

Application reference number	2025/0610
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Application Type	Outline
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Proposal Description:	Outline development of five residential dwellings and associated infrastructure considering access and scale (Custom/Self Build)
Location:	Vernon House, Yews Lane, Kendray, Barnsley, S70 3LJ

Applicant	MSS Developments Ltd
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Number of Third-Party Reps	1	Parish:	None
		Ward:	Stairfoot

Summary

The proposal seeks outline planning permission for the erection of 5 dwellings. The proposal is acceptable in policy terms, whilst being designated as green belt within the Local plan it meets the requirements of grey belt and is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7, 8 and 11 of the National Planning Policy Framework (NPPF, 2024).

The proposal reflects the aims of the Government to boost the supply of homes, to utilise suitable sites within existing settlements for homes, to promote an effective use of land in meeting the need for homes and making as much use as possible of previously developed or brownfield land, to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified need for housing in accordance with Paragraphs 61, 73(d), 124, 125(d), 154 and 155 of the NPPF.

The report additionally demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties, the highway network, or the wider character of the area subject to conditions in accordance with Local Plan policies and adopted guidance.

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: **GRANT Planning Permission**

Site Description

The site is located within the Green Belt on the edge of Urban Barnsley and lies adjacent to the Urban Fabric allocation. It is bounded to the north, south and west by Dearne Valley Yews Lane Green Space, with its eastern boundary adjoining the Urban Fabric allocation.

Access is taken from Yews Lane, which comprises a single carriageway that narrows to a single-track road in the vicinity of the site access. The carriageway widens to a standard width approximately 80m to the north-east, and further improves where it meets Thornton Road approximately 200m away.

The site contains bands of dense tree coverage along the northern, southern and western boundaries, with areas of dense scrub across the remainder. Land levels fall from east to west, resulting in the site being set lower than the adjacent highway and residential properties to the east.

Yews Lane is characterised by a varied mix of dwelling types and designs, predominantly constructed in red brick.

The site was formerly occupied by Vernon House, a residential dwelling that is now derelict, with only one wall remaining. The site has not been maintained and has been subject to fly-tipping for a number of years.

Site History

There is no relevant planning history for this site.

Proposal

The applicant seeks outline permission for the erection of 5no. self-build plots considering access and scale. Appearance, landscaping and layout are to be considered at reserved matters stage and are not under consideration as part of this application. The dilapidated remains of the building on site would be demolished to allow the comprehensive development of the site

Site Plan



Artist Impression



The proposal is for five dwellings nestled on the intersection of woods and residential zones. The buildings make use of simplistic massing and roof form to create a smart and sleek design.

Proposed Scale – House Type 1



Front Elevation



Side Elevation

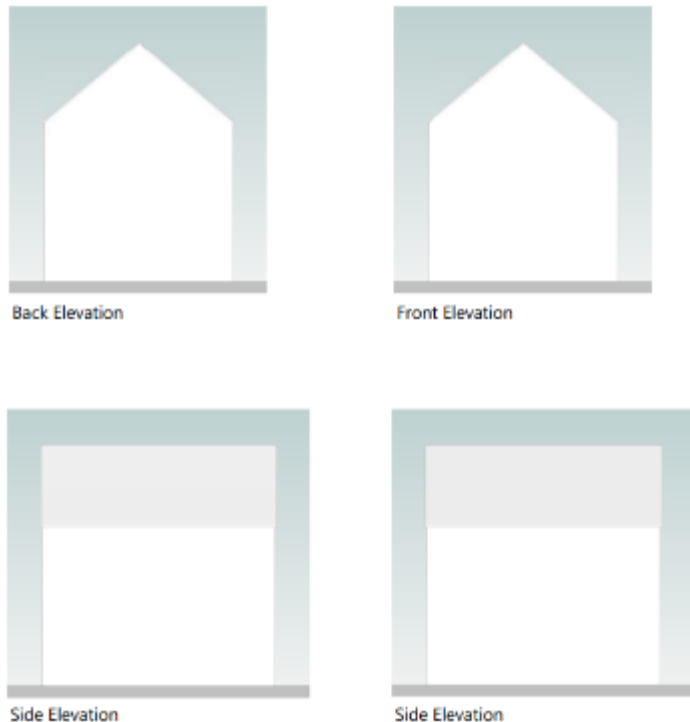


Back Elevation



Side Elevation

Proposed Scale – House Type 2



Policy Context

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 was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 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

