

Application Reference Number:		2026/0324.	
Application Type:		Outline.	
Proposal Description:		Outline application of access and layout for the erection of 3no. 3-bed dwellings (1no. detached bungalow and 2no. semi-detached dwellings). Appearance, landscaping and scale matters reserved.	
Location:		10 Clifton Gardens, Brierley, Barnsley, S72 9JZ.	
Applicant:		Ms Sanderson.	
Third-party representations:	X1 Objection(s).	Parish:	Brierley.
	X1 Comment(s).	Ward:	North East.

Summary:			
This application seeks outline planning permission for the erection of three, three-bedroom dwellings (1no. detached bungalow and 2no. semi-detached dwellinghouses) with all matters reserved except for access and layout. This proposal for small-scale residential development to create three dwellinghouses (Use Class C3) located within the residential curtilage of an existing dwellinghouse within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing land and is considered acceptable in principle in accordance with NPPF Policies S4, HO7, L2(1)(d) and L3 and Local Plan policies H1, H2, LG2, and H4 subject to the consideration of the following matters. The principle of development is attributed substantial weight in favour of this proposal in accordance with NPPF Policies HO7 and L2(1)(d). This proposal is considered acceptable in respect of its potential impacts on residential amenity, health and pollution control, visual amenity, highway safety, and biodiversity and geodiversity and trees, in accordance with NPPF Policies L2, P3, DP3, TR3, TR4, N2 and N3, and Local Plan Policies GD1, POLL1, D1, T3, T4 and BIO1, and is attributed substantial, significant and moderate weight respectively in accordance with national decision-making policies. For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance. Planning permission should therefore be granted subject to the necessary condition(s) without delay in accordance with NDMP S3(1)(c). Recommendation: APPROVE subject to conditions.			

Site Description

This application relates to the large residential curtilage of 10 Clifton Gardens. The development site is located within an existing settlement which is principally residential in nature and characterised by two-storey detached, semi-detached, and terraced dwellinghouses, which are chiefly similar in scale and appearance, and semi-detached bungalows which are similar in scale and appearance. The site is located to the west of Cliff Farm Green Space with agricultural land to the north, south and west. Public rights of way are accessed off Regina Crescent to the south and Barnsley Road to the north. Brierley Church of England Primary School, Brierley Park, and Brierley Park Playground are located to the east alongside a local Post Office, Brierley Medical Practice, an off licence and general store, hair salon and hot food takeaways. Barnsley Road (A628) located to the north also provides regular bus services to/from Barnsley Town Centre, Wombwell, and Grimethorpe. The Grimethorpe Local Centre is located approximately 2.1km to the south, Cudworth District Centre is approximately 2.4km to the south-west, and the Royston District Centre is located approximately 3.8km to the north-west.

The development site accommodated an existing two-storey semi-detached dwellinghouse which is constructed of brickwork with a pitched concrete tiled roof. There are existing detached structures in the form of a greenhouse to the east corner and pre-fabricated flat roofed detached garages located to the south-west corner. There are two existing vehicular accesses off Regina Crescent to the south with the southern access servicing the existing detached garages and a large area of hardstanding. The development site is also accessed from the north off Clifton Gardens. Clifton Gardens appears to form an unadopted highway and is utilised by several neighbouring properties for vehicular access and parking with many benefiting from detached garages and carports. The existing access serving the development site off Clifton Gardens appears to be a pedestrian access. However, there is hardstanding to the rear of the access that could accommodate vehicles. The development site is bound by timber fences. There are trees within an adjacent plot to the south-west.



Planning History

There is no planning history associated with the development site.

Proposed Development

This application seeks outline planning permission for the erection of three, three-bedroom dwellings (1no. detached bungalow and 2no. semi-detached dwellinghouses) with all matters reserved except for access and layout.

