

2026/0233

Mr Thomas Cowling

Land Adjacent to No40 Carrs Lane, Cudworth, Barnsley

Erection of two dwellings (self-build)

Site Description

The application site is a corner plot of land sited between Carrs Lane and the north side of Newland Avenue. The site was formerly used as a sales centre for the housing estate to the west. It is currently partially grassed over with some areas of hard standing and is bounded by fencing to the north (adjacent to No 40 Carrs Lane) and a stone wall to the side which fronts onto Carrs Lane.

Planning History

2017/1007 - Erection of sales and information centre with associated access and parking in connection with adjacent residential development. – Approved 18.09.2017

2019/0718 - Outline application for 10 new dwellings with matters of access, landscaping, layout and scale under consideration (Amended Plans) – Approved 22.06.2020

Proposed Development

The applicant is seeking permission for the erection of 2 detached dwellings. The proposed plans are shown below:



Relevant Policies

The Development Plan

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 review was approved at the full Council meeting on 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 Allocation – Housing Allocation HS35

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – 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 other features of Barnsley.

Policy CC2: Sustainable Design and Construction – aims to minimise resource and energy consumption through the inclusion of sustainable design and construction features in new developments.

Policy CC3: Flood Risk – 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.

Policy H6: Housing Mix and Efficient Use of Land - Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities.

Policy T3: New Development and Sustainable Travel – New development is expected to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

Policy T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Policy BIO1: Biodiversity and Geodiversity – Development is expected to conserve and enhance the biodiversity and geological features of the borough.

Policy POLL1: Pollution Control and Protection – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, to an increase in air, surface water, or groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause nuisance to the natural and built environment or to people.

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:

- Design of Housing Development
- Parking
- Biodiversity and Geodiversity
- Sustainable construction and climate change adaptation

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

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

- Section 9: Promoting sustainable transport
- Section 12: Achieving well designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change

Consultations

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

Consultee	Summary of comments
Local Ward Councillors	No comments received.
Biodiversity Officer	No objection subject to condition.
Highways DC	No objection subject to condition.
Drainage	No objection subject to condition.
Yorkshire Water	No objection subject to condition.
Pollution Control	No objection subject to condition.
Public Rights of Way	No objection, informative given.

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was posted adjacent to the site. No representations have been received.

Assessment

The main issues for consideration are as follows:

- The principle of the development
- The impact on visual amenity and character
- The impact on neighbouring residential properties
- The impact on highways safety
- The impact on ecology/biodiversity
- The impact on flood risk/drainage

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 site lies within a small portion of an existing residential estate that was allocated for housing in the Local Plan (HS35). This area of land was left undeveloped as it solely housed the sales centre associated with the wider estate and was not included as public open space. Therefore, the proposal here is acceptable in principle provided there is no harm to neighbour amenity, visual amenity, highways safety or ecological features. These matters are discussed in more detail below.

Visual Amenity and Character

Policy D1 requires development to achieve a high standard of design that respects, enhances and reinforces the distinctive local character of Barnsley, including its townscape and heritage features.

The proposed dwellings would occupy a corner plot, effectively infilling a gap in the street scene between No. 40 Carrs Lane and No. 164 Newland Avenue. The surrounding area is characterised by a mix of dwelling types, with Carrs Lane predominantly comprising bungalows and dormer bungalows, whilst the adjacent estate off Newlands Road is made up of two-storey properties.

The proposed dwellings are of a one-and-a-half storey design, providing an appropriate transition in scale between the neighbouring bungalow and the adjacent two-storey dwelling. Their overall form, scale and design are considered to be broadly consistent with the varied character of the surrounding area. Carrs Lane, in particular, displays a degree of variation in architectural styles and materials, and the proposed development would integrate comfortably within this context.

In terms of materials, the dwellings are proposed to be constructed in stone with white windows and grey roof tiles. Stone is a prevalent material within Carrs Lane and is also present within the adjacent housing estate, and its use here would help to ensure the development responds positively to the established character of the area. The exact materials will be agreed via condition.

The proposal also includes the planting of a hedgerow along the eastern boundary fronting Carrs Lane, positioned behind the existing stone wall. This feature would reinforce the character of the street scene while also providing appropriate screening to the rear garden of Plot 2.

Overall, the proposal is considered to represent a high-quality design that responds appropriately to its context and would preserve the character and appearance of the surrounding area. It is therefore compliant with Policies GD1 and D1 of the Local Plan and is acceptable in terms of visual amenity. This weighs moderately in favour of the proposal.

