

Application Reference Number:	2023/0941
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Application Type:	Full
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Proposal Description:	Erection of 1no. detached dwelling
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Location:	Highstone Corner, Highstone Lane, Ward Green, Barnsley, S70 6SD
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Applicant:	Mr Michael Haigh
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Third-party representations:	None	Parish:	None
		Ward:	Worsbrough

Summary:

This planning application seeks full planning permission for the erection of 1no. detached dwelling and a new access.

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.

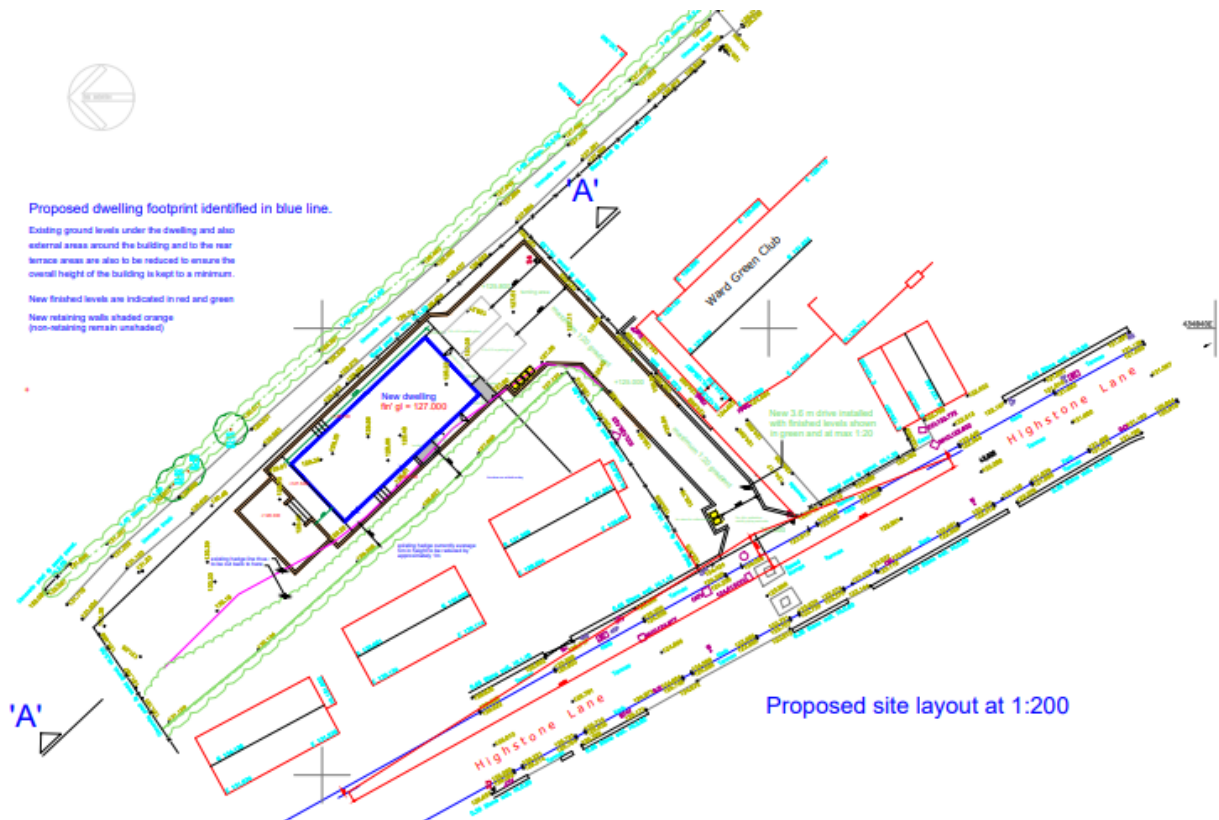
The proposal would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework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

Recommendation:

Approve subject to conditions

Site Description

The application site is currently undeveloped land set behind nos. 1-6 Highstone Corner in Ward Green. The site is located to the west of Highstone Lane and is proposed to be accessed from it. This would involve the creation of a new access between 1 Highstone Corner and Ward Green Club. The street scene is predominantly residential with the exception of the club. The site is separated from the rear garden area of 1-6 Highstone Corner by a large hedge.



Planning History

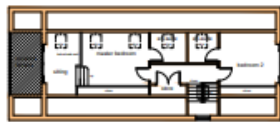
There are two planning application associated with the site.