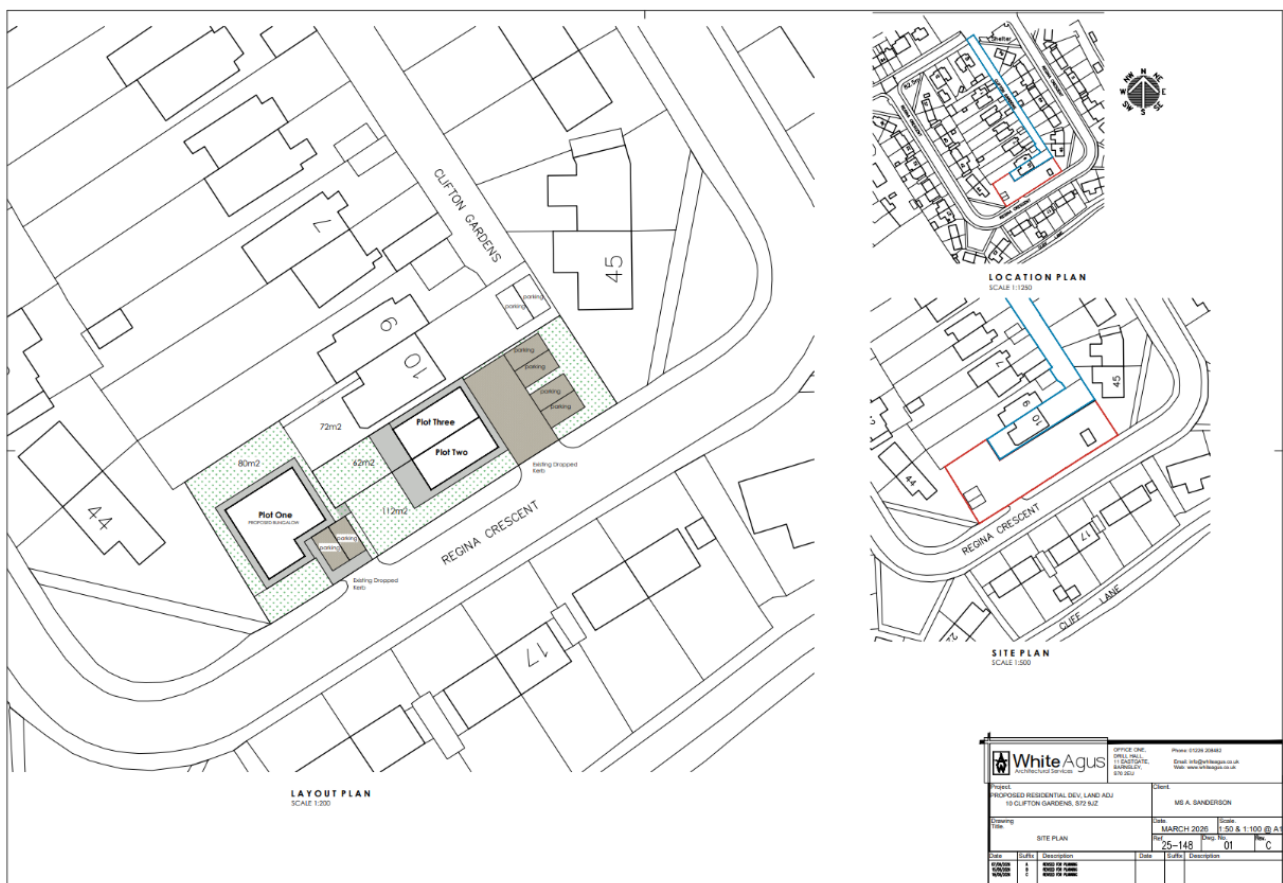
The existing dwellinghouse (10 Clifton Gardens) would be retained and would be served by access of Clifton Gardens.

The proposed two-storey semi-detached dwellinghouses and a detached bungalow would be served by existing vehicular accesses off Regina Crescent.

