

Application Reference: 2023/0597

Site Address: 23 Bar Lane, Staincross, Barnsley, S75 6GE

Introduction: This is a full planning application for the demolition of the existing property and outbuildings and erection of 5 detached dwellings

Relevant Site History

04/1969 - Residential Development of 5 No. dwellings (Outline) – Withdrawn

03/0621 - Outline for residential development of 5 dwellings (application also retained number 23 as part of the proposal) – Refused due to the following reason:-

1. In the opinion of the Local Planning Authority a combination of factors including the restricted visibility at the site access and the volume and speed of traffic on Bar Lane create conditions that means the introduction of a new residential development will be prejudicial to highway safety.

Description

The site currently comprises of number 23 Bar Lane, a traditional detached dwelling and a large area of land to the rear which appears to have been previously used as a paddock with stables for horses. The site and dwelling is currently derelict and has not been occupied for some time. The dwelling itself has been vandalised and requires demolition. There are a number of dilapidated outbuildings within the site. The site is surrounding by residential uses with houses and gardens to the east and west.

There are no trees situated on the site, but there are bushes/shrubs behind the fencing on adjoining land and along the frontage are small shrubs. To the eastern boundary of the site are properties facing onto Bar Lane and bungalows off Eastfield Close. To the northern boundary is a hedgerow, which beyond is a large residential development set off Wakefield Road to the north (Reserved Matters Planning Ref 2017/0520). Ground works are currently taking place on the site and with this development, it is intended to retain the hedgerow and trees along the boundary.



Approved layout amended by a NMA 2026/ENQ/00076

To the south of the site, the existing property fronts onto Bar Lane, which consists of a wide variety of properties, from more traditional dwellings built of stone and brick, to more modern bungalows and semi and detached dwellings. The current access to the site runs along the side boundary with number 21 Bar Lane which has a fence/stone wall along the frontage. To the western boundary lies number 25 Bar Lane a detached dwelling and behind this, is the land associated with number 27 Bar Lane. Planning permission has been previously granted on this site for the erection of 1 large detached dwelling on this land to the rear. The dwelling has never been constructed and it does not appear that the permission has been implemented.



Approved plans 2018/1511

There has been a previously refused planning application at the site under application ref 2003/0621 for a residential development of 5 dwellings on the land to the rear of number 23, which included the retention of number 23. This application was refused due to highway safety reasons and due to poor visibility onto Bar Lane.

Proposed Development

The application proposes the erection of 5no. residential dwellings split between the following mix:

1 no House Type 1A – 4 Bed detached with attached single garage

1 no House Type 2A – 5 Bed detached with attached single garage

3 no House Type 3 – 4 Bed detached with attached single garage and one plot with a double garage

The layout has been arranged to provide sufficient separation distances to adjacent and proposed properties. All properties have private rear garden areas and parking spaces for at least 2 vehicles. A turning area is also proposed within the site.

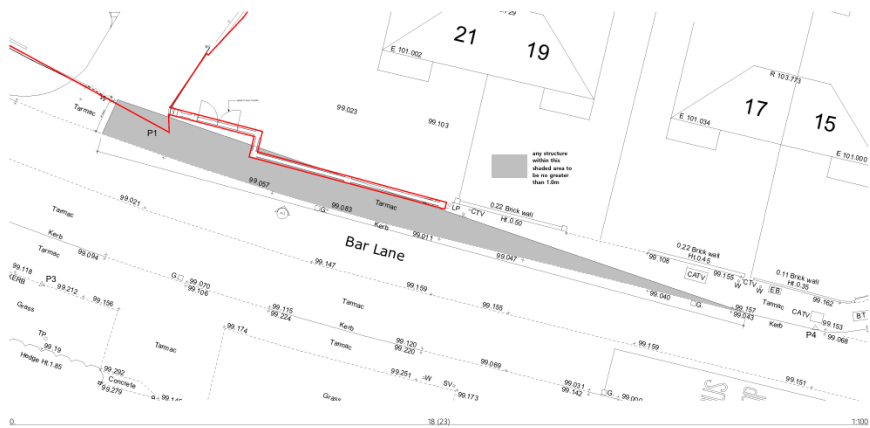
The site plans and redline boundary have been amended during the course of the application in order to provide sufficient visibility splays at the entrance to the site at Bar Lane. The applicant has purchased additional land along the frontage of the site along Bar Lane to number 21 and will reduce the excessive height of the boundary treatment (fence) to 1m in line with the amended plans. The site plan has also seen the change from a double garage to a single garage to plot 4 and a further drawing for house type 3 has been provided to show a double garage to plot 5.



