
2024/0467

Mr Michael Soar

Hirst Cottage, Chapel Lane, Billingley, Barnsley, S72 0HZ

Removal of existing porch to north elevation and installation of new ground floor window with alterations to existing first-floor windows, removal of existing rear conservatory and extension and erection of new two-storey rear extension and single storey side and rear extension with alterations to existing roof, including increase in height, conversion of existing integral garage to habitable space, and raise height of front boundary wall and gate (Amended Plans and Description).

Site Description

The application relates to a large plot located on the south side of Chapel Lane close to the junction with High Street. The application site is in the Green Belt and within the Billingley Conservation Area at the southern end of the village. This location is the historic core of the village as evidenced by the position of various historic buildings in the immediate vicinity which includes the grade II-listed Poplar Farmhouse to the north, the grade II-listed Manor House to the east, and the grade II-listed Billingley Hall to the south-east. There is an unlisted War Memorial surrounded by iron railings within the road at the junction of Chapel Lane with High Street, and there are other historic but unlisted buildings within the locality. Many of these buildings show evidence of alteration and extension, but the historic significance and group value of them is clear

The property in question is a two-storey detached dwelling constructed of stone with a pitched roof with slate roof tiles. The western side of the dwelling has been historically extended as approved by application B/88/0565/HR. The east side of the front elevation of the dwelling benefits from a small porch extension. The dwelling has also been extended to the rear, with the existing extension having an asymmetrical design. This extension also adjoins an existing rear conservatory. The dwelling is fronted by a large garden with an existing driveway and turning head. The site is bounded by a stone wall with highway trees beyond. The application site is largely level but is set below neighbouring dwellings on Well Lane Court.



Planning History

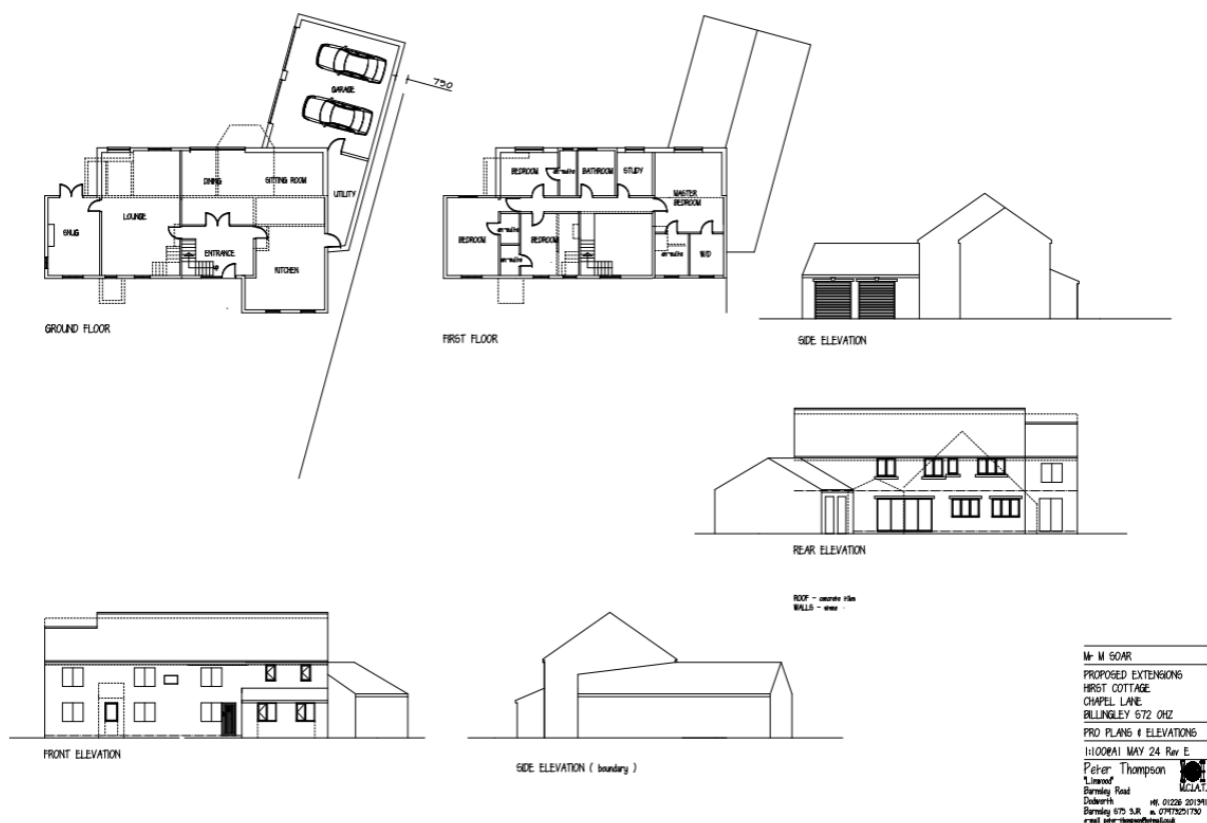
There are two previous planning applications associated with this site:

1. B/79/3627/HR – Outline application for residential development. – Historic.
2. B/88/0565/HR – Extension to dwelling and erection of private garage. – Approved.

Proposed Development

The applicant is seeking permission for the removal of an existing porch on the north elevation of the dwelling and the installation of a new ground floor window with alterations to existing first-floor windows, the removal of an existing rear conservatory and extension and the erection of new two-storey rear extension and single storey side and rear extension with alterations to the existing roof, including an increase in height, the conversion of an existing integral garage to habitable space, and raising the height of an existing front boundary wall and gate.

The proposed two-storey extension would have a rearward projection of approximately 3.1 metres and a width of approximately 14.8 metres. The proposed single storey side and rear extension would have a sideways projection of approximately 1.4 metres and a rearward projection of approximately 8.6 metres. The single storey extension would have a width of approximately 7.1 metres and a depth of approximately 13.8 metres. The two-storey extension would tie into proposed roof alterations and would adopt a pitched roof with an approximate eaves and ridge height of 5 metres and 8.1 metres respectively. The single storey extension would adopt a gable pitched roof with an approximate eaves and ridge height of 2.8 metres and 4.8 metres respectively. All development would use closely matching external materials.



Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

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

Local Plan Allocation – Green Belt

The site is allocated as Green Belt land in the adopted Local Plan and is located within the Billingley Conservation Area, and therefore the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy GB1: Protection of Green Belt.***
- ***Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt.***
- ***Policy HE1: The Historic Environment.***
- ***Policy HE2: Heritage Statements and general application procedures.***
- ***Policy HE4: Developments affecting Historic areas or Landscapes.***
- ***Policy D1: High quality design and place making.***
- ***Policy GD1: General Development.***
- ***Policy POLL1: Pollution Control and Protection.***
- ***Policy T4: New Development and Transport Safety.***

Supplementary Planning Document(s)

- ***House Extensions and Other Domestic Alterations.***
- ***Walls and Fences.***
- ***Parking.***
- ***Trees and hedgerows.***

National Planning Policy Framework (December 2024)

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 12: Achieving well-designed places.***
- ***Section 13: Protecting Green Belt land.***

Paragraph 142. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by

reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
 - i. mineral extraction;*
 - ii. engineering operations;*
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;*
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

– Section 16: Conserving and enhancing the historic environment.

Paragraph 210. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 219. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 221. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Planning (Listed Buildings and Conservation Areas) Act 1990

- ***Section 16: Decision on application.***
- ***Section 66: General duty as respects listed buildings in exercise of planning functions.***
- ***Section 72: General duty as respects conservation areas in exercise of planning functions.***

Other Material Considerations

- ***South Yorkshire Residential Design Guide 2011 (SYRDG).***
- ***Billingley Conservation Area Appraisal.***

Consultations

Conservation Officer	No objection subject to conditions.
Highways Development Control	No objection.
Forestry Officer	No objection subject to condition.
Billingley Parish Council	No response.
Historic England	On the basis of the information available to date, in our view you do not need to notify or consult us on this application, under the relevant statutory provisions.

Representations

Neighbour notification letters were sent to surrounding properties and the application was advertised by a site notice and a press notice, expiring 13th August and 16th August respectively. A total of six representations were received from five addresses. The representations included five objections and one in support.

