

Application Reference Number:	2024/0998
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Application Type:	Full
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Proposal Description:	Erection of 1no. 4 bedroomed self-build detached dwelling
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Location:	350 Burton Road, Monk Bretton, Barnsley, S71 2QE
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Applicant:	Mr David Brown
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Third-party representations:	None	Parish:	None
		Ward:	Cudworth

Summary:

This planning application seeks full planning permission for the erection of 1no. 4 bedroomed self-build detached dwelling and access works in connection with the adjacent property.

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

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

Recommendation:

Approve subject to conditions

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

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

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

Policy H6: Housing Mix and Efficient use of land – Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population. Proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

Policy BIO1: Biodiversity and Geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Policy Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

Policy T3: New development and Sustainable Travel – Expects new development to be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cycles. Also sets criteria in relation to minimum levels of parking; provision of transport statements and of travel plans.

Policy T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

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:

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

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

Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019.

The most pertinent SPD's in this case are:

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

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

Other Guidance

- South Yorkshire Residential Design Guide

Consultations

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

Cudworth Ward Councillors were consulted and raised no objections.

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

Highways Drainage were consulted and raised no objections.

Planning Policy were consulted and raised no objections.

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

Yorkshire Water were consulted and raised no objections.

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015. Neighbour notification letters were sent to surrounding properties, and a site notice erected at the site, no comments were received.

Assessment

The main issues for consideration are as follows:

- The acceptability of residential development
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards
- The impact on biodiversity

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

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

Principle of Development

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

Furthermore, 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 residents and those existing, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems.

Design, and Visual Amenity

The street scene consists of a mix of dwelling types consisting of detached, semi-detached and terraced two storey dwellings and a detached bungalows as such development on this site should

relate to these adjacent properties. The proposal involves the erection of a detached two storey dwelling with a pitched roof. In terms of materials the street scene features a mix of stone-built and brick-built dwellings with the presence of rendered elevations also established, most notably at the adjacent dwelling (352 Burton Road) which has a rendered side elevation. The proposed materials will harmonize with the appearance of the adjacent dwellings given it shares the same stone frontage. The render to the side and rear elevations is not deemed significantly harmful given its established presence in the street scene. Front elevations on Fish Dam Lane with face onto the rear elevation also feature the use of render. This weighs moderately in favour of the proposal.

The site was previously curtilage featuring a detached garage therefore, it adds little to the visual amenity of the street scene. The majority of the adjacent dwellings are also two storey and the adjacent dwelling to which the proposal is to be built in the curtilage of is also detached. The adjacent dwellings to be set in line with to the east on Burton Road are terraced dwellings however this change is not deemed to be significantly detrimental to the visual amenities of the street scene. As such, the proposed dwelling would not be contrary to the development pattern of the area or appear as an overly anomalous feature in the street scene. This weighs significantly in favour of the proposal.

The design of the dwellings is straightforward and would be of a scale which harmonises with that of the adjacent dwellings especially 350 Burton Road. The proposed design and materials are deemed sympathetic to the street scene, and it would not have a negative impact in terms of being an anomalous feature. Landscaping and boundary treatments are not indicated on the submitted site plan and will therefore be dealt with via conditions. This has limited weight against the proposal. On the whole the development is acceptable in terms of visual amenity and impact upon the street scene in accordance with the SPD Design of Housing Development and policy D1 of the Local Plan.

Residential Amenity

The proposal involves the erection of a new detached dwelling. Other residential properties are adjacent and most notably to the north (8, 16, 18 & 20 Fish Dam Lane) northeast (1 Fish Dam Lane), east (352, 354 & 356 Burton Road), south (253, 255, 257, 259, 261, 263, 265 & 267 Burton Road) and west (350 Burton Road). Therefore, the impact upon the residential amenity of these properties is an important consideration. The site was previously residential curtilage which is surrounded by residential dwellings therefore the use of the site for residential purposes is in keeping with the adjacent uses and previous use.

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

The dwellings to the north are predominantly two storey and front Fish Dam Lane. They are separated by Fish Dam Lane and neighbouring and proposed garden areas. Approximately 40 metres is maintained to the front elevations of these properties from the proposed rear elevation which is therefore acceptable.

The dwelling to the northeast is two storey and fronts Fish Dam Lane. Rear parking areas for the dwellings on Burton Road are between it and the proposed dwelling. Approximately 40 metres is maintained to this property from the proposed rear elevation which is therefore acceptable.

The dwellings to the south are two storey and separated by Burton Road and neighbouring and proposed garden areas. Approximately 24 metres is maintained to the closest front elevation of these properties from the proposed front elevation which is therefore acceptable.

The dwellings to the east and west are two storey and set in line with the proposed dwelling as it is an infill plot. The only windows on the side elevations are for bathrooms which will be obscured glazed. The dwelling does not significantly extend beyond the front or rear elevations of these

dwellings. Additionally, the dwelling to the west still has the required parking area and amenity space as the main garden area is located to the west of that property.

The proposal should not cause any significant overbearing or overshadowing to any neighbouring dwelling. The dwelling is set to the south of some dwellings but as discussed above the separation distances from these dwellings is 40 metres and greater.

The proposed dwelling has been designed with adequate room sizes and external amenity space of over 70sqm per dwelling which is in compliance with the standards set within the SPD and the SYRDG. The proposal is considered to be acceptable in terms of residential amenity in accordance with the SPD Design of Housing Development and Local Plan Policy GD1.

Impact upon Biodiversity

Local Plan Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geodiversity features by protecting and improving habitats; maximising biodiversity opportunities in and around new developments and encouraging provision of biodiversity enhancements.

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the PPG) are met. The PPG states that self-build and custom self-build applications are exempt and therefore a +10% net gain in biodiversity is not required in this instance. Nevertheless, the mandatory BNG conditions still apply, and the onus is on the applicant to appropriately discharge these conditions and demonstrate which exemption is met.

However, the standard biodiversity policies included in the adopted development plan are still relevant including the requirement for all new dwellings to include integrated bat and bird boxes as set out in the adopted Biodiversity and Geodiversity SPD. A condition has therefore been attached to this effect which requires details to be submitted prior to any above ground works. Overall, the biodiversity impacts weighs in moderate favour.

Highways Safety

There will be no impact upon highway safety. The application site is located in the village Monk Bretton, served from Fish Dam Lane, a 'C' classified route. There is a bus stop approximately 16 metres to the west of the proposed access. The amended site plan shows a widening of the hard surfaced areas leading up to the driveways of each property as well as two parking spaces for both the proposed dwelling and 350 Burton Road in accordance with the parking SPD.

Furthermore a 2-metre x 2 metre splay is to be introduced at the access to ensure visibility is met. The proposal is deemed acceptable regarding highways safety. This weighs significantly in favour of the proposal.

Planning Balance and Conclusion

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

Recommendation

Approve subject to conditions

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Alterations to site access and proposed parking layout

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.