Client:	Mason Building
Project:	Proposed 3 No Residential Dwellings to Land at 23 Bar Lane Burnley
Drawing Title:	Change in Garages
Scale:	1:200
Drawn By:	Rev A
Drawing No:	51

Client: Mason Building
 Project: Proposed 3 No Residential Dwellings to Land at 23 Bar Lane Burnley
 Drawing Title: Change in Garages
 Scale: 1:200
 Drawn By: Rev A
 Drawing No: 51

Architect: Robinson
 Client: Mason Building BA Dip Arch RIBA BSc (Hons)
 2 Gawthorpe Road, Burnley S7S 2AF
 Tel/Fax: 01226 286066
 Mob: 0794780933

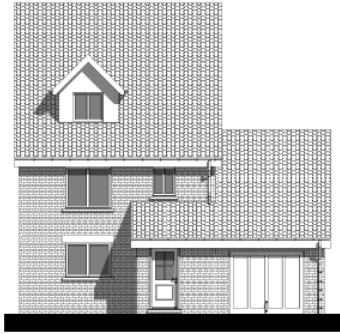


Client:	Carl Masters
Project:	Proposed New Boundary wall to 21 Bar Lane, Mapplewell, Burnley to facilitate entrance to 23 Bar Lane.
Drawing Title:	Plan and Elevation of new wall
Scale:	1:100, 1:50
Date:	17/02/2026
Drawn By:	AR
Rev:	

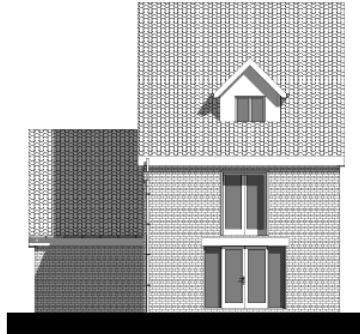
Client: Carl Masters
 Project: Proposed New Boundary wall to 21 Bar Lane, Mapplewell, Burnley to facilitate entrance to 23 Bar Lane.
 Drawing Title: Plan and Elevation of new wall
 Scale: 1:100, 1:50
 Date: 17/02/2026

Drawn By: AR
 Rev:

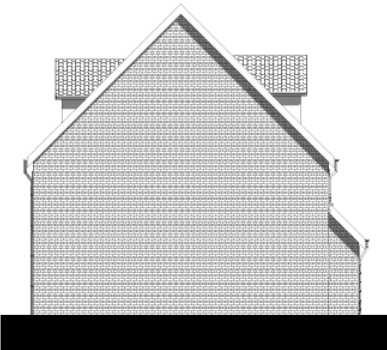




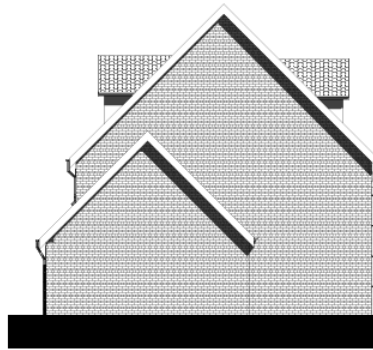
E-10 Elevation 1:50



E-11 Elevation 1:50



E-12 Elevation 1:50



E-13 Elevation 1:50

Rev: Date Revision Notes

Client: C Masters

Project: Proposed 5 Residential Dwellings at 23 Bar Lane, Staincross House type 1 plot 2 Elevations

Drawing Title: Elevations

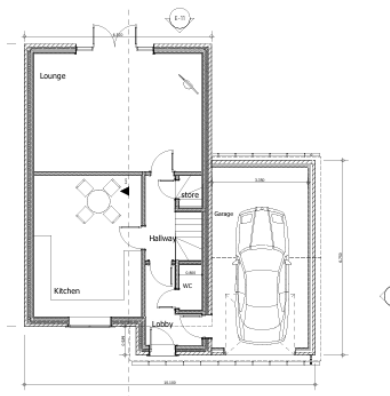
Scale: 1:50 Date: 14/06/2023

Drawn By: AR Rev:

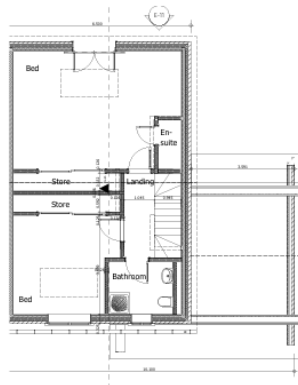
Drawing Nr: 1



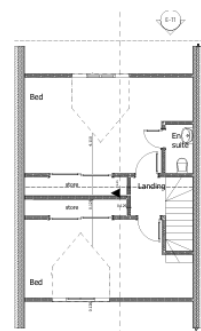
Alan Robinson
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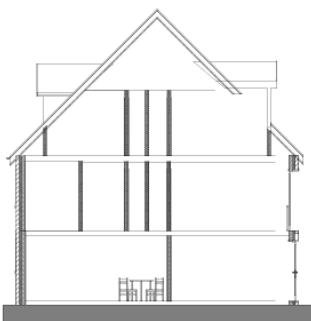
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1 First Floor (1) 1:50



2 Second Floor (1) 1:50



0-25 Building Section 1:50

Rev: Date Revision Notes

Client: C Masters

Project: Proposed 5 Residential Dwellings at 23 Bar Lane, Staincross house type 1, plot 2

Drawing Title: plans and section

Scale: 1:50 Date: 14/06/2023

Drawn By: Rev:

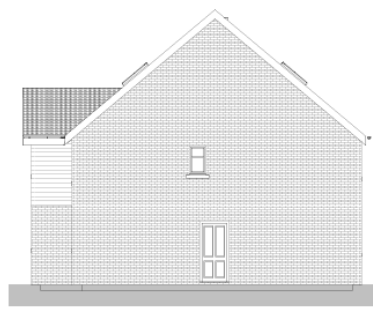
Drawing Nr: 2



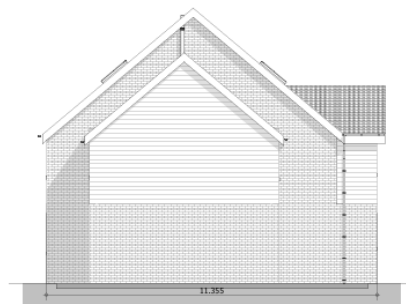
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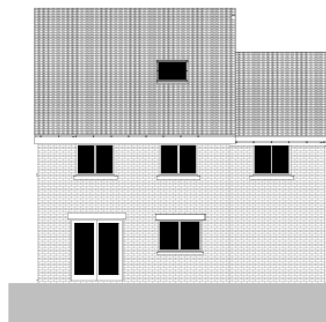
E-20 Elevation (1) 1:50



E-21 Elevation (2) 1:50



E-22 Elevation (3) 1:50



E-23 Elevation (4) 1:50

Rev	Date	Revision Notes

Client: Mr C Masters

Project: Proposed 5 Residential Dwellings at 23 Bar Lane, Staincross, Barnsley

Drawing Title: House Type 2, Elevations

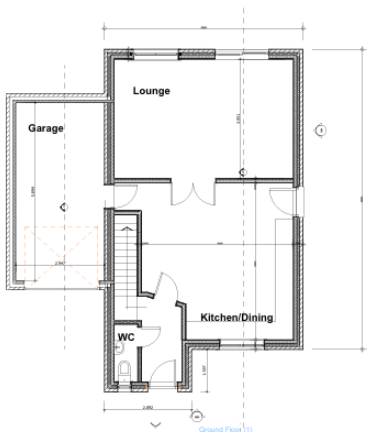
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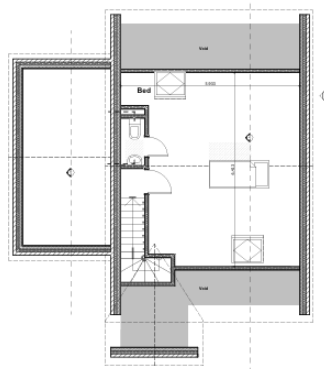
Drawing Nr: 4



