courts, Pilates studios and gymnasium with ice and sauna facilities, refreshment bar and kitchen facilities. Permission has already been granted under application ref 2025/0945 for the Change of use from Class B8 (Storage and Distribution) to Class E(d) (Indoor Sport and Recreation) to provide 5no. Padel Courts and enclosures with ancillary café/ bar services and upgrades to internal lighting at units numbered 11 and 12. This application relates to combining a further unit, number 6 into the proposals to make a larger padel court centre.

The proposals is to provide an additional 3 number Padel Courts (bringing the total padel courts to 8) with one being a full competition court.

The proposal includes a Pilates studios and low resistance gymnasium, warm up areas, ice and sauna recovery facilities with refreshment bar area and food preparation kitchen facilities. There are no alterations to the external appearance of the unit with the exception of new windows and doors to the frontage as shown on the elevation drawings.

In terms of the refreshment/bar area, the agent has indicated within the Planning Statement that this is ancillary offering limited ranges of food / beverages and merchandise for the Padel community players either playing or waiting for court availability.

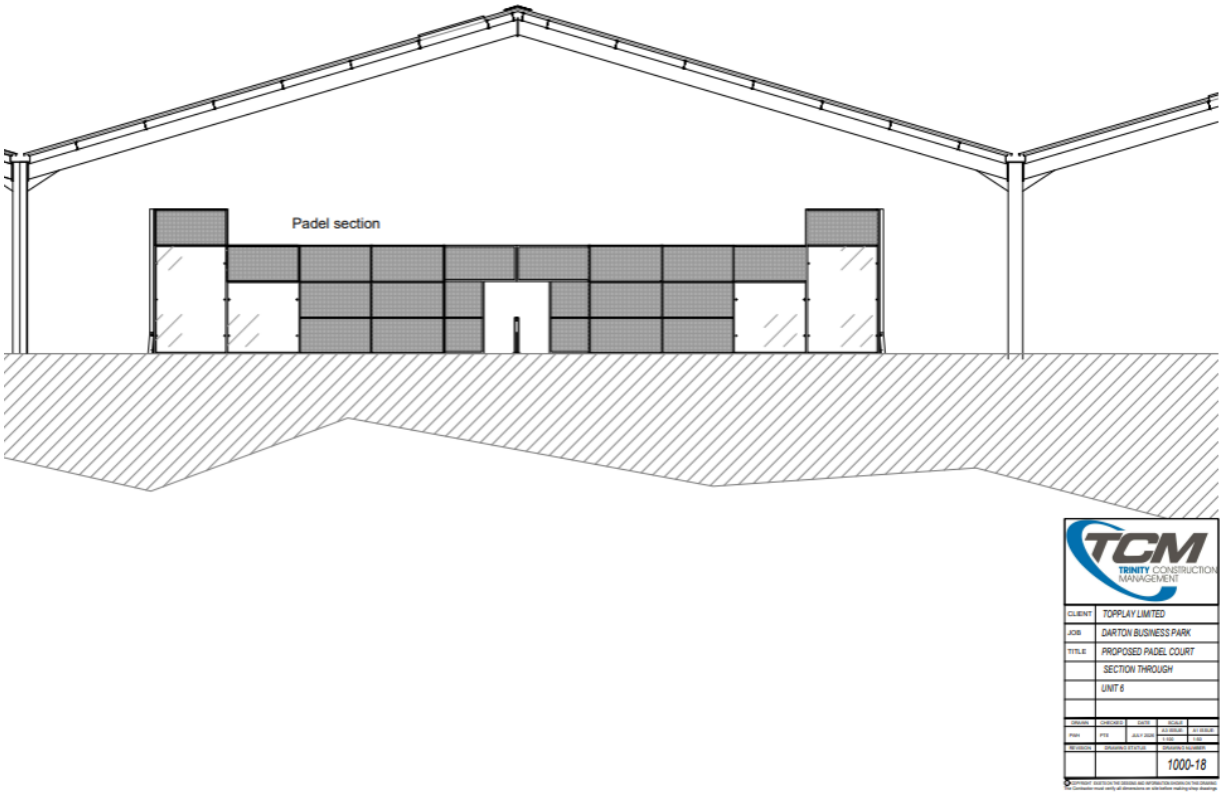
The unit will also house a number of ancillary units incorporating male and female wc and changing facilities.



