

Application Reference Number:	2025/0564
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Application Type:	Full
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Proposal Description:	Erection of 2x semi detached dwellinghouses and associated works
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Location:	Land adjacent 12 Blakeley Close, Athersley South, Barnsley, S71 1XN
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Applicant:	Mr Lee Forster
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Third-party representations:	Two	Parish:	None
		Ward:	St Helens Ward

Summary:

This planning application seeks full planning permission for the erection of two two-storey, semi-detached dwellings and associated works

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising the erection of a new dwelling is considered acceptable in principle if proposals would not significantly adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved.

The proposal would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

Recommendation:

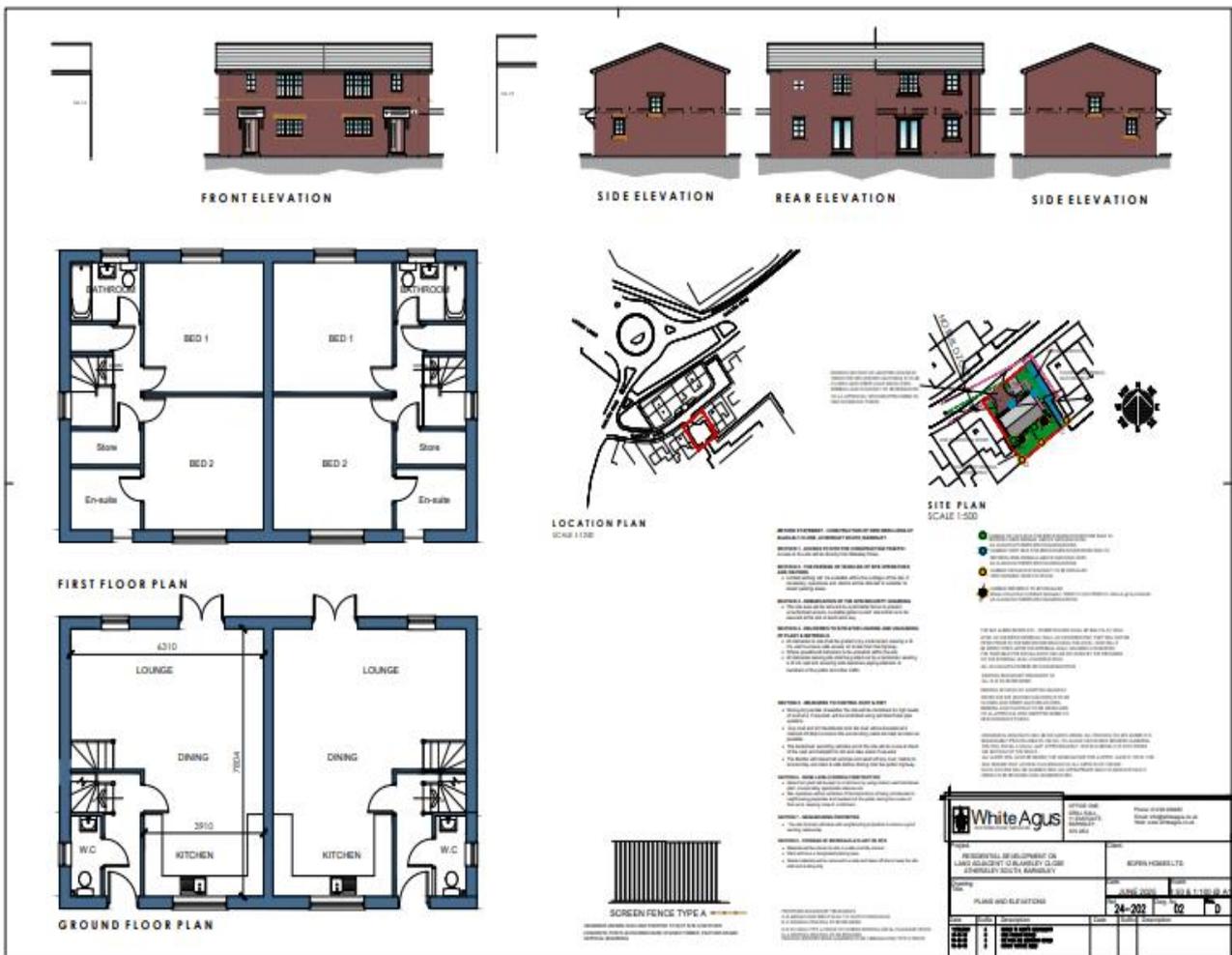
Approve subject to conditions

Site Description

The application site is currently undeveloped land on Blakeley Close in Athersley South. The land was formerly the access to Holy Trinity School. The street scene is predominantly residential with the exception of the school grounds to the south and features two-storey semi-detached dwellings of uniform design. Public footpath 406 currently runs through the site.