The submitted amended site plan (25-148 01 Rev. C) shows the proposed bungalow would be located to the south-west in the development site and positioned centrally within its respective plot with front and rear garden areas and at least two off-street vehicular parking spaces.

The submitted amended site plan (25-148 01 Rev. C) shows the proposed two-storey semi-detached dwellinghouses would be located to the south of the existing dwellinghouse (10 Clifton Gardens) and would follow the established building line. These properties would benefit from rear and side garden areas with at least two off-street parking spaces per dwellinghouse to the north-east within the plots.

During the application process, the proposal was amended to show off-street parking arrangements for the existing dwellinghouse, to separate the off-street parking spaces to the front of the proposed semi-detached dwellinghouses to avoid one continuous strip, and to reduce the scale and re-position the proposed bungalow to avoid future pressures from adjacent trees located in a neighbouring plot.



Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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

Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in the NPPF should be given very limited weight. The only exception to this is where they have been examined and adopted or made against the NPPF (August 2026). Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the NPPF (August 2026).

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation and is located within an existing settlement.

The following Local Plan policies are therefore relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy LG2: The Location of Growth.*
- *Policy H1: The number of New Homes to be Built.*
- *Policy H2: The distribution of New Homes.*
- *Policy H4: Residential Development on Small Non-allocated Sites.*
- *Policy H6: Housing Mix and Efficient Use of Land.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T3: New Development and Sustainable Travel.*
- *Policy T4: New Development and Transport Safety.*
- *Policy D1: High Quality Design and Place Making.*
- *Policy BIO1: Biodiversity and Geodiversity.*

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

In August 2026, the UK Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

The revised NPPF (August 2026) establishes national decision-making policies. Central to the NPPF is a presumption in favour of sustainable development (NPPF Policy S3). Plans and decisions should apply NPPF Policy S3. There are three objectives to sustainable development: an economic, social and environmental objective, which are mutually dependent.

The following NPPF sections and NPPF policies are relevant in this case:

Section 3: Decision-making policies

- *DM3: Determining development proposals.*
- *DM6: Use of planning conditions and obligations.*
- *DM7: Relationship with other regulatory regimes.*

Section 4: Achieving Sustainable development

- *S3: Presumption in favour of sustainable development.*
- *S4: Principle of development within settlements.*

Section 6: Delivering a sufficient supply of homes

- *HO7: Meeting the need for homes.*
- *HO13: Build out of residential and strategic sites.*

Section 12: Making effective use of land

- *L2: Making effective use of land.*
- *L3: Achieving appropriate densities.*

Section 14: Achieving well-designed places

- *DP3: Key principles for well-designed places.*

Section 15: Promoting sustainable transport

- *TR3: Locating development in sustainable locations.*
- *TR4: Street design, access and parking.*
- *TR6: Assessing transport impacts.*

Section 17: Pollution, public protection and security

- *P3: Living conditions and pollution.*

Section 19: Conserving and enhancing the natural environment

- *N2: Improving the natural environment.*
- *N3: Trees in new 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 this guidance into account when taking decisions.

Supplementary Planning Guidance

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The following SPDs are relevant in this case:

- *Biodiversity and geodiversity (Adopted March 2024).*
- *Design of housing development (Adopted July 2023).*
- *Parking (Adopted November 2019).*
- *Trees and Hedgerows (Adopted May 2019).*

- *Walls and fences (Adopted May 2019).*

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

Other Material Considerations

- *South Yorkshire Residential Design Guide 2011 (SYRDG).*

Representations

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

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

Four representations have been received from two addresses and comprise one comment and one objection that has been submitted three times.

The concerns raised are summarised as follows:

- Increased traffic.
- Impact on highway safety arising from the re-opening off an access off Clifton Gardens.
- Impact on privacy.
- Increased noise and disturbance.
- Impact on character and appearance of Clifton Gardens.
- Impact on adjacent retaining wall.