N

TCM
TRINITY CONSTRUCTION MANAGEMENT

CLIENT	TOPPLAY LIMITED
JOB	DARTON BUSINESS PARK
TITLE	PROPOSED UNIT PADEL SITE
	PLAN PARKING AREAS



The agent has confirmed that the proposals will contribute to the local employment opportunities offering the following positions available:-

6 full time staff, 1 site manager, 2 Padel coaches, 2 part-time cleaning and maintenance roles.

The operating hours are as follows:-

Monday to Friday:

Start Time:07:00

End Time:22:00

Saturday:

Start Time:08:00

End Time:21:00

Sunday / Bank Holiday:

Start Time:08:00

End Time: 21:00

The site plan shows 46 parking spaces to the front and rear specifically for customers of Padel adjacent the entrance doors, and any tandem spaces will be managed by the management of the Padel court. A designated walkway will be highlighted on site.

The agent has confirmed that the Padel courts are all internal and all external openings will be shut at all times, except for access and egress. All access into the unit will be kept always closed when in use, there should be no breakout of noise and no background noise or music.

The following documents have been provided in support of the proposal:-

- Noise Assessment submitted
- Justification for loss of employment unit
- Sequential Assessment
- Flood Risk Assessment

In summary, the following additional information has been provided in terms of the loss of the employment unit:-

- The existing unit which is currently empty and previous usage employed and that the site has become available mid 2025 .
- The space was previously warehouse and distribution and therefore minimal amount of jobs have been lost .
- The change of use to Padel Facilities will provide the following employment.
  -The initial aim is that the proposals will contribute to the local employment opportunities offering the following positions available. 6 full time staff, 1 site manager, 2 Padel coaches, 2 part-time cleaning and maintenance.

Marketing Evidence

- Additional space remains on the site and next door has availability.
- Barnsley have a 53,000 sq ft unit that has been on the market for 3 years plus and not to mentioned the Barnsley 340,000 sq ft unit that has a similar void period.
- Padel operators require industrial units given the eaves height requirements and therefore the calculation is simple in that padel occupiers cannot operate out of town centre locations due to the restrictions.
- This unit and the neighbouring units are empty with Kingspan in administration. We have been marketing these for 12 months now. They are still available and therefore no firm interest.

In addition to the above, in line with the NPPF requirements, a Sequential Assessment Report has been carried out and includes the following additional detail:-

Operational Requirements

The proposed indoor padel facility requires, as a minimum:

- Approximately 25,000 sq ft of floorspace (single level and open plan)
- Sufficient internal height clearance to accommodate indoor padel courts, ideally 7-8 m.
- A configuration capable of accommodating courts, circulation, and spectator / ancillary areas without excessive structural constraints.
- Suitable customer access and parking provision.

- Flat and true structural ground floor

The report includes details of available premises across town centre, edge-of-centre and out-of-centre locations and there are no suitable and available sequentially preferable sites that exist that meet the above operational requirements of the business.

'Available premises in sequentially preferable locations are typically smaller floorplates (often below 10,000 sq ft), and/or are subdivided retail/office formats that do not provide an open plan sports layout to accommodate a Padel Court arrangement.

Where larger premises exist in the town centre (e.g. former retail department store units), these are generally retail-led formats, can be multi-level/subdivided, and are not typically suitable for indoor court provision which is highly dependent on open span space and height clearance.

Out-of-centre industrial and logistics opportunities within Barnsley have also been considered. The market evidence indicates that available accommodation at strategic employment locations tends to be logistics-scale (30,000 sq ft and well above) and is frequently promoted on a build-to-suit basis or exceptionally too large to inspire the footfall to suitable for this business model. This is not appropriately scaled for a circa 25,000 sq ft leisure conversion and may not be deliverable within the applicant's intended timescales.'

The report concludes that 'the sequential assessment demonstrates that a proportionate search has been carried out across town centre, edge-of-centre and out-of-centre locations and that no suitable and available sequentially preferable sites exist. The application site at Darton Business Park is therefore considered to be the most appropriate and deliverable location for the proposed indoor padel facility.'