The site is located within Urban Barnsley and is allocated as Green Belt in the adopted Local Plan. The land immediately beyond the northern, eastern, and western boundaries form part

of Dearne Valley Yews Lane Local Neighbourhood Green Space and is allocated as Green Space and Green Belt.

The site is identified as Green Belt within the Local Plan and as such the following policies are considered to be relevant to this application:

Policy GB1 Protection of Green Belt
Policy SD1 Presumption in favour of Sustainable Development
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 GD1 General Development
Policy T3 New Development and Sustainable Travel
Policy T4 New Development and Transport Safety
Policy D1 High Quality Design and Place Making
Policy Poll1 Pollution Control and Protection
Policy BIO1 Biodiversity and Geodiversity
Policy CC1 Climate Change
Policy CC2 Sustainable Design and Construction

Adopted 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 SPDs in this case is:

Design of Housing Development
Parking

Other

South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework (NPPF) (2024)

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Chapter 5 Delivering a sufficient supply of homes

Paragraph 73 states that Small and Medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;

- b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing;
- c) use tools such as area-wide design assessments, permission in principle and Local Development Orders to help bring small and medium sized sites forward;
- d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and
- e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.

Chapter 9 Promoting Sustainable Transport.

Paragraph 110 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Paragraph 115 states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios.

Chapter 12 Achieving well-designed places

Paragraph 136 Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, 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 139 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.

Chapter 13 Protecting Green Belt Land

Paragraph 143 states that the Green Belt serves five purposes

- a) to check the unrestricted sprawl of large built-up areas;

- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (other than in the case of development on previously developed land or grey belt land, where development is not inappropriate). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.

Paragraph 154 states that development in the Green Belt is inappropriate unless one of the following exemptions (amongst others) applies

- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

Paragraph 155 goes on to say that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate development where:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan
- b) There is a demonstrable unmet need for the type of development proposed
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the framework.

Grey belt is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

Footnote 7: The policies referred to are those in the Framework relating to: habitats sites (and those listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

Chapter 15 Conserving and Enhancing the Natural Environment.

Paragraph 187 states planning decisions should contribute to and enhance the natural and local environment by; protecting sites of biodiversity value; minimising impacts on and providing net gains for biodiversity, and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs; and preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 198 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including

cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. in doing so they should:

- a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impact on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Paragraph 201 states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

Relevant Consultations:

Biodiversity - No objections subject to conditions
Demolition - No objections received
Forestry Officer - No objections subject to conditions
Highways Drainage – No objections subject to conditions
Highways DC – No objections subject to conditions.
Policy – No objections received
Pollution Control – No objections subject to conditions
Public Rights of Way - No objections
Ward Councillors – No objections received
Waste Management – No objections received
Yorkshire Water - 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 six surrounding properties and a site notice posted adjacent to site.

1 letter of representation has been received. The representation raised the following material planning issues:

- Consultation process
- Highway Safety –width of road
- Insufficient Parking – only 2no spaces per dwelling
- Insufficient Parking – no visitor parking
- Overdevelopment – limited amenity space for the proposed dwellings
- No bicycle storage
- Bin storage
- Lack of drainage details
- Impact on Green Belt
- Removal of trees

Assessment

The main issues for consideration are as follows:

- The principle of the development
- The impact on visual amenity and the green belt
- The impact on the highway considerations and the impact on the network
- The impact on neighbouring residential amenity
- The impact on biodiversity and forestry

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

The site is located within Urban Barnsley, which is a priority location to accommodate growth and new residential development in compliance with Local Plan Policies LG2 and H2.