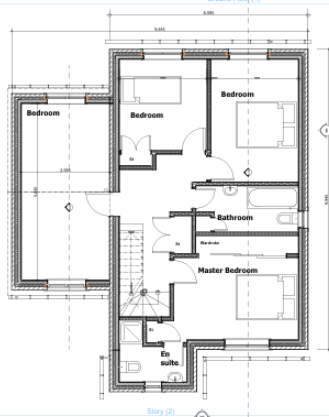
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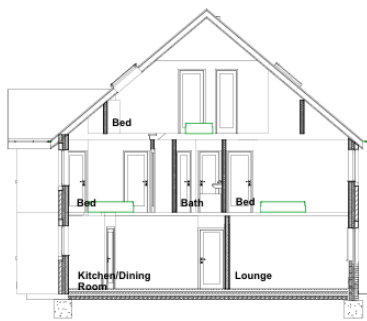
0 Ground Floor (1) 1:50



2 First Floor (2) 1:50



3 Second Floor (3) 1:50



B-22 Building Section (1) 1:50

Rev	Date	Revision Notes
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Client: Mr C Masters

Project: Proposed 5 Residential Dwellings at 23 Bar Lane, Staincross, Barnsley

Drawing Title: Plans, section House Type 2

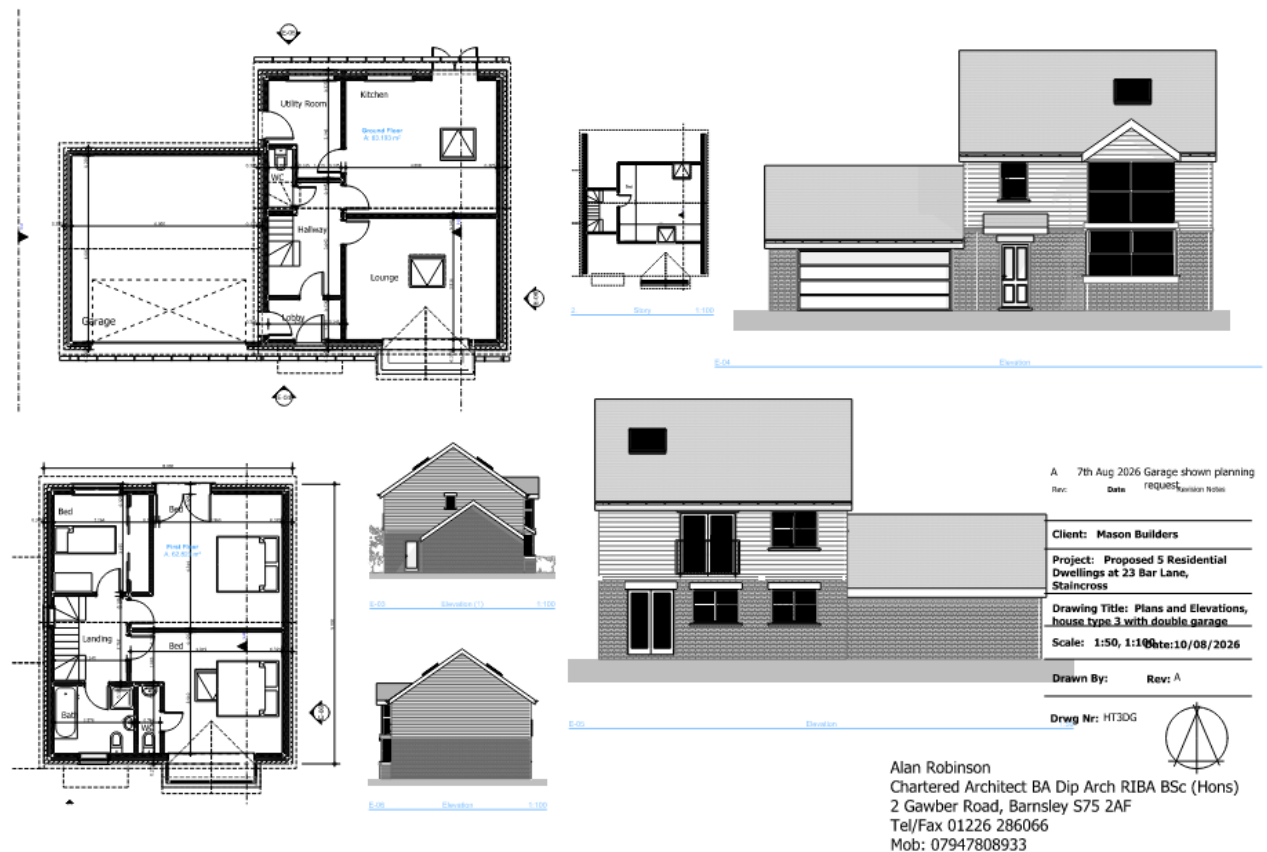
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Drawn By: AR Rev:

Drawing Nr: 5



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The applicant has provided the following documents in support of the application:-

- Preliminary Ecological Appraisal Report
- Bat Survey
- Biodiversity Enhancement and Mitigation Strategy
- Coal Mining Risk Assessment
- Ground Investigation Report

Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

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 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

SD1 'Presumption in Favour of Sustainable Development'.

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

H4 'Residential Development on Small Non-allocated Sites' will be allowed where the proposal complies with other relevant policies in the Plan.

H6 'Housing Mix and Efficient Use of Land'

T3 'New Development and Sustainable Travel'.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

SPD's

- Design of Housing Development
- Parking
- Biodiversity and Geodiversity

Other

South Yorkshire Residential Design Guide

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:

2. Achieving sustainable development

4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

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.

Relevant Consultations:

Biodiversity - No objections subject to condition

Highways DC – No objections to amended plans subject to conditions

Drainage – No objections subject to conditions

Yorkshire Water – No objections subject to conditions

Pollution control – No objections subject to conditions

Forestry Officer – No comments received

South Yorkshire Mining Advisory Service – No objections

Ward Councillors – Ward Members have not commented on the application

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was placed nearby. Two rounds of consultations have been carried out with three representations received to the 1st consultation and two representations received to the 2nd consultation. The representation raised the following comments:-

1st round of consultation:-

- Concerns regarding loss of light/sun to home and garden
- Increase in traffic
- Concerns regarding visibility at access
- Queries regarding the type of boundary treatment proposed and position of dwellings

2nd round of consultation with amended plan and redline boundary to include visibility splay

- Concerns regarding position of red line boundary – now resolved
- Increase in traffic
- Concerns regarding visibility at access

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 the amenity of residential properties
- The impact on the highway network and highways standards
- The impact on the existing trees
- The impact on the ecology of the site
- Flooding, Drainage and Pollution Control issues
- Coal Mining

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

The acceptability of residential 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 purely residential and as such the use of this site for a residential development would be in keeping with the locality.

The proposal is considered to be located within a sustainable location on a site suitable for residential development. The proposed development will deliver 5 units where there is good access to a range of amenities and public transport, it is therefore sustainable development. It would also make a contribution, albeit small, to the housing supply.

The impact on the character of the area

The application proposes the erection of 5 no. residential dwellings and given the existing dwelling is to be demolished, this is considered as an infill site set between other dwellings,

The Designing New Housing Development SPD provides specific guidance in terms of infill and backland development

Infill Development

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

- Dwellings should be orientated to have a frontage to the existing public highway. Sides and backs and garages should be sensitively located so the frontage of the new development integrates with the existing street scene.

- The space between the proposed dwelling and adjacent dwellings should reflect the prevailing character of the street.
- The siting of the dwelling should reflect the building line of the dwellings on the same side of the street.
- The eaves and ridge heights of dwellings should usually be comparable with the heights of adjacent dwellings.
- Parking provision should be accommodated in a similar manner to how it is accommodated elsewhere on the street (e.g. if existing dwellings are set forward on their plots with parking at the side, the proposed dwelling should not be set back with parking at the front).
- Architectural features, fenestration and materials should reflect the positive elements elsewhere on the street.
- Infill development should not be piecemeal so as to prejudice potential comprehensive development of a larger area of land.
- Landscaped features such as trees, particularly those prominent in the street scene, should be retained and provided with sufficient space for future growth.

In consideration of the above, the site is fairly constrained as it is linear in nature and there are existing and proposed dwellings which surround the site. One of the dwellings has been designed to face onto Bar Lane, with the access to the remaining 4 properties set to the side. The layout has been carefully considered to ensure that separation distances are maintained to existing and proposed dwellings. As there are a variety of two and single storey properties (some of which have loft conversions and dormer windows) within the area, the dwellings have been designed specifically for this site and include rooms within the roof spaces and one of the house type features a pitched roof dormer. The eaves and ridge heights of dwellings would be comparable with the heights of the two storey adjacent dwellings. The dwellings feature garages and sufficient parking areas to the side so that the parking does not dominate the frontage of the dwellings.