During the application process, the site boundary and the proposals were amended due to significant residential and visual amenity and heritage impact concerns. As such, a 21-day re-consultation was undertaken, expiring 14th November 2024. A total of four representations were received from two addresses. No objections were raised in principle, although some concerns were raised.

The following concerns which are material planning considerations were raised:

- *The roof materials should be “stone slates to match with existing”; and the stone to the walls should be “stone to match with existing”.*
- *Work has already been carried out to completely change the appearance and greatly increase the height of the boundary wall to Willow Cottage. This should not have been done without first obtaining planning permission; and should be a solid stone wall (as existing) and a not a wall with piers and infill wooden panels (out of character).*
- *Work has already been carried out to join the greatly increased height of the boundary wall with Willow Cottage to join the proposed increase in height of the front wall to 1.8m (from 1.2m) at the highway. Work is currently being carried out to alter the front wall. This together with an increase in height of the entrance gate at the highway at 2m (from 1.7m), would cause danger by obstructing the view of the highway.*
- *The applicant carrying out work prior to BMBC decision and/or grant of planning permission.*

- *In breach of SPD Walls and Fences 2019.*

Other concerns which are material planning considerations, and which were raised during the initial consultation period but not made against the revised scheme included overshadowing, overlooking and loss of privacy and reduced outlook, construction work conduct, including noise from the use of plant, machinery and equipment, work and delivery times, impact on biodiversity, requirement for an archaeological assessment, absence of a design and access statement and significant impact on trees, which are protected by virtue of their location in the Conservation Area.

Householder applications are exempt from Biodiversity Net Gain requirements.

Paragraph 7.6 of the Billingley Conservation Area Appraisal states that new development proposed in the conservation area that requires planning permission now need to include a Design and Access Statement. The initial proposal was supported by a Heritage Statement in accordance with Local Plan Policy HE2. This was considered to include sufficient details.

Paragraph 7.16 of the Billingley Conservation Area Appraisal states that proposals for any significant works in the Conservation Area, including new development or substantial extensions to existing buildings, should be accompanied by a desk-based archaeological assessment. In this instance, the proposal has been much reduced and revised and is no longer considered substantial. A desk-based archaeological assessment has there not been requested on this occasion. The application site is not in an area identified by the Wessex Archaeology scoping study which would otherwise require the submission of such an assessment in line with local validation requirements.

An Arboricultural Report and Method Statement was submitted during the application process.

Several concerns which are not material planning considerations were raised and included the Party Wall Act 1996, encroachment, difficulty in maintaining the boundary wall as typically provided for in the property deeds, health issues and drainage.

Whilst all concerns raised are acknowledged, only those which are material planning considerations can be taken into account.

Construction pollution issues can be reported through the relevant webpage to the Council. Drainage will be considered during future regulatory stages for Building Regulations Approval.

Assessment

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

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

Principle of Development

Extensions and alterations to a domestic property are acceptable in principle if the proposal would remain subservient to and would be of a scale and design which would be appropriate to the host property. Development should respect, conserve and enhance the significance and setting of the borough's heritage assets and should not significantly alter or detract from the character of the street scene, and should not have a harmful impact on the appearance or character and should preserve the openness of the Green Belt. Development should also not be detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety.

Green Belt Assessment

Extensions and alterations to an existing domestic property are acceptable in principle if cumulatively the proposals would not amount to more than a doubling of the size of the original building. Original means as existed in 1948 or, in relation to a building constructed later, as it was built. Outbuildings will not contribute to the original floor space but will be considered when calculating the cumulative additions to the original building.

The original building is shown most clearly on a 1960 OS map. Due to the absence of further detailed historical records, the original floorspace is taken to be approximately 168.25m² measured externally over two storeys. The proposed development and retained existing extensions would have a total cumulative floorspace of approximately 369.23m². The proposal would therefore result in more than a doubling of the size of the original building contrary to Local Plan Policy GB2. The extent in which this limit would be exceeded would be by approximately 32.73m² or 19%.