The site is located within the Green Belt where Local Plan Policy GB1 protects against inappropriate development in line with National Planning Policy. Whilst the erection of new buildings within the Green Belt are considered inappropriate development, it allows the partial or complete redevelopment of previously developed land in line with paragraph 154 (g) which states limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

Paragraph 155 goes on to say that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate development where:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan
- b) There is a demonstrable unmet need for the type of development proposed
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the framework.

Grey belt is defined in the NPPF as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

The NPPF 2024 defines previously developed land (PDL) as land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes

land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up area such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

The site is considered grey belt, as it would not allow the sprawl of built-up areas, would not result in the merging of neighbouring towns nor would it affect the setting or special character of a historical town. In addition, the exemptions in footnote 7 do not apply in this instance.

The erection of 5 no dwellings is to be located on previously developed land, which is also defined as Grey Belt. The development would not fundamentally undermine the purposes of the remaining green belt, there is a demonstrable unmet need for the type of development proposed and it would be located in a sustainable location on the edge of an existing built-up area within Urban Barnsley.

The delivery of 5 additional homes would make a modest contribution towards the overall new homes target in line with Local Plan Policy H1.

Barnsley cannot currently demonstrate a five-year housing land supply (including the buffer required because of our most recent housing delivery test result) and accordingly there is a demonstrable unmet need for housing.

Local Plan Policy H4 Residential Development on Small Non-allocated sites states that proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies within the plan.

NPPF Paragraph 73(d) states that small sites can make an important contribution to meeting the housing requirement of an area and that LPAs should “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

Notwithstanding the above, whilst all new dwellings contribute to housing supply, the delivery of five additional dwellings would only make a limited contribution to the existing stock.

All new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new and existing residents. In addition, development will only be granted where it would maintain visual amenity and not create traffic issues or reduce highway safety. An assessment of the proposals against those criteria and in relation to the other material planning considerations relevant to the assessment of the proposal and the relevant policies is set out below.

Visual amenity, scale, and impact on the Green Belt

Comments have been raised in relation to the impact on the green belt. The site is located within the Green Belt, on the periphery of Urban Barnsley and adjacent to the Urban Fabric allocation. It is bounded by Dearne Valley Yews Lane Green Space to the north, south and west, with the eastern boundary of the site forming the western boundary of the urban fabric allocation. Whilst the site is largely clear of vegetation, it is enclosed by mature trees along

all boundaries providing effective screening from the Green Belt to the north, south and west.

The site falls east to west, resulting in the land sitting lower than both the adjacent highway and the residential properties to the east. The proposed dwellings have been designed to respond to this topography, allowing them to sit within the site rather than appearing elevated above it. The scale takes advantage of these levels reducing the visual prominence. Although the western-facing elevations will appear as three storeys, the retained tree belts along the western and southern boundaries will significantly mitigate the visual impact. In addition, views of the proposed dwellings will be set against the backdrop of existing properties fronting Yews Lane, further reducing the harm to the Green Belt.

The redevelopment of this site for residential purposes would inevitably introduce some domestic paraphernalia; however, the proposal relates to a previously developed site located at the edge of the urban area and adjacent to the boundary of the urban fabric allocation. As such it is not considered that it would result in unacceptable harm to the openness of the Green Belt or conflict with the purposes of including land within it. This carries considerable weight in favour of the application.

Yews Lane is characterised by a varied mix of house types and designs, with properties predominantly constructed from red brick. Although appearance is a reserved matter, there is no reason to suggest that a suitably designed scheme would fail to respect the prevailing character of the area.

On balance, the development is considered acceptable in terms of its impact on the character of the area and is compliant with Local Plan Policy D1.