Application Reference	Description	Status
2007/0644	Erection of 7 dwellings	Refused
2007/1545	Erection of four detached dwellings (Resubmission)	Refused

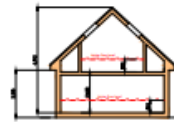
Proposed Development

The applicant is seeking approval for the erection of a detached dwelling. The dwelling has a length 17.3 metres of and a width of 7.2 metres. The dwelling will feature a pitched roof containing roof lights with a ridge height of 7 metres and an eaves height of 3 metres. The materials used will be brickwork and slate roof tiles. The dwelling features a lounge, kitchen/dining area, bathroom and two bedrooms on the ground floor. On the first floor which is in the roof space are two further bedrooms. The north elevation features a patio area whilst the north and south elevations feature Juliet balconies. A new access is to be created between 1 Highstone Corner and Ward Green Club.

In the drawing and the design details, the architectural and the structural details are shown in red. The architectural details are shown in red and the structural details are shown in blue. The drawing is for information only and is not to be used for construction purposes.



proposed first floor layout



typical section through proposed dwelling



proposed ground floor layout



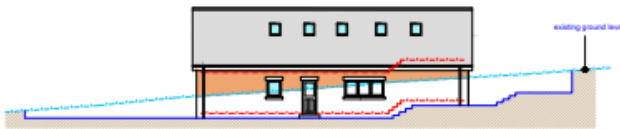
sectional elevation 'A' - 'A'
NB: Only the toned areas will be visible beyond the site boundaries



northwest elevation



southwest elevation
NB: Only the toned areas will be visible beyond the site boundaries



northeast elevation
NB: Only the toned areas will be visible beyond the site boundaries



southeast elevation

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Plot 7 Proposed detached dwelling	
Site off Highstone Lane, Wombourne, Barnsley, S70 6SD	
Proposed dwelling details	
Scale: 1:100	1st Issue: Sep 23
Drawn by: 2022/03/03	Checked: PD

Relevant Policies

The Development Plan

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

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

Local Plan Allocation – 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 Coal Authority were consulted and raised no objections subject to conditions.

The LPA's Forestry 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.

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

Worsbrough Ward Councillors were consulted and raised no objections.

Yorkshire Water were consulted and raised no objections.

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, no comments were received.

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
- The impact on mining legacy

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 modestly in favour of the proposal. The site is accessed via a proposed private drive which would run to the back of the existing bungalows on Highstone Lane. As a result of this the application site is therefore considered to be backland development. The SPD for design of housing development has a dedicated section relating to backland development to which reads as follows:

As well as the general criteria, including the external spacing standards, backland development should aim to comply with the following:

- *Tandem development, with one dwelling directly in front or behind another sharing the same access, will almost always be resisted.*
- *Piecemeal development, which could prejudice the potential comprehensive development of a larger area of land, should be avoided.*
- *Backland development is most effective where it includes a number of dwellings served by an adopted highway, which is capable of being used by refuse and other servicing vehicles. Long, narrow private drives (typically in excess of 30m), which would result in excessive 'man carry distances' should be avoided.*
- *Backland development may be more acceptable in circumstances where there is an existing use at the rear of dwellings and where residential development would benefit the amenity of existing residents and the character and appearance of the locality.*

The proposal is in essence tandem development (as described above) as the proposed dwelling is set behind the existing bungalows on Highstone Lane. However, it is considered the addition of another bungalow to the rear of the existing bungalows would not be uncharacteristic of the area and would not harm the pattern of development and the street scene.

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 of a mix of dwelling types however its predominantly semi-detached bungalows and semi-detached two storey dwellings, as such development on this site should relate to these adjacent properties. The proposal involves the erection of a detached dwelling with a pitched roof. In terms of materials the street scene features predominantly brick-built dwellings with the presence of rendered elevations also established. 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 therefore, it adds little to the visual amenity of the street scene due to it being screened by existing buildings. The majority of the adjacent dwellings including those in closest proximity are also single storey dwellings. The addition of the dwelling is not deemed to be significantly detrimental to the visual amenities of the street scene due to its lack of visibility within it. As such, the proposed dwelling would not be contrary to the development pattern of the area or appear as an overly anomalous feature in the street scene. 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 it would not have a negative impact in terms of being an anomalous feature. Sufficient landscaping and boundary treatments are not indicated on the submitted site plan and will therefore be dealt with via conditions. 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 a new detached dwelling. Other residential properties are adjacent and most notably to the north (2 Highstone Lane), east (119, 121, 123 & 125 Mount Vernon Road) and west (1, 2, 3, 4, 5 & 6 Highstone Corner). Therefore, the impact upon the residential amenity of these properties is an important consideration. The site was previously undeveloped land which is surrounded by residential dwellings therefore the use of the site for residential purposes is in keeping with the adjacent uses and previous use.