In terms of the prevailing character of the area, an infill/backland development has been approved previously at land to the rear of number 25, immediately to the west of the site. This site is the only dwelling along this side of Bar Lane which has a very large rear garden area and is currently at odds with the surrounding pattern of development. The development of this vacant and dilapidated site will enhance the visual amenity of the area, and it is considered that the dwellings are of a high quality design.

The materials, landscaping and boundary treatment details have not been provided at this stage, however subject to conditions regarding these aspects to be finally agreed, there are no objections in terms of the impact upon the character of the area and visual amenity in accordance with Local Plan Policy D1. The Visual improvement of the site is considered to be significant.

The impact on the amenity of residential properties

Given the existing dwelling is to be demolished, this is considered as an infill site set between other dwellings, therefore one of the main considerations would be the impact of the proposal upon the residential amenity of the surrounding residential properties. The dwellings all have adequate parking and turning provision in accordance with the Parking SPD. The site was previously used for residential purposes, however there are also stable blocks on the site. There will be an increase in residential activity at the site, however this is not considered to be

significant, given that the site has been used for residential purposes and as there was a stable block to the rear which may have required large vehicles to access and other increased activity beyond the use of the dwelling.

In terms of the proposal put forward, the SPD Designing New Housing Development states that 'in order to ensure adequate levels of privacy are provided/ maintained, to ensure residential development does not result in unacceptable levels of overshadowing or loss of outlook and in order to provide adequate amenity space, development will usually be expected to comply with the external spacing standards.'

The site is set within a predominately residential area, therefore there are many other dwellings which surround the site, including a new development to the north, accessed of Wakefield Road and the potential for a further infill plot to the west of the site as mentioned within the site description. Concerns have been raised by neighbouring residents with regard to potential impact on amenity by overlooking and a loss of light, however the site plan shows that the layout is designed to meet the separation distances set within the SPD in terms of distances from habitable room windows. The windows are a minimum of 21m from habitable room windows to the front and rear, and habitable room windows are at least 10m from the rear boundaries. The properties are also set well within the site boundaries and as a result there should be no significant impact upon residential amenity (of existing and proposed residents) in terms of overlooking/loss of privacy or overbearing/overshadowing/loss of light impact in accordance with the SPD.

Turning to the dwellings themselves and the amenity standards set within the SYRDG, the dwellings have been designed with acceptable internal spacing and the room sizes meet the size standards set with the SYRDG. In terms of the size of amenity spaces these are also of sufficient size. Given the above, the impact upon residential amenity is considered to be moderate.

The impact on the highway network and highways standards

Concerns have been raised by residents in terms of the visibility of the access and increased traffic. The Highways Officer has been consulted and whilst they had no objections to the principle of the development of the site for 5 units, they raised concerns with regard to the visibility at the entrance to the site, due to a fence which had been erected to the front of the property to the east, number 21 Bar Lane, which did not have the benefit of planning permission however had been in situ for some time.

In order to resolve this, the applicant has now purchased the land which includes the visibility splay/fence and proof of ownership has been provided. The red-line site boundary now includes the visibility splay to the east and the applicant is proposing that the fence will be reduced in height to 1m. Vehicle tracking has also been provided showing manoeuvrability for a large car and a fire appliance within the site. The Highways Officer has been re-consulted and states that: 'The applicant now controls the land that forms the visibility splay, to the east of the site there are no further concerns. The site plan clearly states that boundary treatments within the visibility splay will not exceed a height of 1m.'

The dwellings all have adequate parking and turning provision in accordance with the Parking SPD. The increase in vehicular activity at the site is not considered to be significant, given that the site has been used for residential purposes and as there was a stable block to the rear which may have required large vehicles and increased activity beyond the use of the dwelling.

Highways have no objection to the proposal subject to conditions and the proposal is therefore acceptable when measured against policy T4 of the Local Plan. The impact upon Highway Safety is considered to be moderate.