Access and Highway Considerations

The site is accessed from Yews Lane, which comprises a single carriageway that narrows to a single-track road in the vicinity of the site access and widens to a standard single carriageway approximately 80m to the north-east. While Yews Lane functions as a single carriageway, it is substandard in width at points, increasing to a standard carriageway width where it meets Thornton Road approximately 200m to the north-east.

Comments have been received regarding the width of Yews Lane and associated safety concerns. As part of this application the applicant proposes to widen Yews Lane to 4.8m along the western channel for the length of the site frontage (approximately 40m), which would improve passing opportunities within the vicinity of the site.

The Local Highways Authority was consulted and initially raised no objection in principle to the proposed highway widening. However, a number of technical concerns were identified, including incorrect visibility splay dimensions, an unsuitable site access gradient, visibility splays extending beyond land within the applicant's control, insufficient bin store size and location affecting visibility, inadequate manoeuvring space for residential parking (less than 6m), insufficient turning provision for emergency vehicles, and the absence of dedicated visitor parking.

In response, the applicant submitted revised and additional information addressing these concerns. The amendments include correctly designed visibility splays of 2.4m x 34m to the north and 2.4m x 32m to the south, contained within the site boundary. The bin storage area has been repositioned further into the site to comply with recommended carrying distances and to avoid obstruction of visibility. The site access gradient has been reduced to 1:12, and the access width increased to 4.5m to allow two vehicles to pass.

A swept path analysis has been provided demonstrating that a large car can turn within the head of the private drive, albeit requiring a five-point manoeuvre. While no turning head is provided for fire appliances, the applicant has confirmed that all dwellings will be fitted with sprinkler systems, which can be secured by condition.

The submitted plans indicate that up to two parking spaces can be provided per unit. The SPD Parking Standards require one space per dwelling for 1–2 bedroom units and two spaces for dwellings with three or more bedrooms. As this is an outline application, the final number of bedrooms per unit has not been specified. However, the layout demonstrates that the maximum level of parking provision can be achieved. This indicates that the development has the capacity to meet adopted parking standards, which weighs significantly in favour of the proposal.

It is acknowledged that the development does not include dedicated cycle storage or visitor parking provision. The Parking SPD advises that one secure cycle space should be provided, either within a garage or in a separate secure and covered area within plot. Additionally, one visitor parking space would typically be expected for a development of this scale. Given that the application is in outline form, the lack of cycle storage is not considered pertinent at this stage as details can be provided as part of the reserved matters application. In respect of visitor parking, the private drive is of sufficient width to allow for vehicle passing as well as limited informal parking. On this basis, and having regard to the scale of the development, it is not considered that the absence of dedicated visitor parking would result in unacceptable impacts or would warrant the refusal of an otherwise acceptable scheme.

The Highway Authority has been re-consulted on the amended plans and raises no objection. This carries significant weight in support of the application, and as such is not considered to have a detrimental impact on the highway network, and the safe and free flow of traffic in compliance with Local Plan Policy T4.

Residential Amenity

Local Plan Policy GD1 states development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing residents.

SPD Design of Housing Development states that the distance between facing habitable room windows should be 21m, the distance between a habitable room window and a blank gable wall should be 12m and that habitable room windows at first floor level and above should be a minimum of 10m from the boundary of any private garden which they would face.

The applicant seeks outline planning permission for the erection of 5no detached dwellings with access and scale being considered at the outline stage; and appearance, landscaping and layout to be considered at the reserved matters stage.

Whilst comments have been received in relation to overdevelopment of the site; the appearance and layout are not under consideration as part of this application, the indicative layout plan submitted indicates that the site is a sufficient size to accommodate 5no dwellings, and their associated parking and private amenity spaces, meeting the required separation distances and internal spacing standards without impacting on the amenity of surrounding properties as set out in the adopted SPD Design of Housing Development. However, a full assessment of the impact on residential amenity will be made as part of the reserved matters application.

