

Application Reference: 2025/0813

Site Address: 33 Ballfield Lane, Kexbrough, S75 5LH

Introduction:

This application seeks full permission for the erection of a detached dwelling.

Relevant Site Characteristics

The site falls within land designated as urban fabric in the Local Plan. The site is located on Ballfield Lane close to the junction of Cooper Road and Ballfield Lane in Kexbrough. The site forms part of the rear gardens of 33 and 35 Ballfield Lane and 1 Cooper Road. During the site visit it was noted that the site has been fenced off and separated from the existing rear gardens. The site previously formed part of a wider garden area supporting the abovementioned properties.

The site is located amongst a mix of large semi-detached and large terraced properties in blocks of 4 and 5. The properties along Cooper Road are set back from the road with good sized front gardens and generous rear gardens, constructed in red brick and render with hipped roof designs. The surrounding area predominantly comprises semi-detached dwellings displaying similar modest architecture. There is a limited palette of materials in the vicinity including red brick with pebble dash and render. Taken together this commonality contributes to the character of the area.

Southwest of the site lies a primary school with parking restrictions in force along Ballfield Lane. Directly north adjacent to the site is a bus stop located on Ballfield Lane.

Planning permission was sought for the erection of an end terraced dwelling attached to 33 Ballfield Road in 2016. This has been constructed however it does not comply with the approved plans. Within the approved 2016 plans the gardens to both number 33 and the new dwelling 35 Ballfield Road were generous, and a detached double garage was proposed to be erected to provide off street parking. The garage has not been erected, and the generous gardens have been reduced in size to accommodate this plot.

In 2024 an application for the erection of a single dwelling within this site was submitted and refused. The proposal was for a dormer bungalow and was refused for the following reasons:

- The development would disrupt the uniform and traditional character of the street scene by virtue of the location, appearance, and layout of the proposed dwelling. The proposal does not reflect or reinforce the surrounding building traditions and would therefore be an incongruous feature within the street scene and appear at odds with the immediate neighbour's contrary to Local Plan Policy D1 and SPD: Housing Development.
- In the opinion of the Local Planning Authority the position of the dwelling on the plot would be detrimental to the amenities of the existing residents by way of overshadowing private amenity spaces. As such, the proposal is contrary to Local Plan Policy GD1, SPD Design of Housing Development and the South Yorkshire Residential Design Guide.
- In the opinion of the Local Planning Authority the proposed development would be contrary to Local Plan Policy T3, T4 and SPD Parking in that the proposal fails to retain off street parking to the detriment of 33 and 35 Ballfield Lane.
- In the opinion of the Local Planning Authority, the proposed dwelling would be materially detrimental to the amenities of the neighbouring residents due to the

inadequate separation distances between the existing properties and proposed. Furthermore, the remaining garden for 33 and 35 Ballfield Lane and 1 Cooper Road would fall significantly below the required 60m², to the detriment of the residents. As such, the proposal is contrary to Local Plan Policy GD1, SPD Design of Housing Development and the South Yorkshire Residential Design Guide.

This application is a re-submission of the refused dwelling with significant amendments in order to satisfy the above reasons for refusal.



Site History

Application Reference	Description	Status (Approved/Refused)
2016/0709	Erection of 1 no. dwelling attached to existing property and erection of detached double garage	Approve
2024/0914	Erection of single dwelling	Refused

Detailed description of Proposed Works

The applicant is seeking approval to erect a two storey 3 bedroom detached dwelling within the garden plot located at the rear of 33 and 35 Ballfield Lane. The proposal is positioned to face forward onto Ballfield Lane with parking provision for two cars located at the side of the property. The proposed dwelling will be set back from the road with a small front garden

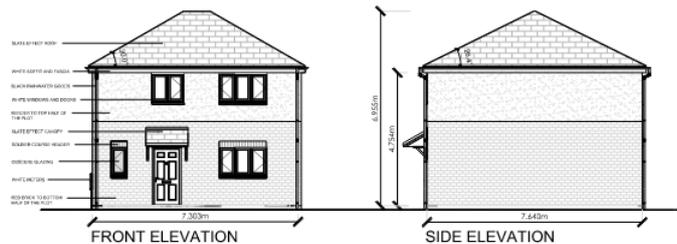
area. The proposed dwelling has been designed with a hipped roof and will be constructed in red brick with render at first floor level similar to the materials found within this locality.