Recent Site History - Darton Business Park

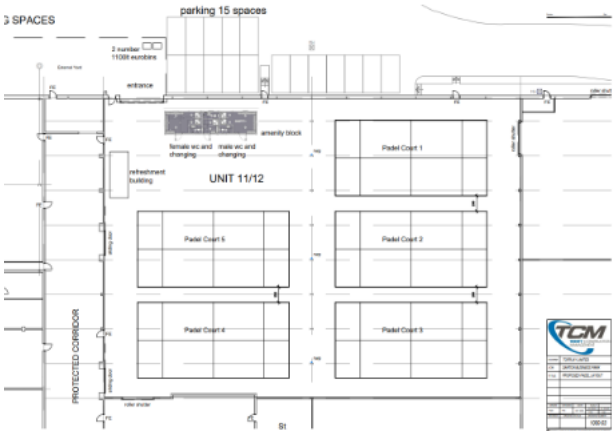
Application Reference	**Description**	**Status (Approved/Refused)**
2011/0294	Conversion of industrial unit into 3 no. industrial units and formation of new service entrances	Withdrawn
2010/1326	Change of use from B8 (Warehousing and Distribution) to B2 (Micro Brewery) – Unit 9	Approved with conditions
2010/0339	Creation of parking area for lorries/trailers and extension to existing car park	Approved with conditions
2018/0624	Partial demolition of existing industrial unit and re-build to raise the roof height.	Approved with conditions

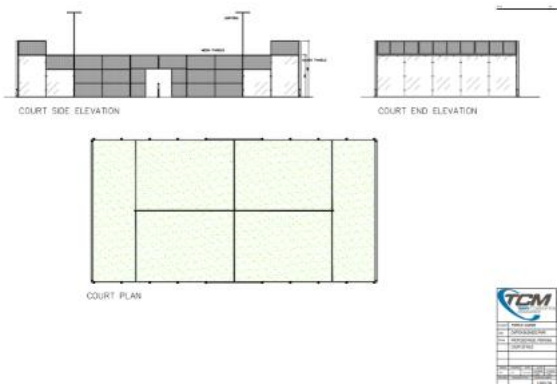
2021/0493	Demolition of existing offices and erection of new industrial unit	Approved with conditions
2023/0797	Demolition of existing offices and part link bridge and new build of 995sqm industrial unit and associated works	Approved with conditions
2025/0945	Change of use from Class B8 (Storage and Distribution) to Class E(d) (Indoor Sport and Recreation) to provide 5no. Padel Courts and enclosures with ancillary café/ bar services and upgrades to internal lighting at Unit 11 and Unit 12, Darton Business Park Barnsley Road, Darton, Barnsley, S75 5QX	Approved with conditions

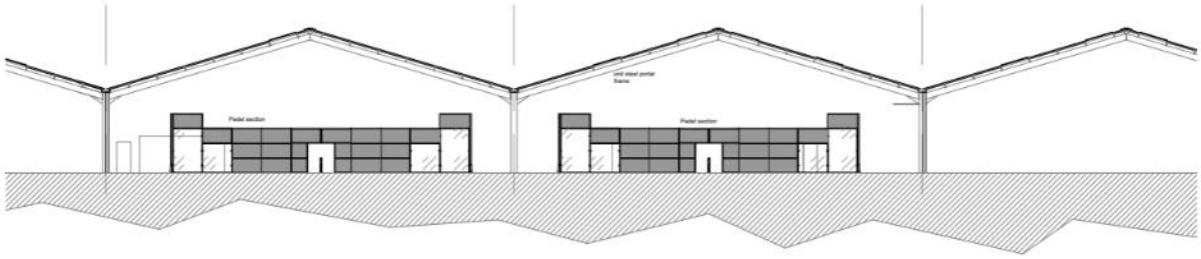
Approved plans 2025/0945











Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires 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 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 unit is located within an existing employment site which is allocated as Urban Fabric. The site is also set within Flood Zone 2, as such the following policies are of relevance.

GD1: General development

SD1: Presumption in favour of sustainable development

D1: High quality design and place making

T3: New development and sustainable travel

T4: New development and highway improvement

LG2: The Location of Growth – Priority will be given to development in the following locations:

- Urban Barnsley
- Principle Towns of Cudworth, Wombwell, Hoyland, Goldthorpe, Penistone and Royston; and
- Villages

Urban Barnsley will be expected to accommodate significantly more growth than any individual Principle Town, and the Principle Towns will be expected to accommodate

significantly more growth than the villages, to accord with their place in the settlement hierarchy.