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 (roof space) habitable room windows will face the adjacent dwellings to the east and west as these main habitable room windows are located on the north and south elevations. The dwelling to the north is two storey and fronts Highstone Lane. Approximately 40 metres is maintained to the side elevation of this dwelling from the proposed north elevation which is therefore acceptable. Lesser single storey level habitable room windows will face the adjacent dwellings to the east and west however, but these are not as impactful as the windows on the north and south elevations.

The dwellings to the east are two storey and separated by neighbouring garden areas. Approximately 30 metres is maintained to the closest rear elevation (No. 125) of these properties from the proposed east elevation which is therefore acceptable. It is noted that the proposed south elevation will also look onto these properties, but again sufficient separation distance is maintained.

The dwellings to the west are single storey and set forward of the proposed dwelling with the same orientation. Although the required separation distance can't be reached the only windows on the side (west) elevation of the proposed dwelling are a small slot window serving the kitchen and landing windows. Additionally, the proposed dwelling is heavily screened from these properties by a large hedge which is to be retained and will provide a level of privacy for both the occupiers of the proposed dwelling and those existing.

The proposal should not cause any significant overbearing or overshadowing to any neighbouring dwelling. As discussed above the closest dwellings are well screened and the proposed dwelling has a modest eaves height with a pitched roof that slopes away from the dwellings. The proposed dwelling is set to the south of any neighbouring dwellings but as discussed above the separation distances from these dwellings is approximately 40 metres.

In terms of overlooking the proposed patio area and Juliet balconies will not cause significantly harmful levels of overlooking as there are no dwellings set in direct view of these. The dwelling to the north is approximately 40 metres away and to the south is the Ward Green Club.

The proposed dwelling has been designed with adequate room sizes and external amenity space of over 70sqm 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 Local Plan Policy GD1.

Highway Safety

There will be no impact upon highway safety. The site is located to the rear of no.'s 1 to 6 Highstone Lane, a residential street that runs between Highstone Road and Mount Vernon Road in Worsbrough. The proposals include the creation of a new access between no.1 Highstone Lane and Ward Green Club.

Issues of parking and turning provision, access gradient and refuse collection were satisfactorily addressed during the application. Although the section of the proposed access adjacent to the parking spaces slightly exceeds the 1:20 gradient, this area is some 20 metres from the public highway and is therefore considered to be satisfactory.

The amended plan also demonstrates that sight lines of 2.0 metres x 18.5 metres to the left and 2.0 metres x 43 metres to the right can be achieved. The 18.5 metre 'y' distance to the left would be commensurate with an 85th percentile speed of approx. 17mph in that direction of travel.

Taking into consideration that vehicles would be travelling uphill after negotiating a mini-roundabout, and therefore entering Highstone Lane at a low speed, this sight line is considered to be sufficient given the local context. As such, the proposal is acceptable from a highway's perspective. This weighs significantly in favour of the proposal.

Impact on Biodiversity

The application was submitted before biodiversity net gain was implemented. The site is located within a SSSI Impact Risk Zone; however, the development does not fall into any categories where consultation with Natural England is required. The LPA's Biodiversity Officer raised no objections to the proposal.

The development shall be completed in line with the mitigation, compensation and enhancement measures within the Ecological Impact Assessment and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained in the interests of biodiversity conservation. This weighs moderately in favour of the proposal.

Impact on Mining Legacy

The proposed development is located in a high risk area and it is noted that coal mining legacy poses a risk to the proposed development and users of the site. It is considered that further investigations are required to fully establish the risks posed and to inform appropriate remedial and mitigatory measures to ensure the safety and stability of the proposed development. As such, planning permission will only be granted for the proposed development subject to conditions. This weighs modestly 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
- Update and additions to coal mining risk assessment

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.