Whilst the proposal would be contrary to Local Plan Policy GB2, the development is not considered inappropriate development in the Green Belt as set out by paragraph 154(c) of the National Planning Policy Framework (NPPF) which states '*development in the Green Belt is inappropriate unless one of the following exceptions applies: c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*'

Given that the surrounding area is characterised by the built environment and no open land bounds the application site and most of the increased floorspace would be contained within the footprint of the existing building, it is considered that the proposal would not result in disproportionate additions over and above the size of the original building in accordance with the National Planning Policy Framework. The development would also be implemented within the existing residential curtilage of and would be attached to the application property and would be constructed of appropriate materials. It is therefore considered that the development would not harm the openness or visual amenity and character of the Green Belt in this instance, in accordance with Local Plan Policy GB1. In addition, the Local Planning Authority (LPA) has the benefit of removing permitted development rights in the interest of avoiding any further potential harm to the Green Belt should approval be recommended.

Furthermore, paragraph 221 of section 16 of the NPPF states that *“Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.”*

Whilst the proposal would be contrary to Local Plan Policy GB2, the anticipated benefits of enabling development, which include securing the future conservation of a building with heritage significance, is considered to outweigh the disbenefits of departing from this policy in this instance, especially as the proposal would preserve the appearance or character and openness of the Green Belt would be preserved, as outlined above. Design, heritage and visual amenity impacts will be further discussed later in this report.

Considering the above, this weighs significantly in favour of the proposed development.

Given the location and siting of the development, the merits of enabling development that secures heritage conservation, it is not considered that the proposal represents disproportionate additions over and above the size of the dwelling and is therefore not considered contrary to the aims of the relevant local and national Green Belt policies.

Design, Heritage and Visual Amenity

Extensions and alterations to a domestic property are acceptable in principle if the proposal would remain subservient to and would be of a scale and design which would be appropriate to the host property. Development should respect, conserve and enhance the significance and setting of the borough's heritage assets and should not significantly alter or detract from the character of the street scene, and should not have a harmful impact on the appearance or character and should preserve the openness of the Green Belt

Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building and conservation area or its setting or any features of special architectural or historic interest which it possesses.

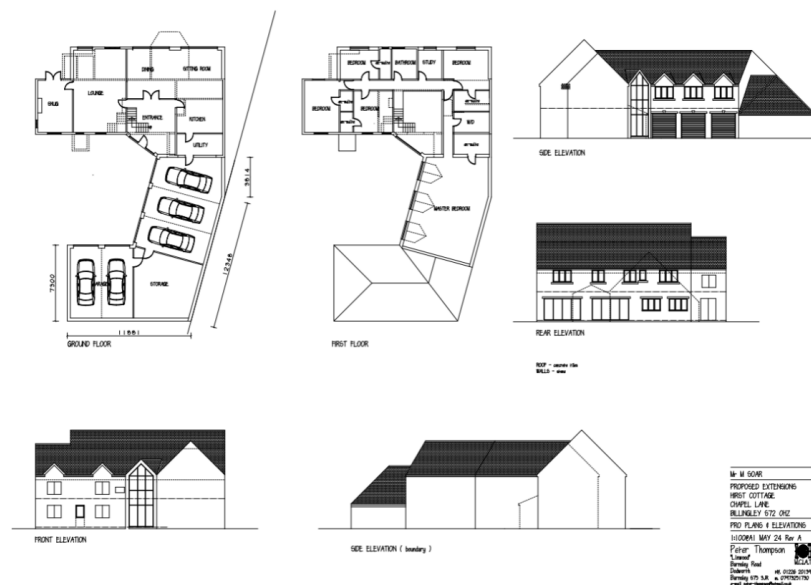
Paragraph 219 of the National Planning Policy Framework (NPPF) states *‘local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.’*

The application property is located near the junction (but set back) of Chapel Lane and High Street within the Billingley Conservation Area at the southern end of the village. This location is the historic core of the village as evidenced by the position of various historic buildings in the immediate vicinity which includes the grade II-listed Poplar Farmhouse to the north, the grade II-listed Manor House to the east, and the grade II-listed Billingley Hall to the south-east. There is an unlisted War Memorial surrounded by iron railings within the road at the junction of Chapel Lane with High Street, and there are other historic but unlisted buildings within the locality. Many of these buildings show evidence of alteration and extension, but the historic significance and group value of them is clear and underpins why they are positioned at the heart of the most characteristic part of the conservation area. The conservation area has an appraisal which sets out that the predominant vernacular character of the conservation area is derived from locally sourced sandstone-constructed buildings associated with their agricultural origin.