Proposed Development

The applicant is seeking approval for the erection of two, two-storey, semi-detached dwellings. The dwellings have a length 8.5 metres of and a width of 6.8 metres. The dwellings will feature pitched roofs with a ridge height of 6.8 metres and an eaves height of 4.85 metres. The materials used will be brickwork. The dwellings feature a combined lounge/kitchen/dining area and bathroom on the ground floor. On the first floor is two bedrooms and a bathroom. Parking spaces are provided to the front of the dwellings and public footpath 406 is proposed to be diverted to the east of the site.



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.

Local Plan Allocation – Urban Fabric

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 H4: Residential Development on Small Non-Allocated Sites – Proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies.

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. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

Policy Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not 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 a nuisance to the natural and built environment or to people.

Policy T3: New Development and Sustainable Travel – New Development will be 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.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

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 will be expected to conserve and enhance the biodiversity and geological features of the borough.

National Planning Policy Framework

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It 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. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent.

The most relevant sections are:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

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:

- Biodiversity
- Design of Housing Development
- Parking
- Sustainable Travel

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

Other Guidance

- South Yorkshire Residential Design Guidance

Consultations

The LPA's Biodiversity Officer was consulted and raised no objections subject to conditions.

The LPA's Contaminated Land Officer was consulted and raised no objections subject to conditions.

Highways Development Control (DC) were consulted and raised no objections subject to conditions.

Highways Drainage were consulted and raised no objections.

National Grid were consulted and raised no objections.

Pollution Control were consulted and raised no objections subject to conditions.

Public Rights of way were consulted and raised no objections subject to conditions and the subsequent approval of a Public Path Diversion Order.

St Helens Ward Councillors were consulted and raised no objections.

Yorkshire Water were consulted and raised no objections subject to conditions.

Representations

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

Neighbour notification letters were sent to surrounding properties and a site notice posted, two objections were received and in summary raised the following points.

- Access to school
- Danger to highway safety
- Disruption to neighbouring properties
- Drainage issues
- Impact of building works
- Increased noise
- Loss of outlook
- Loss of parking
- Loss of privacy
- Poor visibility
- Overlooking
- Overshadowing

It must be noted that the land does not form part of the school grounds and although it has been used for informal parking this is not formally in connection with the school. Furthermore, impacts from construction works are not a material planning consideration as they are temporary.

Assessment

The main issues for consideration are as follows:

- The acceptability of residential development
- The impact on the character of the area

- The impact on neighbouring residential properties
- The impact on the highway network and highways standards
- The impact on biodiversity

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

The site is located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' and H4 'Residential Development on Small Non-allocated Sites' apply. These require that development should be compatible with its surroundings. In this case the street is largely residential and as such the use of this site for residential uses would be in keeping with the locality. This weighs significantly in favour of the proposal.

In addition to the above, all new dwellings must ensure that living conditions and overall standards of residential amenity are provided for or maintained to an acceptable level both for new residents and those existing. Also, development will only be granted where it would maintain visual amenity and not create traffic problems or reduce highway safety.

Design and Visual Amenity

The street scene consists predominately of two-storey, semi-detached dwellings, as such development on this site should relate to these adjacent properties. The proposal involves the erection of a two semi-detached dwellings with pitched roofs. In terms of materials the street scene features predominantly brick-built dwellings. The proposed materials will harmonize with the appearance of the adjacent dwellings given it is proposed to be brickwork. This weighs significantly in favour of the proposal.

The site was previously undeveloped land used as access for the adjacent school therefore, it adds little to the visual amenity of the street scene due to it being seen as an empty plot now that the access has been closed. The land does not form part of the school grounds after it was sold in 2017. The majority of the adjacent dwellings including those in closest proximity are also two storey dwellings like the proposed and the height of the proposed dwellings is in line with those adjacent.

The addition of the dwellings is not deemed to be significantly detrimental to the visual amenities of the street scene due to its lack of visibility within it as it will be seen in line with the adjacent dwellings and not stand out. As such, the proposed dwellings would not be contrary to the development pattern of the area or appear as an overly anomalous feature in the street scene. If anything, the undeveloped land at present is more of an anomalous feature than the proposed dwellings would be. This weighs significantly in favour of the proposal.

The design of the dwellings is straightforward and would be of a scale which harmonises with that of the adjacent dwellings. The proposed design and materials are deemed sympathetic to the street scene, and the dwellings would not have a negative impact in terms of being an anomalous feature.