The property comprises three bedrooms, a bathroom and en-suite at first floor level, a kitchen diner, lounge, hallway and w/c at ground floor level. A small canopy will be located over the front door and a first floor side window will provide daylight to the staircase. There is a large rear garden proposed. Details of the proposed boundary treatment have not been submitted.

A street scene has been provided showing the proposal in situ within the Ballfield Lane. An off-street parking area will be provided for 35 Ballfield Lane, this will be located to the north of the site. The rear gardens associated with 33 and 35 Ballfield Lane will be increased to planning policy spatial standards.



FIRST FLOOR PLAN



FRONT ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN



REAR ELEVATION

SIDE ELEVATION

KEY: HOUSE EYE LEVEL PLANE (UPPER STOREY WITH GLAZING) (LOWER WITH GLAZING) (LOWER WITH GLAZING) (LOWER WITH GLAZING)
 REV: DESCRIPTION
 DEVELOPMENT: BALLFIELD LANE, KEXBROUGH



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 held 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.

The following Local Plan policies are relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy H1: The Number of New Homes to be Built.
- Policy H4: Residential Development on Small Non-allocated sites.
- Policy LG2: The Location of Growth.
- 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 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:

Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 provides three overarching objectives to sustainability, social, environmental, and economic. Paragraph 10 states to ensure that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 48 affirms that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 61 states that the overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

Paragraph 116 affirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Paragraph 124 expresses that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 129 states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens).

Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 provides details to ensure that developments function well, are visually attractive, sympathetic to local character and optimise the potential of the site.

Paragraph 136 states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning

decisions should ensure opportunities are taken to incorporate trees in developments and that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

Paragraph 137 states that design quality should be considered throughout the evolution and assessment of individual proposals.

Paragraph 139 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Significant weight should be given to development which reflects local design policies and government guidance on design taking into account any local guidance and supplementary planning documents.

Paragraph 164 states that new development should avoid increased vulnerability to the range of impacts arising from climate change and help to reduce greenhouse gas emissions through location, orientation, and design.

Paragraph 187 states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs

Paragraph 193 provides details of principles to apply when determining planning applications. The principles should include compensation for significant harm to biodiversity.

Paragraph 198 indicates that planning decisions should ensure that new development is appropriate for its location taking in to account the likely effects of pollution on health, living conditions and the natural environment. Mitigations to reduce the impact of noise and light pollution should be sought.

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 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 most pertinent SPDs in this case are:

- Trees and hedgerows.
- Design of Housing Development.
- Walls and Fences.
- Biodiversity and Geodiversity.
- Sustainable Travel.
- Parking.
- Sustainable construction and climate change adaptation.
- South Yorkshire Residential Design Guide (SYRDG).

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

Consultations

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

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

No objections were raised.

Yorkshire Water - No comments received.

Drainage – No objections.

Highways DC – No objections to the amended plans subject to conditions.

Pollution Control – No objections subject to conditions

Local Councillors – No comments received.

Biodiversity – No objections subject to conditions

Tree Officer – No objection subject to conditions

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:

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

Principle

The site falls within Urban Fabric. Local Plan Policy H4: Residential development on small non-allocated sites, sets out that proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies in the Plan. The principle of development is supported by Policy H4.

The development site is within an area that is principally residential, which comprises semi-detached and detached dwellings of a similar size and design, 2 storey height. Paragraph 61 of the NPPF states that the overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

The proposal for the erection of a detached dwelling would maintain an appropriate housing mix within the local area, and as such, the use of the development site for residential uses would be in-keeping with the local character.

The proposed development is aligned with the characteristics of infill development as set out within The Design of housing development SPD. The section for infill development requires proposals, amongst other things, to comply with external spacing standards.

Considering the above, the principle of development is considered acceptable, subject to compliance with other relevant policies in the plan and all other material considerations.