This carries significant weight in favour of the application and as such the development complies with Design of Housing Development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development.

Biodiversity and Forestry

National policy and legislation require the delivery of Biodiversity Net Gain (BNG). In England, BNG became mandatory in April 2024 under the Town and Country Planning Act 1990, requiring development to deliver a minimum 10% net gain in biodiversity value, unless specific exemptions apply as set out in the Planning Practice Guidance.

This application qualifies for an exemption from mandatory BNG requirements, as it relates to a self-build/custom housebuilding scheme. The proposal meets the relevant criteria, being for no more than nine dwellings, on a site below 0.5 hectares, and consisting exclusively of self-build/custom housebuilding as defined by Section 1(A1) of the Self-build and Custom Housebuilding Act 2015. The submitted information confirms that individual plots will be sold to purchasers who will design dwellings in accordance with the approved outline permission.

Local Plan Policy BIO1 requires development to conserve and enhance biodiversity and geodiversity by protecting and improving habitats, maximising opportunities for biodiversity within and around new development, and safeguarding features such as ancient and veteran trees.

A Preliminary Ecological Appraisal (PEA) and Bat Activity Survey have been submitted in support of the application. The PEA identifies that the site comprises habitats of limited ecological value. It recommends the use of precautionary working methods during construction to protect species including breeding birds, hedgehogs, badgers, reptiles, bats and amphibians, alongside the preparation of a Construction Environmental Management Plan for Biodiversity (CEMP-B).

The PEA also recommends biodiversity enhancement measures, including native planting and the incorporation of wildlife features such as bird and bat boxes, and hedgehog access points.

The bat activity survey concluded that the derelict building on site has negligible potential for roosting bats. While low levels of bat activity were recorded, this was limited to fly-bys and foraging behaviour, with no evidence of the site functioning as a key commuting route. The report recommends that external lighting be designed to minimise light spill beyond site boundaries, which can be secured by condition. The limited impact on biodiversity carries significant weight in favour of the application.

It is noted that the site previously comprised of dense trees along the boundaries and dense shrub across the remainder of the site, with some site clearance taking place prior to the submission of the planning application, however the majority of the boundary trees have been retained.

The Council's Forestry Officer has been consulted and raises no objection. While some tree removal is required to facilitate development and highway widening, this is offset by the retention of the majority of existing trees and proposals for replacement planting. Although detailed landscaping is reserved for later consideration, the submission of a landscape masterplan at this stage is supported to ensure a coordinated approach to replace planting, particularly given the custom/self-build nature of the development. This carries moderate weight in favour of the proposal.

Overall, subject to the recommended mitigation measures, ecological enhancements, and appropriate conditions, the proposal is considered to accord with Local Plan Policy BIO and is acceptable.

Other Issues

Comments have been made in relation to the consultation process; specifically relating to the lack of a site notice. The application was initially validated incorrectly in relation to custom/self-build and Biodiversity Net Gain.

Unfortunately, this was brought to light after the neighbour notification letters had been sent. It is acknowledged that there was a delay in posting a site notice, however, it was considered prudent to wait until all relevant updated documentation had been submitted. Once the information had been submitted all neighbours were re-consulted and a site notice was posted adjacent to the site. The application was also advertised within the press and on the council website in line with the Development Management Procedure Order.

Comments have been made in relation to the lack of drainage detail submitted as part of the application. Both Yorkshire Water and BMBC Drainage have been consulted on the application and neither raise any objection to the proposed development, with BMBC drainage stating that the area is well served by sewers. Both consultees have requested that prior to commencement of development full drainage details are submitted to the council for approval. This carries limited weight against the application.

Planning Balance and Conclusion

In accordance with Paragraph 11 of the NPPF (2024) the proposed residential development is considered in the context of the presumption in favour of sustainable development. The proposed development is considered to be located within a sustainable and compatible location; this carries significant weight in favour of the application.