Policy CC3 Flood Risk

Policy CC4 Sustainable Drainage Systems

Poll1: Pollution Control and Protection

TC1: Town Centres

TC3: Thresholds for Impact Assessments

E4: Protecting Existing Employment Land

Supplementary Planning Documents

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 most pertinent SPD's in this case are:

-Parking

National Planning Policy Framework (NPPF) (2026)

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 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. 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 most relevant sections are:-

Section 3 - Decision making policies

Section 4 - Achieving sustainable development

Section 7 - Building a strong, competitive economy

Section 8 – Ensuring the vitality of town centres

Section 14- Achieving well designed places

Section 15 – Promoting sustainable transport

Section 18 – Managing flood risk and coastal change

Section 19 – Conserving the Natural Environment

NPPF Policy TC3: Main town centre uses outside town centres

1. A sequential test should be applied to proposals for main town centre uses for which planning permission is required, where these are neither in an existing centre nor in accordance with an allocation for that purpose in an up-to-date development plan.

2. The sequential test means that main town centre uses involving new development should be located within town centres identified in the development plan; then, if this is not feasible, in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre locations, preference should be given to accessible sites which are well connected to the town centre by sustainable transport modes.

3. Applicants and local planning authorities should exercise flexibility when considering issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

4. Where a development proposal fails to satisfy the sequential test, or is likely to have a significant adverse impact on one or more of the considerations in policy TC4, it should be refused.

5. This sequential test does not apply to applications for small scale rural offices or other small scale rural 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 it into account when taking decisions.

Relevant Consultations:

Highways – No objections raised, further information provided to applicant to improve parking within the site

Planning Policy – No comments received

Environment Agency – No objections raised

Pollution Control – No objections raised

Ward Cllrs – No comments received

Drainage – No objections details to be checked by Building Control

Yorkshire Water – No objections subject to conditions

Enterprising Barnsley – No objections raised

Representations

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

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 also posted at the site.

The following comments have been received as a result of the of the consultation:-

3 comments of support which state:-

- Padel is one of the fastest-growing sports in the UK and there are currently limited opportunities for local residents to access suitable facilities nearby.
- Improvements to physical and mental health within the community
- Suitable and sustainable location
- Economic benefits
- One concern would be that 3 courts would not be enough and make it hard to get a game of Padel during what might be peak times.
- It should be affordable within the cost of living wage

Assessment

The main issues for consideration are as follows:

- The acceptability of the development
- Visual Amenity
- Impact on residential amenity
- Highways
- Drainage and Flood Risk

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

<u>The acceptability development</u>

The application is for a main town centre use as defined in the NPPF, and would be set outside of a designated town centre and in an existing industrial building. National and local planning policy indicates that main town centre uses should be located within a designated town centre unless it can be demonstrated that there is not a sequentially preferable location for the proposed development, in accordance with NPPF Policy TC3. The proposal does not require an Impact Assessment as it does not meet the threshold of 2,500m2 of floor area set out within NPPF Policy TC4.

Local planning policy E4 Protecting Existing Employment Land also indicates that premises will be retained for employment uses (and the text attached to the policy explains that this is uses falling within Classes B1, B2 or B8 of the use classes order, that is light or general industrial or storage and distribution uses). The development, or use, of employment land and premises for non-employment uses will only be allowed if the development would not result in a significant loss of existing jobs or employment potential, there would still be an adequate supply of employment land or premises in the vicinity, and the land or premises cannot satisfactorily support continued employment use.

As stated above, the application site is on an industrial estate where the expectation is for B1, B2 and B8 uses. The proposal is for a leisure use which would normally be expected to be in a town centre location or district centre. A sequential approach will therefore be used to assess proposals for new retail and town centre development (including sports and recreation uses). This will help to achieve the spatial strategy for the borough and will focus development on identified centres in the first instance. Edge of centre and out of centre development will only be allowed where it meets the requirements of the NPPF.