Consultations

Biodiversity Officer	<i>No objection(s) subject to condition(s).</i>
Forestry Officer	<i>No objection(s) subject to condition(s).</i>
Highway Drainage	<i>No objection(s) subject to condition(s).</i>
Highways Development Control	<i>No objection(s) subject to condition(s).</i>
Local Ward Councillors	<i>No comment(s) received.</i>
Pollution Control	<i>No objection(s) subject to condition(s).</i>
Yorkshire Water Services Limited	<i>Objection(s).</i>

Planning Assessment

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

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

Principle of Development

NPPF Policy S3(1): Presumption in favour of sustainable development establishes that decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a) Policy S4 in this Framework should be applied when considering development proposals within settlements;
- b) Outside settlements, policy S5 should be applied; and
- c) In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

In this instance, the development site is located within an existing settlement and therefore NPPF Policy S4 is applicable.

NPPF Policy S4: Principle of development within settlements establishes:

- 1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework (NPPF).
- 2. In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations established by paragraphs S4(2)(a-c).

NPPF Policy HO7: Meeting the need for homes sets out in applying the policies in this Framework (NPPF), substantial weight should be given to the benefits of providing homes which will contribute towards meeting evidenced accommodation needs of the community, identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1.

NPPF Policy HO13(2): Build out of residential and strategic sites establishes that for all proposals involving housing, consideration should be given to whether to impose a planning condition that requires that development begins within a timescale shorter than the relevant statutory default period, where this would expedite the development without threatening its implementation or viability.

NPPF Policy L2(1)(d): Making effective use of land states substantial weight should be given to the benefits where development proposals would achieve one or more of the following: creating additional homes or floorspace within settlements through sensitive redevelopment or additional development within existing plots (including, but not limited to, additional units within residential curtilages). Such proposals should accord with NPPF Policy L2(1)(d)(i-iii).

NPPF Policy L3(1): Achieving appropriate densities sets out development proposals should make efficient use of land, taking into account identified need for different types of housing and other development, local market conditions, availability of infrastructure (including that supporting sustainable transport modes) and its scope for improvement, a site's connectivity and the importance of securing well-designed, attractive and healthy places.

NPPF Policy L3(2)(a): Achieving appropriate densities sets out within settlements, development proposals for residential and mixed-use development should contribute to an increase in the density of the area in which they are situated. The only exception is where there is a clear justification that this is either inappropriate or not possible (for example, if the prevailing density is already very high, the nature of the accommodation required precludes higher densities, or if it would conflict with other policies in this Framework). In considering the potential to increase

densities, the existing character of an area should be considered, in accordance with NPPF Policy DP3, but should not preclude development which makes the most of an area's potential.

NPPF Policy L3(4): Achieving appropriate densities establishes development proposals that do not make efficient use of land in accordance with paragraph 2 of this policy should be refused.

Local Plan Policy H1 establishes that the local planning authority will seek to achieve the completion of at least 21,546 net additional homes during the period 2014 to 2033.

Local Plan Policy H2 establishes that other settlements (which includes Brierley) is set to accommodate 4% of the borough's housing needs during the period 2014 to 2033 with a total of 801 dwellings.

Local Plan Policy H4: Residential developments on small non-allocated sites establishes proposals for residential development on sites below 0.4ha will be allowed where the proposal would comply with other relevant policies in the Local Plan.

All new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable degree, for existing and new and future residents, including visual amenity and highway safety.

This proposal for small-scale residential development to create three dwellinghouses (Use Class C3) located within the residential curtilage of an existing dwellinghouse within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing land and is considered acceptable in principle in accordance with NPPF Policies S4, HO7, L2(1)(d) and L3 and Local Plan policies H1, H2, LG2, and H4 subject to the consideration of the following matters.

The principle of development is attributed substantial weight in favour of this proposal in accordance with NPPF Policies HO7 and L2(1)(d).