Scale, Design and Impact on the Character

Paragraph 131 of the NPPF refers to the creation of high quality, beautiful and sustainable buildings and places which are fundamental to the planning process with good design noted as a key aspect of sustainable development, creating better places to live. Paragraph 135 provides details to ensure that developments function well, are visually attractive, sympathetic to local character and optimise the potential of the site.

This proposal is for the erection of a detached two storey dwelling with similar design characteristics to the neighbouring dwellings. The proposal will have a hipped roof design and has been set back from the road with a small front garden, double driveway located at the side of the property and a generously sized rear garden.

This accords with both NPPF policy and Local Plan Policy D1 where development is expected to be of high quality design and will be expected to respect, take advantage of, and reinforce the distinctive, local character and features of Barnsley.

The proposal seeks to replicate the style of the surrounding dwellings with use of brick, render and tile. The proposed dwelling is similar in height to the neighbouring semi-detached dwellings and as such would be in keeping with this locality when viewed within the surrounding street scene.

Paragraph 139 of the NPPF states that significant weight should be given to development which reflects local design policies and government guidance on design taking into account any local guidance and supplementary planning documents.

Taking into consideration the design principles the proposal would be in keeping with the local character of the area in terms of scale, building style, and materials and follows the principles set out within supplementary planning documents. The proposal is therefore considered to comply with SPD: Design of Housing Development, Local Plan Policy D1: High Quality Design and Placemaking, NPPF and is considered acceptable regarding visual amenity.

Significant weight has been given to the design and impact on the character of the area.

Impact on Neighbouring Amenity

Paragraph 124 of the NPPF expresses that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. The Local Plan ensures that the living conditions of both the existing and proposed residents are of a high standard.

Although Policy GD1 of the Local Plan does not include reference to any specific space standards, it states that proposals for development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents amongst other matters. Policy D1 of the Local Plan expects development to be of a high quality, including through its layout and design, so that it contributes to a healthy, safe, and sustainable environment.

The 2023 Design of Housing Development Supplementary Planning Document (SPD) advises that all developments should achieve the internal spacing standards set out in the South Yorkshire Residential Design Guide (SYRDG).

It also advises that rear gardens of proposed dwellings should be at least 50 square metres in the case of two-bedroom houses/bungalows and 60 square metres for houses/bungalows with three or more bedrooms. Smaller gardens may be acceptable in corner plots if privacy and daylighting can be maintained.

The proposal is for the erection of a three bedroom dwelling. The SYRDG sets out acceptable internal spatial standards. The proposal meets the internal spatial standards set out within the SYRDG and the Council is satisfied that the proposal will deliver acceptable living conditions protecting the residential amenity of future occupiers in line with planning policy.

The previous application did not meet the spatial expectations of the existing properties, resulting in an unacceptable proposal. This application has set to address the issues raised in the previous refusal. The application proposes to extend the garden space for both 33 and 35 Ballfield Lane in line with planning policy. The proposal will also provide the proposed dwelling with a garden space which exceeds policy requirement, therefore the external amenity space meets with the requirement in both SPD: Design of Housing Development and the South Yorkshire Residential Design Guide.

It is acknowledged that due to the position of the proposed dwelling some overshadowing will occur to the garden area associated with the property north of the site, 2 Priestley Avenue. Within the submitted planning statement a letter of support has been submitted from the occupiers of this property, and it is also noted that there are no other neighbour objections to this proposal.

Given the location of the neighbouring property itself and the size of the associated garden in this instance although there will be some overshadowing it is not believed to be detrimental to the living conditions of the surrounding properties. Furthermore, the proposed dwelling does not propose any side facing habitable room windows which will further protect the residential amenity of the immediate neighbours.

Paragraph 198 of the NPPF indicates that planning decisions should ensure that new development is appropriate for its location taking into account the effects of pollution. Local Plan Policy POLL1 expects development to demonstrate that it is unlikely to result in an increase of pollution which would unacceptably affect or cause nuisance within the locality and that mitigation measures are provided where appropriate.

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

It is therefore concluded that the internal living space and external amenity area of the proposed development would be of a sufficient size and configuration such that future occupiers would have acceptable living conditions, and the existing residential amenity of the neighbouring dwellings is retained.