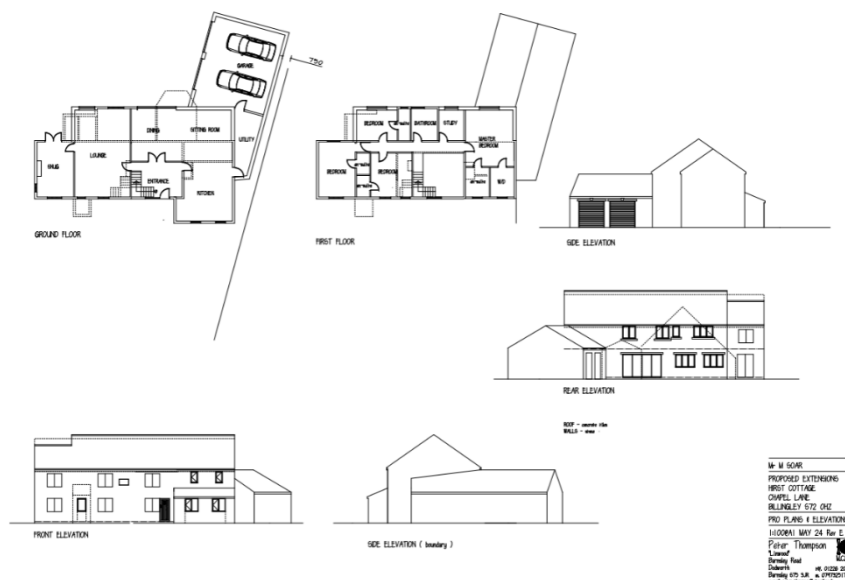
This application is supported by a detailed Heritage Impact Assessment (HIA), the contents of which are generally agreed with by the Council's Conservation Officer. The Council's Conservation Officer states that the HIA rightly notes the origins of the village as a farming settlement and the fact that later C19 and C20 expansion did not take place here due to mining. It is stated that the coherence and legibility of this former agricultural village remains evident, even with limited infill and alteration.

The application property itself is visible on an 1854 OS map, with a smaller building to the north which is now lost. The HIA notes that little change is evident in the following years but suggests that the adjacent Willow Cottage is modern. The Conservation Officer considers this to be incorrect, and states that careful analysis of the map (considering minor mapping inconsistencies) shows Willow Cottage is an extant historic building. In addition, it is stated the current appearance of the application property betrays the suggestion that much of the western two thirds of the building has at its core the original building as later alterations are visible; however, the northern elevation has some original stonework, and the general pattern of fenestration appears historic in this part of the dwelling.

The HIA notes that the application property makes a positive contribution to the conservation area, contributing 'to the visual amenity' and setting, which the Conservation Officer agrees with. As such, the original proposals (shown below) were strongly objected to.



A site visit was held on 28th August 2024 between all relevant parties, in which the original proposals and the impact they presented were discussed. Subsequent amendments were tabled, but concerns remained. A final revision was received by the LPA on 12th December 2024 (shown below).



The amended scheme (Rev. E), which is under consideration, proposes the removal of an existing porch on the north elevation of the dwelling and the installation of a new ground floor window with alterations to existing first-floor windows, the removal of an existing rear conservatory and extension and the erection of new two-storey rear extension and single storey side and rear extension with alterations to the existing roof, including an increase in height, the conversion of an existing integral garage to habitable space, and raising the height of an existing front boundary wall and gate.