Impact on Residential Amenity, Health and Pollution Control

During the application process, concerns were raised regarding impact on privacy and increased noise and disturbance.

NPPF Policy L2(1)(d): Making effective use of land states substantial weight should be given to the benefits where development proposals would achieve one or more of the following: creating additional homes or floorspace within settlements through sensitive redevelopment or additional development within existing plots (including, but not limited to, additional units within residential curtilages). Such proposals should accord with NPPF Policy L2(1)(d)(i-iii).

NPPF Policy P3: Living conditions and pollution establishes:

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity.

Within this context development proposals should accord with NPPF Policy P3(2)(a-f) where applicable.

Local Plan Policy GD1: General Development, indicates that support will be given to development if there will be no significant adverse impact on the living conditions and residential amenity of existing and future residents, and the development would be compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land.

Local Plan Policy POLL1: Pollution Control and Protection, establishes that support will be given to development if it is demonstrated that proposals would not be likely to result, directly or indirectly, in an increase in air, surface water and 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.

The South Yorkshire Residential Design Guide (SYRDG) sets out internal space standards for new dwellings. Support will be given to development if the internal space standards are complied with.

Layout is under consideration at this stage and therefore, an assessment has been made regarding the ability of this proposal to achieve adequate external spacing standards and levels of residential amenity, including outlook and privacy considerations.

The submitted amended site plan (25-148 01 Rev. C) indicates that the proposed layout could achieve adequate separation distances between the proposed dwellinghouses and bungalow, the application dwellinghouse, and the surrounding neighbouring properties that would either accord with the Council's adopted design guidance or reflect the prevailing development pattern of the local area. It is therefore anticipated that this proposal could maintain reasonable levels of privacy and outlook for all existing and potential future occupants, although further consideration would be given to such impacts at reserved matters stage.

Whilst scale is not under consideration at this stage, this proposal has specified that a pair of two-storey semi-detached dwellinghouses and a single storey detached bungalow would be erected. The proposed semi-detached dwellinghouses would be erected to the south of the application dwellinghouse and as such, it is acknowledged that some overshadowing impact could occur. However, the proposed semi-detached dwellinghouses would conform with established building lines and any potential impact is anticipated to affect secondary windows located on the side elevation of the application dwellinghouse or be limited to their respective curtilages.

The proposed bungalow would be located to the south-west of the application dwellinghouse and the proposed semi-detached dwellinghouse and as such, it is acknowledged that some overshadowing impact could occur. However, the proposed bungalow would be positioned centrally within its plot and set away from all surrounding party boundaries. with the Council's adopted design guidance or the prevailing development pattern of the local area. It is therefore anticipated that this proposal could maintain reasonable levels of access to natural light for all existing and potential future occupants, although further consideration would be given to such impacts at reserved matters stage.

The submitted amended site plan indicates that the proposed layout would be capable of retaining and providing adequate private amenity space for the application dwellinghouse and proposed dwellinghouses and bungalow in accordance with the Council's adopted design guidance.

The submitted amended site plan indicates that the proposed layout would be capable of achieving the minimum internal space standards for three-bedroom properties as set out by table 4A.1 within the SYRDG, although further consideration would be given to such matters at reserved matters stage.

Considering the above, it is anticipated that this proposal could achieve acceptable living standards for residents and neighbours in terms of daylight, sunlight, privacy and external amenity space in accordance with NPPF Policy L2(1)(d)(ii).

It is acknowledged that the proposed layout would not fully accord with NPPF Policy L2(1)(d)(iii) in that this proposal would involve the use of residential curtilage and would occupy more than twice the footprint of all existing buildings on site and would not retain at least 50% of the non-developed area within the curtilage of the existing building(s). However, it is considered that the development

site could accommodate the proposed development without harm to the overall character of the area, taking into account the availability of infrastructure and the importance of locating development in sustainable locations (in accordance with NPPF Policy TR3). As such, this proposal is considered acceptable in this instance and is in accordance with NPPF Policy L2(d) overall and substantial weight is attributed in favour of this proposal and its approval.