The impact on the existing trees

There are no significant trees on the site, and the development is set away from the site boundaries so should not cause any significant impact to the trees/hedges along the boundaries with adjacent dwellings. The Tree Officer has been consulted and has not provided any comments/objections. Full details of landscaping and boundary treatments for each plot should be conditioned. The impact upon existing trees is considered to be moderate.

The impact on Geodiversity and Biodiversity

A Preliminary Ecological Appraisal Report, Bat Survey and Biodiversity Enhancement and Mitigation Strategy have been submitted in support of the application. The application is not subject to 10% BNG as the application was submitted in 2023 prior to the requirements.

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. As the dwelling is to be demolished as part of the proposal an updated bat survey report has been submitted for review as the previous report submitted in 2023 was considered to be out of date. The report details the findings of the daytime Preliminary Roost Assessment (PRA) and the dusk activity survey. No bats, or evidence of roosting bats was recorded during the survey and the Ecology Officer is content with these findings, which align with those from the 2023 report. The building is vacant and has been subject to vandalism and therefore an internal inspection was not completed. However, this is not considered to be a limitation.

A Biodiversity Mitigation Scheme (BMS) has been provided to avoid the requirement of a condition to allow the applicant to commence works as soon as possible. The BMS details the type and location of bat and bird boxes, precautionary working methods and hedgehog access points within fencing.

Subject to the above, the proposal is considered acceptable when measured against policy BIO1 of the Local Plan and the impact upon Biodiversity is considered to be moderate.

Flooding, Drainage and Pollution Control issues

The site is not in an area at high risk of flooding and the drainage officer has confirmed that drainage can be dealt with via conditions. Yorkshire Water have no objections subject to condition.

In terms of the demolition and the proposed development, Pollution Control team have not raised any significant concerns with regard to noise issues, subject to conditions.

Given the above, the proposal is therefore acceptable when measured against policies POLL1 of the Local Plan. The impact upon Flooding, Drainage and Pollution Control issues is considered to be moderate.

Coal Mining

SYMAS and the Coal Authority have been consulted as part of this application as the site is within a High Risk Coal Mining Area. A Ground Investigation Report has been provided by the applicant.

SYMAS have stated in their response that:- 'We note the Ground Investigation report for the proposals, as prepared by Sub Surface North East Ltd ref: NE4296 dated December 2023.

The report details the findings of 6 rotary water flush boreholes to 25m deep along with 9 trial pits to between 1.1m to 4.25m deep. A thin band of coal of circa 0.3m thickness was encountered in trial pit no. 1 @ 2.1m deep; BH3 @ 7.5m deep; BH4 @ 8.6m deep; and BH5 @ 10.5m deep. Although the report does not provide any specific conclusions regarding the shallow coal mining position it does recommend that the 'proposed buildings are constructed on a reinforced concrete semi raft foundation which is able to span 3.0 metres and cantilever 1.5 metres due to a loss of support founded in the natural firm medium strength cohesive strata'.

These issues, along with other associated geotechnical considerations (such as blinding off exposed coal for instance) can be addressed at the building control stage of the development should it progress. Considering this detail in relation to the geological and mining information for this area, SYMAS are happy that the applicant has demonstrated a very low risk of any shallow coal mining issues to the proposals and no further considerations from the past coal mining legacy aspect would be required.'

Given the above SYMAS would have no objections to the proposals and have no further comments to offer regarding coal mining legacy. Should planning permission be granted then only the Coal Authority's standing advice should be included within the decision notice, therefore the impact upon Coal Mining Legacy issues is considered to be moderate.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2023) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site suitable for residential development in the Local Plan and this weighs considerably in favour of the application. Issues with regard to the access have been resolved and the all other matters such as impact on residential amenity, visual amenity, coal mining, drainage, ecology and trees are acceptable. The redevelopment of this dilapidated site for 5 high-quality family dwellings would be of significant benefit to the area and as such the proposal is recommended for approval subject to conditions.

RECCOMENDATION

Approve subject to conditions

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.

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:

The site plans and redline boundary have been amended during the course of the application in order to provide sufficient visibility splays at the entrance to the site at Bar Lane. This applicant has purchased additional land along the frontage of the site along Bar Lane to number 21 and will reduce the excessive height of the boundary treatment (fence) to 1m in line with the amended plans. The site plan has also seen the change from a double garage to a single garage to plot 4 and a further drawing for house type 3 has been provided to show a double garage to plot 5.