Enterprising Barnsley also notes that the proposal would result in the loss of an existing industrial/commercial unit and its replacement with a recreational use. Whilst recognising the benefits that leisure and recreational facilities can bring and that the applicant should demonstrate why the premises are no longer suitable or viable for industrial or commercial use and provides sufficient justification for the proposed change of use.

In line with the NPPF requirements, a Sequential Assessment Report has been carried out and includes the following details:-

Operational Requirements of the business

The proposed indoor padel facility requires, as a minimum:

- Approximately 25,000 sq ft of floorspace (single level and open plan)
- Sufficient internal height clearance to accommodate indoor padel courts, ideally 7-8 m.
- A configuration capable of accommodating courts, circulation, and spectator / ancillary areas without excessive structural constraints.
- Suitable customer access and parking provision.
- Flat and true structural ground floor

The report includes up to date details of available premises across town centre, edge-of-centre and out-of-centre locations and there are no suitable and available sequentially preferable sites that exist that meet the above operational requirements of the business. This has been verified by a further online search.

The report concludes that 'the sequential assessment demonstrates that a proportionate search has been carried out across town centre, edge-of-centre and out-of-centre locations and that no suitable and available sequentially preferable sites exist. The application site at Darton Business Park is therefore considered to be the most appropriate and deliverable location for the proposed indoor padel facility.'

In terms of marketing, this unit and the neighbouring units are empty with the previous occupiers, Kingspan in administration. The agent states that they have been marketed for 12 months and they are still available and therefore no firm interest. The agent also states that, current listing evidence indicates that the available industrial market in Barnsley is characterised by smaller units typically below the floorspace required for a viable padel facility; and (larger logistics-focused opportunities (30,000 sq ft+) often delivered as new build or build-to-suit at strategic sites. This supports the conclusion that the application proposal is seeking to re-purpose a unit for a leisure use where continued B2/B8 demand for the specific premises has been limited.

The applicant has identified this site, based on it being available, suitable and large enough, (in terms of floor area and eaves height) for the use. A search of similar sized units has been carried out, which would be located sequentially preferably, however the available commercial buildings are unsuitable for the proposed business use, as indoor padel requires buildings with

a sufficient floor area and with high eaves heights. Furthermore, even with the addition of an additional unit to include unit 6 and proposed use is relatively small in comparison to the existing available units on the industrial site, reducing any impact on vitality and viability. It is therefore accepted in this instance that the requirements of TC1 are met in this instance, given the requirements of the business and use and that there are other vacant units available for other employment uses on Darton Business Park.

In terms of the impact of the proposal upon employment, the development will provide employment opportunities, including 6 full time staff, 1 site manager, 2 Padel coaches, 2 part-time cleaning and maintenance roles. The agent has confirmed that there will be no loss based on a change of use to the Padel Courts from the previous user. The space was previously used for distribution and therefore minimal number of jobs was created in the space, in addition the units have been vacant for over 12 months. Therefore, the proposal would generate employment opportunities and will not result in a significant loss of existing employment uses or jobs. The proposal is in compliance with Local Plan Policy E4 on this basis.

Enterprising Barnsley have also been consulted with the additional and updated Sequential Assessment report and have no objections. The unit is located within an existing employment site which is allocated as Urban Fabric, as such any proposals should be compatible with those surrounding without impacting on highway safety or residential amenity adversely, in compliance with policy GD1 of the Local Plan which will be assessed further within the report.

Visual Amenity

Policy D1 of the adopted Barnsley Local Plan states that development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive local character and features of Barnsley. Policy D1 also sets out a number of design principles that new development should adhere to in terms of its layout and design.

No external alterations are proposed, with the exception of new windows and doors to the frontage, therefore the proposal is acceptable in terms of visual amenity and design and in accordance with Local Plan Policy D1.

Impact on Residential Amenity

The padel centre is set approximately 60m away from residential properties set adjacent to the Railway Line on Station Road and Orchard Close. A Noise Impact Assessment has been provided, however it is specifically for units 11 and 12, which are set closer to residential properties than unit 6. This document concludes that:-

The highest average padel noise at first floor façade level on the Orchard Close is predicted to be 26dBA LAeq,1hr. According to para 3.8 above, the lowest ambient LAeq level occurring just prior to midnight was measured to be 37dBA LAeq,T. Adding the padel noise to this would result in no perceptible increase in the ambient noise level at the first-floor façade of Orchard Close. According to the IOA Guidelines this would be predicted to have no impact and would be considered NOEL in accordance with NPSE.'