It is acknowledged that there could be some disruption and nuisance caused to people in the locality during construction works. However, any impact is anticipated to only be temporary and construction hours could be controlled by condition.

The Council's Environmental Health (Pollution Control) colleagues were consulted, and no objections were raised subject to condition(s).

Considering the above, on balance, substantial weight is attributed in favour of this proposal and its approval in accordance with NPPF Policy L2(1)(d) in that it would make effective use of land, creating additional homes within existing settlements, through sensitive additional development within existing plots. Significant weight is also attributed of this proposal and its approval in accordance with NPPF Policies L2 and P3 and Local Plan Policies GD1 and POLL1 in that it is anticipated that the proposed layout could achieve acceptable living standards for residents and neighbours in terms of daylight, sunlight, privacy and external amenity space.

This proposal is therefore considered to comply with NPPF Policies L2: Making effective use of land and P3: Living conditions and pollution and Local Plan Policies GD1: General Development and POLL1: Pollution Control and Protection and is considered acceptable regarding its impact on residential amenity, health and pollution control.

Impact on Visual Amenity

During the application process, concerns were raised regarding the impact on the character and appearance of Clifton Gardens.

NPPF Policy DP3(1): Key principles for well-designed places establishes development proposals should respond to their context so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with NPPF Policies L2 and L3.

To create well-designed places, development proposals should also reflect relevant aspects of the principles, as appropriate to the nature of the development and its location, set out by NPPF Policy DP3(2)(a-g).

NPPF Policy DP3(3) establishes that development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

Local Plan Policy D1: High Quality Design and Placemaking, establishes support would be given to development if proposals would achieve a high quality of design and would respect, take advantage of, and reinforce the distinctive local character and features of Barnsley.

The Design of housing development sets out detailed guidance in support of Local Plan Policy D1.

This application is not supported by detailed floor plans and elevations or other relevant details in respect of boundary treatments, hard and soft landscaping and external materials. However, further consideration would be given to such matters, including scale and appearance, at reserved matters stage and/or secured by condition(s) where appropriate and necessary.

The submitted amended site plan indicates that the proposed layout would maintain the established building line from Clifton Gardens through to the proposed semi-detached dwelling-houses. The proposed semi-detached dwellinghouses would also adopt a footprint commensurate to the adjacent and nearby semi-detached dwellinghouses along Clifton Gardens which is welcome and would aid the proposed development to integrate cohesively with its surroundings.

The proposed detached bungalow would adopt a larger footprint compared with existing nearby semi-detached bungalows. However, this has been reduced during the applicant process to address concerns from the Local Planning Authority in that the original scheme appeared contrived, shoe-horned into its plot and out-of-character for the surrounding area. Whilst the Local Planning Authority would have preferred its footprint to have been reduced further, the amended scheme would appear more proportionate and harmonious within the surrounding context. In addition, the anticipated benefits of this proposal in that it would make more effective use of the land to aid the delivery of additional homes within an existing settlement is considered to outweigh any potential limited visual amenity harm at this stage, with further consideration to be given at reserved matters stage.

Other elements of this amended scheme would also be welcome, including separating the proposed dwellinghouses and bungalow from the back edge of the adjacent footpath with landscaped areas, and providing separation between off-street car parking spaces to avoid unsightly and overtly dominant continuous strips to the front of the proposed semi-detached dwellinghouses in accordance with the Council's adopted design guidance.

This proposal would also appropriately reflect the liveability, built form and identity principles set out by NPPF Policy DP3 which is welcome. Compliance with these policies is attributed substantial weight in favour of this proposal and its approval in accordance with NPPF Policy DP3(3).

Considering the above, on balance, this is considered to weigh substantially in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policies DP3(1) and DP3(2): Key principles for well-designed places and Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding its impacts on visual amenity.