The amended scheme is considered to be a considerable improvement on the initial proposal, and although the roof would still undergo a small amount of uplift, it is considered by the Conservation Officer that this would be a reasonable compromise, especially as the rear of the application property has undergone much change and does not contribute greatly to the appearance of the conservation area. The appearance of the most historic part of the application property would also be retained. It is considered that the proposed alterations are much more restrained, and the vernacular and overall appearance would remain readable. As such, it is considered that the amended scheme (Rev. E) would contribute positively to the conservation area. The Conservation Officer has confirmed their support subject to conditions regarding external materials, windows and doors and rainwater goods and downpipes. As such, and subject to conditions, this weighs significantly in favour of the proposed development.

During the application process, concerns were raised regarding external materials in that they should match those used in the external construction of the existing building.

The application form indicates that external materials would match existing. However, in the interests of visual amenity and in accordance with Local Plan Policies, HE1, HE4 and D1, external materials will be conditioned in line with the Conservation Officer's comments.

During the application process, concerns regarding the appearance of the north and east boundary treatments were raised.

It is acknowledged that works to the north boundary wall adjacent to the highway have already been undertaken. The works involved an increase to the height of the wall. This aspect is being considered retrospectively. At the time of the site visit held on 28th August 2024, this work had not commenced but was discussed with the applicant and the Conservation Officer. It is understood that the stone wall has been raised from 1.2-metres-high to approximately 1.7-metres-high. The gate is proposed be raised from approximately 1.7-metres-high to 2-metres-high. The Walls and Fences SPD states that 'the design, the materials used, and the height of the wall or fence should relate to the character of the area, and that particular care should be taken on site frontages, in visually prominent locations, or in sensitive settings.' The increase in height of the north boundary stone wall and gate is relatively minor and maintains the proportions between the previous heights. Photographs show that the wall has been constructed of appropriate stone with an appropriate method of coursing used. The Agent has stated that the new gate posts would be topped with flat stone capping. As such, this aspect of the proposal is therefore considered to be in accordance with the Walls and Fences SPD. Moreover, the Conservation Officer has raised no objection to these alterations, and therefore, this weighs moderately in favour of the proposed development.

The Agent has confirmed that a new boundary wall has been erected along the eastern boundary line between the application property and Willow Cottage. It is stated that the new wall is 1.8-metres-high. Photographs provided show that the wall is constructed of stone with stone pillars and timber panel infills. Whilst concerns have been raised regarding the appearance of this wall, a boundary treatment up to 2-metres-high could be erected in this location as permitted development, therefore not requiring planning permission. The appearance of a boundary treatment erected as permitted development cannot be controlled by the LPA, nor would the guidance of the Walls and Fences SPD apply. As such, this aspect is attributed no weight.

In relation to the openness of the Green Belt, the proposal would be implemented within the existing residential curtilage of and would be attached to the application property and would be constructed of appropriate materials. It is therefore considered that the proposal would not harm the openness or visual amenity and character of the Green Belt. This weighs moderately in favour of the proposed development.

On balance, the proposal is therefore considered to comply with Local Plan Policy HE1: The Historic Environment and Local Plan Policy HE4: Developments affecting Historic areas or Landscapes. The proposed development is also considered to comply with Local Plan Policy D1: High Quality Design and Placemaking and Local Plan Policy GB1: Protection of Green Belt and would be acceptable regarding visual amenity.

Residential Amenity

Extensions and alterations to a domestic property are considered acceptable if the proposal would not adversely affect the amenity of neighbouring properties. Development will also be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in light or other pollution which would unacceptably affect or cause nuisance to the natural and built environment or to people.

The original proposals presented unacceptable detrimental residential amenity impacts, particularly to the occupant(s) of The Barn to the west. Several objections were received regarding the original proposal with residential amenity impacts cited. During the application process, the proposals were amended, and a re-consultation exercise was undertaken. No further concerns regarding residential amenity impacts were raised. The occupant(s) of The Barn were notified of the amendments, and no response was received. Nevertheless, an assessment will be made in relation to overshadowing, overlooking and loss of privacy and reduced outlook. During the application process, concerns were also raised regarding potential noise impacts from development works.