Sufficient landscaping is not indicated on the submitted site plan and will therefore be dealt with via conditions; however acceptable boundary treatments have been indicated. This has limited weight

against the proposal. On the whole the development is acceptable in terms of visual amenity and impact upon the street scene in accordance with the SPD Design of Housing Development and policy D1 of the Local Plan.

Residential Amenity

The proposal involves the erection of two new semi-detached dwellings. Other residential properties are adjacent and most notably to the north (1, 3, 5 & 7 Blakeley Close) east (14 & 16 Blakeley Close) and west (10 & 12 Blakeley Close). Therefore, the impact upon the residential amenity of these properties is an important consideration. The site was previously spare land which is surrounded by residential dwellings therefore the use of the site for residential purposes is in keeping with the adjacent uses.

In terms of external spacing standards and overlooking, the SPD Design of Housing Development states that a minimum of 21 metres should be achieved between facing habitable room windows, and 12 metres should be maintained between habitable room windows and a blank side elevation. No first-floor habitable room windows will face the adjacent dwellings to the east and west as the habitable room windows are located on the front and rear elevations. Habitable room windows will face the adjacent dwellings to the north.

The dwellings to the north are two storey and separated by the highway. A distance of approximately 19 and 23 metres is maintained to the side elevations of these dwellings which don't feature habitable room windows from the proposed front elevations which is therefore acceptable.

The dwellings to the east and west are two storey and set directly adjacent the proposed dwellings. No habitable room windows are present on the side elevations of the neighbouring dwellings and the proposed dwellings. This weighs significantly in favour of the proposal.

The proposal should not cause any significant overbearing or overshadowing to any neighbouring dwelling. The dwelling is set to the south of the dwellings to the north but as discussed above the separation distances from these dwellings is 19 and 23 metres and across a highway. The dwellings are set in line with the dwellings to the east and west therefore maintaining the development pattern. The dwellings are also setback from the front and rear elevations of those dwellings.

The proposed dwellings have been designed with adequate room sizes and external amenity space of over 50sqm per dwelling which is in compliance with the standards set within the SPD and the SYRDG. The proposal is considered to be acceptable in terms of residential amenity in accordance with the SPD Design of Housing Development and Local Plan Policy GD1.

Highway Safety

There will be no impact upon highway safety. The proposal would create a pair of semi-detached dwellings on Blakeley Close on the site of a small car park and former access into the adjacent school. The Design and Access Statement asserts that although the school gate remains, the entrance is closed, it also concedes that a public right of way runs through the land, which would require permanent closure via the relevant legislation. Part of the land is also highway and would require stopping up.

It would appear that the site was once the access to Holy Trinity School, which was sold by BMBC in 2017. There are still gates in the boundary of the site, however these do not appear to be in use and the title deeds of the school do not include a right of way through the site. At the time of the sale, the school were contacted to provide comment, but no response was received and planning applications associated with the school make no reference to the access. As such, there is no issue with the permanent loss of this gated access or small car parking area.

With regards to stopping up the highway, the applicant will be required to make an application to the DfT to stop up the highway concurrently with this planning application under section 247 of the T&C Planning Act. The applicant will be responsible for the repositioning of the streetlight and any statutory undertakings or highway drainage that will be within the site.

According to the Design and Access Statement diversion proposals have been agreed with Yorkshire Water and the route of the diversion is shown on the submitted drawings. Additionally, the proposals are acceptable with off-street parking provided and refuse storage and collection facilities demonstrated. As such, the proposal is acceptable from a highway's perspective. This weighs significantly in favour of the proposal.

Impact on Biodiversity

The LPA's Biodiversity Officer raised no objections to the proposal. The application is supported by a biodiversity metric and associated Biodiversity Net Gain (BNG) Assessment report and condition assessment sheets. The BNG information submitted sets out that the proposals site largely comprises hardstanding, with small areas of poor condition modified grassland to the periphery. The baseline value of the site is 0.03 habitat units.

The proposals include the new dwellings and associated vegetated garden and post-development habitat units equate to 0.04. During the course of the application the metric has been updated to include information required to meet national validation requirements. The metric indicates that a gain in biodiversity can be achieved with 0.01 habitat units (48.77%). The mandatory biodiversity gain condition will be applied, and due to no significant habitats being proposed, a Habitat Management and Monitoring Plan does not need to be conditioned. The Plans and Elevations drawing has been amended to reposition swift and bat boxes which is acceptable. This weighs moderately in favour of the proposal.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

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 has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Alterations to proposed access, parking layout and refuse collection
- Amended drainage proposals
- Biodiversity alterations
- Roof type amendment from hipped roof to pitched roof

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