The proposal is therefore considered to comply with NPPF, Local Plan Policy GD1: General Development, Local Plan Policy D1: High Quality Design and Placemaking, SYDG, SPD: Design of Housing Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

Significant weight has been given to the design and impact on Residential Amenity.

Highways

Paragraph 116 of the NPPF affirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

The previously refused application failed to provide adequate parking facilities for both the existing and proposed dwellings. It was also noted that the approved 2016 application has not been erected in accordance with the approved plans. The proposed off road parking and garage for both 33 and 35 Ballfield Lane was not provided.

The application proposes to address this issue by way of providing a driveway/ parking area for 33 Ballfield Lane directly adjacent to the proposed property, located behind no. 35. The application also shows that further parking spaces are available within the front garden areas of both 33 and 35 Ballfield Lane in line with planning policy. This application proposes tandem parking by way of a driveway to the south of the new property. An amended drawing was submitted to the Council's Highways department demonstrating that sufficient off-street parking for both the existing dwellings and the proposed new property. As such, the scheme is now acceptable from the perspective of highway development control, and the amended development is not considered to be prejudicial to highway safety.

In view of the above, the proposal is considered acceptable from a highways development control perspective and are considered to comply with NPPF, Parking SPD and Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.

Moderate weight has been given to the impact on highway safety.

Biodiversity

Paragraph 193 of the NPPF provides details of principles to apply when determining planning applications. The principles should include compensation for significant harm to biodiversity. Paragraph 187 states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species.

Paragraph 198 indicates that planning decisions should ensure that new development is appropriate for its location taking into account the effects of pollution and where necessary mitigation should be sought. Local Plan Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geological features of the borough.

An updated Biodiversity Net Gain (BNG) Assessment report and associated Statutory Biodiversity Metric were submitted with this proposal. The Council's biodiversity officers have assessed the documents. It was noted that an area of scrub and a tree were cleared from the site prior to the submission of the application. The metric indicates that there will be a loss of 0.23 biodiversity units (-80.18%) on site as a result of the proposals and the BNG assessment report sets out that off-site units will be purchased in order that the development meets its BNG requirements. Conditions will be secured to ensure further details are submitted.

The BNG report advises that a hedgerow will be planted as part of proposed landscaping, which is welcomed, although this is not deemed to represent significant on-site enhancement and therefore a condition for a Habitat Management and Monitoring Plan is not considered necessary.

Bat and bird boxes should be incorporated within the new dwelling as per the Biodiversity and Geodiversity SPD and the National Planning Policy Framework in the aim of enhancing biodiversity opportunities. Proposed hedgerow planting and bat and bird box provision can be set out within a Biodiversity Enhancement Scheme which will be secured by a planning condition.

In view of the above, the proposal is considered acceptable from a biodiversity perspective and are considered to comply with NPPF, Biodiversity and Geodiversity SPD and Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable regarding Biodiversity.

Moderate weight has been given to the impact on Biodiversity.

Trees

Local Plan Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geological features of the borough. Paragraph 136 of the NPPF states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning decisions should ensure opportunities are taken to incorporate trees in developments and that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

The Council's Tree Officer was consulted with regards to the proposal and commented that the site has been cleared prior to submission with evidence of a large birch stump on site. It has therefore been assumed by the tree officer that the tree along with any others were of value and would have been considered a constraint to the development.

It is considered that whilst there can be no objection in arboricultural terms to the proposal as the site is now clear, the Council will need replacement planting as part of a landscaping condition. It was noted that significant high-quality planting will be required to mitigate for any trees lost. As such a condition will secure the new planting.

It is also noted that there are some trees located beyond the boundaries of the site, however, the existing boundary treatment will act as adequate protection and no additional tree protection is required.

In view of the above, the proposal is considered acceptable from an arboricultural perspective and are considered to comply with NPPF, Biodiversity and Geodiversity SPD and Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable regarding Biodiversity.

Moderate weight has been given to the impact on Trees.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal constitutes acceptable development in respect of highway safety, residential and visual amenity and the proposal complies with the relevant plan policies and therefore 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

It was necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application.

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.