In terms of existing noise and mitigation, the site is also an active industrial site where there is an adjacent micro-brewery with an external seating area abutting numerous industrial unit warehousing, storage and distribution. The unit is also bordered by a main rail track on top of an elevated substantial bund densely populated with trees and shrubland and is located between the unit and any residential properties.

The Pollution Control Officer has reviewed the submitted noise assessment previously and had no objections subject to a condition which requires internal and external openings to be

shut at all times, except for access and egress. The agent has agreed with the proposed condition. In terms of the extension of the use into unit 6, this unit is set further away from residential properties. The agent has confirmed that they agree to submit details of any external plant prior to commencement of the use, which should be conditioned.

Given the above, it is not felt that there would be a significant loss of amenity to adjacent dwellings in terms of noise disturbance, nor is the change of use significant in terms of increased activity/disturbance, as the building has a permitted commercial use. The scheme is therefore not considered to be detrimental to residential amenity in accordance with policy GD1 and POLL1 of the Local Plan. The impact upon residential amenity is therefore considered to be moderate.

Highways

The proposal would create five padel courts within the existing business park served by a private access off Barnsley Road.

The Highways Officer has been consulted and states that the 'approval was previously granted in application no. 2025/0945 for the conversion of units 11 and 12 into padel courts. This application includes unit 6 for conversion to similar leisure-use space. As with the previous application, HDC officers would raise some concern regarding the layout, but none of this would impinge on safety on the public highway.

The application form suggests that there will be 77 customer parking spaces created to serve the facility, however, only 46 are shown in the layout drawing. Some of these are in tandem where customers or staff could be boxed in, some of the spaces are to the front of unit 10, and others encroach into the access route for the industrial units; none of the spaces are likely to be able to be reserved solely for the use of the padel court customers.'

The spaces and access are also outside of the red line boundary shown on the site plan, so the land may not be under the applicant's control. Despite the concerns relating to the layout of existing parking spaces on site, the site would not be a cause for concern in terms of safety on the public highway, and Highways officers have not objected to the scheme. In terms of improving the general design for all users further advice has been given to the applicant.

The Highways Officer has no objections to the proposal. There should be no significant impact upon highway safety and there is sufficient parking provided for the proposed use, in accordance with policy T4 of the Local Plan and the SPD Parking. As a result, the impact upon Highways is considered to be moderate.

Drainage and Flood Risk

The Environment Agency flood risk map suggests that land and property within Flood Zone 2 has a medium probability of flooding. Policy CC3 Flood Risk states that the extent and impact of flooding will be reduced by:- *not permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding or would give rise to flooding elsewhere*.

The proposal is for a change of use of the building only and there would be no external alterations with the exception of new windows and doors. A Flood Risk Assessment has been submitted with the application and indicates that proposed Unit is to incorporate 5 indoor Padel Courts and integral bases which are located nominally above the FFL of the existing unit FFL. Given the minimal works to be carried out, there would not be an acceptable risk to the users due to flooding, nor would the proposal give rise to flooding elsewhere. The Councils Drainage Officer, Environment Agency and Yorkshire Water have raised no objections subject to

conditions. The proposal is therefore considered in compliance with policy CC3 of the Local Plan. The impact of the proposal upon Flood Risk and Drainage is therefore moderate.

FLOOD RISK



Conclusion

In line with the NPPF requirements and policy TC3, a Sequential Assessment Report has been carried out and concludes that there is not a sequentially preferable location for the proposed development. The proposal would generate employment opportunities and will not result in a significant loss of existing employment uses or jobs. The proposal is in compliance with Local Plan Policy E4 on this basis. The proposal would not have a significant impact upon Highway Safety, Drainage/Flood Risk, Amenity and as such, on balance, is considered to be acceptable.

For the reasons given above, and taking all other matters into consideration, the proposal complies with the NPPF, Local Plan policies and planning permission should be granted subject to necessary conditions.

RECCOMENDATION

Approve subject to conditions

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 objections, 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.

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.