The scale of the dwellings and their harm to the Green Belt are considered acceptable due to topography of the site; this carries significant weight in favour of the application.

The amendments that have been undertaken have shown that a suitable access can be achieved without impeding the free and safe flow of traffic and this weighs significantly in favour of the application.

Barnsley cannot currently demonstrate a five-year housing land supply (including the buffer required because of our most recent housing delivery test result) and accordingly there is a demonstrable unmet need for housing. The delivery of four additional dwellings would only make a limited contribution to the existing stock, however NPPF Paragraph 73 states that Local Planning Authorities should give great weight to windfall sites.

Any noise and disruption associated with equipment used during the construction of the site can be mitigated and controlled by condition and the short-term noise and disturbance associated with implementing the planning permission is considered to carry limited weight against the proposal.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal subject to conditions in some cases and holistically this weighs moderately in favour of the application.

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse

impacts that would outweigh the benefits associated with the granting of planning permission for the proposal.

RECOMMENDATION

APPROVE THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:

CONDITIONS/REASONS

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 access following comments from highways
- Inclusion of a landscape masterplan to ensure replacement planting

The above consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's right to respect for his private and family life, his home, and his correspondence.

Conditions

Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

- (a) the layout of the proposed development.
- (c) the design and external appearance of the proposed development.
- (e) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission.

Plan References

Proposed Elevations 3207-CDA-00-ZZ-DR-A-0402 received 14th November 2025

HT01 Proposed Elevations 3207-CDA-01-XX-DR-A-0407 received 14th November 2025

Proposed Site Plan 3207-CDA-00-ZZ-DR-A-0400 Rev J received 24th April 2026

P2786-T-1001 Swept Path Analysis received 28th April 2026

Technical Notes P2786 dated September 2025 prepared by TPS Transport Consultants Ltd

Site Access and Proposed Levels 24069-LE-ZZ-ZZ-DR-D-0001 rev P7 received 18th September 2025

Planning Statement received 18th September 2025

Design and Access Statement dated August 2025 received 18th September 2025

Preliminary Ecology Appraisal ref SQ3267 dated 9th June 2025 produced by Estrada Ecology

Bat Activity Survey report ref SQ3323 dated 29th July 2025 produced by Estrada Ecology

Arboricultural Impact Assessment and Method Statement ref YLKB02-25 dated 19th May 2025 rev III produced by Key Tree Solutions Arboricultural Consultants
Arboricultural Constraints Plan ref YLKB01-23 dated 19th Sept 2023 produced by Key Tree Solutions Arboricultural Consultants

Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

Notwithstanding the submitted details, prior to commencement of development, a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the Local Planning Authority. The CEMPB shall include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- An Invasive Non Native Species (INNS) protocol to ensure INNS are not spread in the wild;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s).

Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.

Notwithstanding the submitted details, prior to commencement of development, a Biodiversity Enhancement Management Plan (BEMP), completed by a suitably qualified ecologist shall be submitted to the Local Planning Authority. The BEMP shall include the following:

- A recent landscape plan detailing the location of proposed habitat creation, retention and enhancement;
- Management aims and prescriptions detailing the methods required to create, retain and/or enhance each habitat at the required quality for a period of five years;
- A timetable of delivery for each habitat;
- A schedule of actions to be undertaken in case signs of failing are identified. The schedules must include details of technique(s) to be used, equipment to be used, roles and relevant expertise of personnel and organisations involved and timing of actions including submission of monitoring report to the local planning authority.
- Incorporation of faunal features for example integral bat and bird boxes on proposed buildings and trees, hedgehog access points within proposed fencing and herptile features etc. should also be detailed.

Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.

No development shall take place unless and until

(a) Full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways and

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways are all approved in writing by the Local Planning Authority.

Reason: To ensure the proper drainage of the area

No works shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the period of engineering operations and construction.