Impact on Highways

During the application process, concerns were raised regarding increased traffic along Clifton Gardens, the impact on highway safety arising from the re-opening off an access off Clifton Gardens, and impact on an adjacent retaining wall.

NPPF Policy TR4: Street design, access and parking establishes:

1. To contribute to creating well-designed places, transport considerations should be integral to the design of development, proposals for which should:
 - a) Give priority first to walking, wheeling and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services;
 - b) Incorporate or contribute towards appropriate features to support this prioritisation, such as permeable street networks, continuous footways and segregated cycle facilities

which are adequately lit, sufficient secure and accessible cycle parking, regularly spaced public seating and good quality waiting facilities for public transport;

- c) Ensure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users (particularly for women and girls, for other groups who may be vulnerable to crime or the fear of crime, and for those with limited mobility). This includes reflecting relevant aspects of policy DP3(2), as well as employing measures in paragraphs TR4(c)(i-iii).
- d) Allow for the efficient delivery of goods, and ease of access by service and emergency vehicles, in ways which do not compromise key place-making principles (set out in policy DP3(2)); and
- e) Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations. A flexible approach to applying parking standards should be taken where the reconfiguration of retail or other sites which attract large numbers of customers would make better use of previously developed land, and there is evidence that a certain number of spaces needs to be retained to meet specific operational and commercial requirements.

NPPF Policy TR6(4): Assessing transport impacts states development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts) or an unacceptable impact on highway safety; taking into account any mitigation measures proposed and any wider network improvements, including measures to support sustainable patterns of movement. This applies during construction phase and following completion.

Local Plan policies T3 and T4 support the aims of these NPPF Policies in respect of new developments and sustainable travel and highway safety.

This proposal would achieve acceptable off-street parking arrangements for all proposed dwellinghouses and the existing dwellinghouse in accordance with the Council's adopted guidance, Local Plan Policy T4 and NPPF Policy TR4(d).

The existing dwellinghouse would re-open an existing access off Clifton Gardens to serve the maintained off-street parking arrangements for this property. While concerns have been raised regarding increased traffic along Clifton Gardens, current parking levels for the existing dwellinghouse would be maintained, and therefore, it is not anticipated that there would be a significant increase in vehicular numbers or movements along the road that could otherwise have adverse impacts on highway safety.

Concerns have also been raised regarding the potential impact on an adjacent retaining wall located on the party boundary between the development site and 45 Regina Crescent. The proposed dwellinghouses would be located away from this area and no significant engineering operations or other works are anticipated in this area beyond the replacement of an existing access fence and gate of Clifton Gardens and potential resurfacing works. Should any part of this proposal change further consideration would be given at reserved matters stage. It is also reasonable to conclude that consideration could be given at further regulatory stages such as Building Regulations approval.

Highways Development Control colleagues provided final comments, and no objections were raised subject to conditions to secure appropriate surfacing materials, gradient levels and pedestrian visibility splays. Pollution Control colleagues have also suggested a condition to secure

a construction method statement with would address potential highway and pollution control impacts.

The Local Planning Authority has no reason to disagree with the professional opinions of Highways Development Control colleagues in this instance, and the proposal is not considered to be prejudicial to highway safety, nor is there sufficient ground to warrant refusal under NDMP TR6(4).

Considering the above, on balance, this is considered to weigh significantly in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policy TR4: Street design, access and parking, and Local Plan Policies T3: New Development and Sustainable Travel and T4: New Development and Transport Safety and is considered acceptable regarding its impact on highway safety.

Impact on Biodiversity and Geodiversity and Trees

NPPF Policy N2(1)(f): Improving the natural environment states that to contribute positively to the natural environment, and support nature's recovery, development proposals should: minimise any potential adverse impacts on biodiversity by including features that support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (swift bricks) into their construction unless there are compelling technical reasons that prevent their use, or would make them ineffective.