Residential Amenity

Policy GD1 states that development proposals will be supported where they do not result in significant adverse effects on the living conditions or residential amenity of existing or future occupiers.

The Design of Housing SPD further advises that habitable room windows at first floor level and above should be located at least 10 metres from the boundary of any private garden they face. Similarly, habitable room windows in existing dwellings should maintain a minimum distance of 10 metres from proposed private gardens. Reduced distances may be acceptable for bungalows where garden size standards are met and adequate levels of outlook, privacy and daylight are maintained.

In this instance, no habitable room windows at first floor level are proposed to directly face existing neighbouring dwellings. No. 40 Carrs Lane lies immediately to the north of the site and would face the rear elevations of the proposed dwellings. However, only high-level rooflights are proposed within the rear roof slope. Given their design and positioning, these are unlikely to give rise to harmful overlooking. Furthermore, the rear roof slope is set at a distance exceeding 15 metres from the boundary with No. 40, thereby comfortably meeting the SPD requirements.

Both proposed dwellings incorporate dormer windows at first floor level facing east towards Carrs Lane. Whilst Plot 1 faces towards Plot 2, a separation distance of 10 metres is maintained between the window and the shared boundary. This arrangement accords with the guidance set out in the SPD.

The proposal also includes the construction of detached double garages to the rear of both plots, positioned adjacent to the boundary with No. 40 Carrs Lane. Each garage would measure approximately 6m by 6m and feature a shallow pitched roof with a maximum height of 3.35 metres. The SPD advises that detached garages should ideally be located behind the main frontage of the dwelling and should not appear as dominant features within the street scene. In this case, the garages are well set back from the principal elevations and are sited within the rear corners of the plots.

Although the garages are located relatively close to No. 40, their eaves height does not exceed 2 metres and the shallow roof pitch limits their overall bulk. The structures would be positioned approximately 2.5 metres from the side elevation of No. 40 and would not directly face any side windows serving that property. As such, it is not considered that the proposal would result in significant overshadowing, loss of light, or an overbearing impact. Additionally, No. 40 benefits from a substantial rear garden, the majority of which would remain unaffected. Any resulting harm is therefore considered to be minor. No objection or representation has been received from No 40.

The neighbouring property to the west would remain unaffected. A 1.8 metre high timber fence would provide effective screening, and only one single high-level window is proposed on this elevation. Consequently, no material harm to the amenity of the adjacent property on Newland Avenue is anticipated.

The proposed dwellings are also of an appropriate size, meeting the minimum internal space standards set out in the South Yorkshire Residential Design Guide for a three bedroom, six person dwelling. Adequate private amenity space is also provided, with each property benefiting from in excess of 60 square metres of garden area.

Overall, the proposal is considered to comply with Local Plan Policy GD1 and the South Yorkshire Residential Design Guide. It would provide an acceptable standard of residential amenity for both existing and future occupiers, and this weighs moderately in favour of the development.

Highway Safety

Policy T3 of the Local Plan states that new development will be expected to be designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

Policy T4 of the Local Plan states that new development will be expected to be designed and built to provide all transport users within and surrounding the development safe, secure and convenient access and movement.

Each property proposes a driveway to the front which are adequately sized to provide two parking spaces. This demonstrates an acceptable level of off-street parking for each plot. The driveways are also of a size to be able to provide adequate bin storage and collection pads, and the small garages provide suitable storage for a bicycle.

Overall, the proposal is considered acceptable in terms of highways safety and therefore accords with policies T3 and T4 of the Local Plan. This carries moderate weight in favour of the proposal.

Ecology/Biodiversity

Policy BIO1 of the Local Plan states that development will be expected to conserve and enhance the biodiversity and geological features of the borough by protecting and improving habitats and species, maximising biodiversity and geodiversity opportunities in and around new developments and encouraging provision of biodiversity enhancements.

The application is for two self-build dwellings and as such is exempt from the mandatory biodiversity net gain requirements. The Councils ecologist has no objection to the proposal provided that suitable ecological enhancements are included, this will be secured via condition.

Overall, the proposal is not considered to harmfully impact ecology or biodiversity and suitable enhancements will be secured via condition. Therefore the proposal fully accords with policy BIO1 of the Local Plan and this weighs significantly in favour of the development proposals.

Conclusion

Having balanced all material planning considerations, the proposal will not be significantly harmful to residential and visual amenity, nor will it negatively impact upon highway safety. 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.

Recommendation

Approve with conditions