The Statement shall provide for:

- i The parking of vehicles of site operatives and visitors;
- ii means of access for construction traffic
- iii. Loading and unloading of plant and materials;
- iv. Storage of plant and materials used in constructing the development;
- v. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi. Wheel washing facilities, or other measures to prevent debris;
- vii. Details of the provision of an on-site water supply or water storage facility;
- ix Measures to control the emission of dust and dirt during construction;
- viii Measures to control noise emissions during construction;

Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New Development and Transport Safety and to reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network

Prior to the development being brought into use, the scheme for the provision of a section of carriageway widening along Yews Lane shall be fully implemented in accordance with details and a timetable to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that satisfactory access arrangements are provided, in the interests of highway safety and in accordance with Local Plan Policy T4 New development and Transport Safety.

Each reserved matters application shall be accompanied by details of external and internal lighting and implemented in full prior to first occupation of the respective dwelling and retained as such thereafter. The lighting scheme shall be reviewed a suitably qualified ecologist to demonstrate that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include the following:

- Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;

- A drawing showing dark corridors and buffer areas;
- A report and drawings showing how and where lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent species using their territory or having access to breeding sites/resting places, this should include;
 - o Technical descriptions, design or specification of lighting to be installed including shields, cowls or blinds where appropriate;
 - o A description of the luminosity of lights and their light colour;
 - o A plan showing the location and where appropriate the elevation and height of the light fixings;

- o Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
- o Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping

Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.

The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage

The access, parking and manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the access, parking and manoeuvring of motor vehicles prior to the development being brought into use, and shall be retained for said purposes at all times. Adequate measures shall be so designed into the proposed vehicular areas to avoid the discharge of surface water from the site on to the highway.

Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard; to ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.

The dwellings hereby approved shall be constructed as a self-build/custom build property, as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015. The dwelling shall only be occupied as a self-build/custom build dwelling in accordance with Section 1(A1) of the Self-build and Custom Housebuilding Act 2015 for a period of at least 3 years from date of the first occupation of the dwelling. In the event that the dwelling is not built and occupied for a minimum 3 years as a self-build/custom build property, a biodiversity net gain plan shall be submitted to and approved by the Local Planning Authority. The biodiversity net gain plan shall be implemented in accordance with the approved details.

Reason: In accordance with the Schedule 7A: Biodiversity Net Gain in England of the Town and Country Planning Act 1990.

The gradient of areas for vehicular and pedestrian use shall not exceed 1 in 12.

Reason: In the interests of the safety of persons using the site access and individual accesses/driveways, and users of the highway in accordance with Local Plan Policy T4 New Development and Transport Safety.

Sight lines, as shown on the submitted plans, shall be provided at the access junction with Yews Lane, such that there is no obstruction to visibility at a height exceeding 0.9m above the nearside edge of the adjacent highway. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m which would obstruct the sight lines, and they shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure drivers have clear and unrestricted views when pulling out onto the public highway, in the interest of highway safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.

During construction or demolition works, activity shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

INFORMATIVES

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works and the terms and conditions under which these are carried out. Fees are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email HighwaysDC@barnsley.gov.uk or call to 01226 773555.

Road Licences - You are advised that the development hereby permitted requires you to dig up a road, pavement, or grass verge to install or replace service apparatus (gas pipes, electricity cables, sewers). To place any equipment, materials in, on, above or abutting a highway requires you to have a licence. Further details are available on the BMBC website at: <https://www.barnsley.gov.uk/services/roads-travel-and-parking/road-licences/> or by contacting Streetworks@barnsley.gov.uk

The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.

It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke or dust. No waste should be burnt. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, dust or smoke nuisance from being created.

Two public rights of way (Barnsley Ex Co Bo FP 309 & 310) run adjacent to the proposed development site. Safe public access on the rights of way should remain available at all times, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. If safe public access is not possible at any time then a temporary closure must be arranged, providing at least 4 weeks' notice and details of how public access will be managed. For further information contact publicrightsofway@barnsley.gov.uk.