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This proposal is subject to the BNG requirement.

This application is supported by a BNG assessment and statutory Biodiversity Metric.

Baseline habitats comprise vegetated and un-vegetated garden, trees and developed areas, with a baseline value of 0.31 habitat units. The entire site would be developed to accommodate three new dwellings. As such, the required BNG cannot be secured on site. The submitted BNG assessment indicates that units would be purchased from a third party supplier to ensure a minimum 10% net gain is met.

The Council's Ecologist (Biodiversity Officer) was consulted and has confirmed that they are satisfied with the assessment and have no objections to this proposal subject to a condition(s) to secure the mandatory Biodiversity Gain Plan, and a Biodiversity Mitigation Scheme.

While the purchase of units is considered acceptable in this instance, the units should be purchased at sites within the Barnsley borough where possible. An informative could be included to this effect.

There is one tree located to the north-east within the development site. Whilst it has not been confirmed, it is anticipated that this tree would likely be removed. The tree is not protected and is not of such significance that its removal would adversely affect the amenity of the local area. There are further trees located to the south-west within an adjacent plot. As these trees are outside of the applicant's control, this proposal was amended to maintain a sufficient separation distance between the proposed bungalow and the party boundary to minimise any future impacts and pressures on potential future occupant(s) from future growth potential.

The Council's Forestry Officer was consulted, and no objections were received subject to condition(s) to secure a tree protection plan and tree protective barrier details.

A landscaping scheme could also be secured by a condition.

Considering the above, on balance, this is considered to weigh moderately in favour of this proposal and its approval.

This proposal is therefore considered to comply with NPPF Policies N2(1)(f): Improving the natural environment and N3: Trees in new development and Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable regarding its impacts on biodiversity and geodiversity and trees.

Drainage

It is noted that there has been an objection from YW on lack of drainage details. However, this is an outline application so details of the scale, landscaping and design of the dwellings is not under consideration. It is considered that a condition asking for these details would be sufficient and this aligns with the comments of the Council's Drainage Section who raised no objections to the scheme, noting there was limited scope of the works and the site was well served by sewers, subject to a suitable condition. The use of the condition mitigates the concerns leaving this with little weight.

Planning Balance and Conclusion

In accordance with the provisions of NPPF Policy S3 and Local Plan Policy SD1 this proposal is considered within the context of the presumption in favour of sustainable development.

This application seeks outline planning permission for the erection of three, three-bedroom dwellings (1no. detached bungalow and 2no. semi-detached dwellinghouses) with all matters reserved except for access and layout.

This proposal for small-scale residential development to create three dwellinghouses (Use Class C3) located within the residential curtilage of an existing dwellinghouse within an existing residential settlement and sustainable location would aid meeting the Borough's housing needs through a more effective use of the existing land and is considered acceptable in principle in accordance with NPPF Policies S4, HO7, L2(1)(d) and L3 and Local Plan policies H1, H2, LG2, and H4 subject to the consideration of the following matters.

The principle of development is attributed substantial weight in favour of this proposal in accordance with NPPF Policies HO7 and L2(1)(d).

This proposal is considered acceptable in respect of its potential impacts on residential amenity, health and pollution control, visual amenity, highway safety, and biodiversity and geodiversity and trees, in accordance with NPPF Policies L2, P3, DP3, TR3, TR4, N2 and N3, and Local Plan Policies GD1, POLL1, D1, T3, T4 and BIO1, and is attributed substantial, significant and moderate weight respectively in accordance with national decision-making policies.

For the reasons given above, and taking all other matters into consideration, this proposal conforms with all relevant national and local planning policies and supplementary guidance.

Planning permission should therefore be granted subject to the necessary condition(s) without delay in accordance with NDMP S3(1)(c).

RECOMMENDATION: Approve subject to conditions.

Justification

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

In dealing with the application, the Local Planning Authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Amendments to the proposed layout.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.