The proposed extensions would be implemented to the rear of the application dwelling and would be positioned to the east of the curtilage of The Barn, to the west of the curtilage of Willow Cottage and to the north of dwellings located on Well Lane Court. Whilst some overshadowing could occur, specifically to the curtilage of The Barn and Willow Cottage, any potential impact would likely occur in the early morning or late evening and not at peak times for use of a garden, and existing boundary vegetation to the east could offer further mitigation. The proposed two-storey extension would adopt a rearward projection similar to an existing extension, and the overall increase in roof height would be minimal at approximately 0.4 metres. The amended scheme (Rev. E) would avoid detrimental overshadowing impacts to any of the habitable room windows of neighbouring dwellings. As such, the amended scheme is considered to be a considerable improvement on the initial proposal in this regard. This weighs significantly in favour of the proposed development.

Windows would be limited to the north and south elevations of the dwelling and proposed two-storey rear extension. No windows would be located on any side elevations of the dwelling or any extension. The first-floor windows on the north elevation of the dwelling would maintain the existing separation distance to the dwellings opposite. Existing highways trees would also continue to provide screening to the front of the application dwelling. Similarly, first-floor windows on the south elevation of the rear extension would maintain existing separation distances which are more than 21 metres. There could be some overlooking of the curtilages of Willow Cottage and Cherry Tree Cottage, but any potential impact would not be substantially different from existing levels of impact which may be experienced. Likewise, the development is unlikely to result in significantly reduced levels of outlook beyond any existing levels of impact. This weighs significantly in favour of the proposed development.

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

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

Highway Safety

During the application process, concerns regarding the increase in height to the north boundary wall and gate and potential impacts on visibility were raised.

Highways Development Control were consulted on this application and no objections were received. It was stated that the current intervisibility splay at the access point is sufficient to maintain visibility for both exiting vehicles and pedestrians, and this splay also ensures that the increased height would not obstruct sight lines.

The existing site access and turning head to the front of the dwelling would be retained, and the gap between the east elevation of the dwelling and the adjacent party boundary has been increased to approximately 3.6 metres as to provide a more practical access width for vehicles to the garage to the rear of the dwelling. The garage itself would be sufficiently sized to be counted towards the site's off-street parking provision. As such, the proposed development would not be prejudicial to highway safety. This weighs moderately in favour of the proposed development.

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

Trees

Trees are located to the north, west and south of the application property, most of which fall outside of the application curtilage. None of the trees are protected by a Tree Preservation Order (TPO) but are protected by virtue of their location in the conservation area. The Council's Forestry Officer was therefore consulted on the application. It is stated that the revised scheme would not directly resolve the issues with potential future pressures fully. Ultimately, the tree group (G1) would still be in very close proximity to the proposed garage, and as such, would likely overhang the development and remain in very close proximity. The 0.75 metre set in from the eastern party boundary would, however, allow access for maintenance of the small group to allow pruning back towards the boundary line subject to the submission of the necessary s.211 notice that is required for works to trees in a conservation area. Moreover, the fact that this is a garage and not living accommodation also lessens the potential risk of future pressure being put on this group. This group will need to be protected for the duration of any development works. Considering this, the Forestry Officer raised no objection subject to a condition requiring the submission of a revised Arboricultural Method Statement outlining protection measures for this group taking into account the revised layout. The Arboricultural Method Statement should retain details of protection measures to all other identified trees.

Planning Balance and Conclusion

In considering the above assessment, the proposed development is acceptable regarding residential and visual amenity and highway safety, and whilst the proposal does not conform to adopted design guidance fully, the development would unlikely be detrimental to the amenity of the occupant(s) of neighbouring dwellings in relation to overshadowing, overlooking and loss of privacy, and reduced outlook. Potential disturbance and disruption because of construction works could be controlled by condition. Whilst the proposal would be contrary to part of Local Plan Policy GB2, it is considered to comply with the aims of the NPPF and, given the anticipated benefits of enabling development, which include securing the future conservation of a building with heritage significance within a conservation area, is considered to outweigh the disbenefits of departing from this policy in this instance, especially as the proposal would preserve the appearance or character and openness of

the Green Belt, and permitted development rights could also be removed to prevent further potential harm to the Green Belt. On balance, this application is therefore recommended for approval.

**Recommendation -
Approve with Conditions**