

Application Reference Number:		2026/0259	
Application Type:		Full.	
Proposal Description:		Demolition of existing dwelling (retrospective). Erection of 1no. detached dwelling with integral garages (Custom/Self-Build).	
Location:		Oak Tree Cottage, 1C Chapel Lane, Billingley, Barnsley, S72 0HZ.	
Applicant:		Mr M Soar.	
Third-party representations:	X1 Objection.	Parish:	Billingley.
		Ward:	Darfield and Great Houghton.

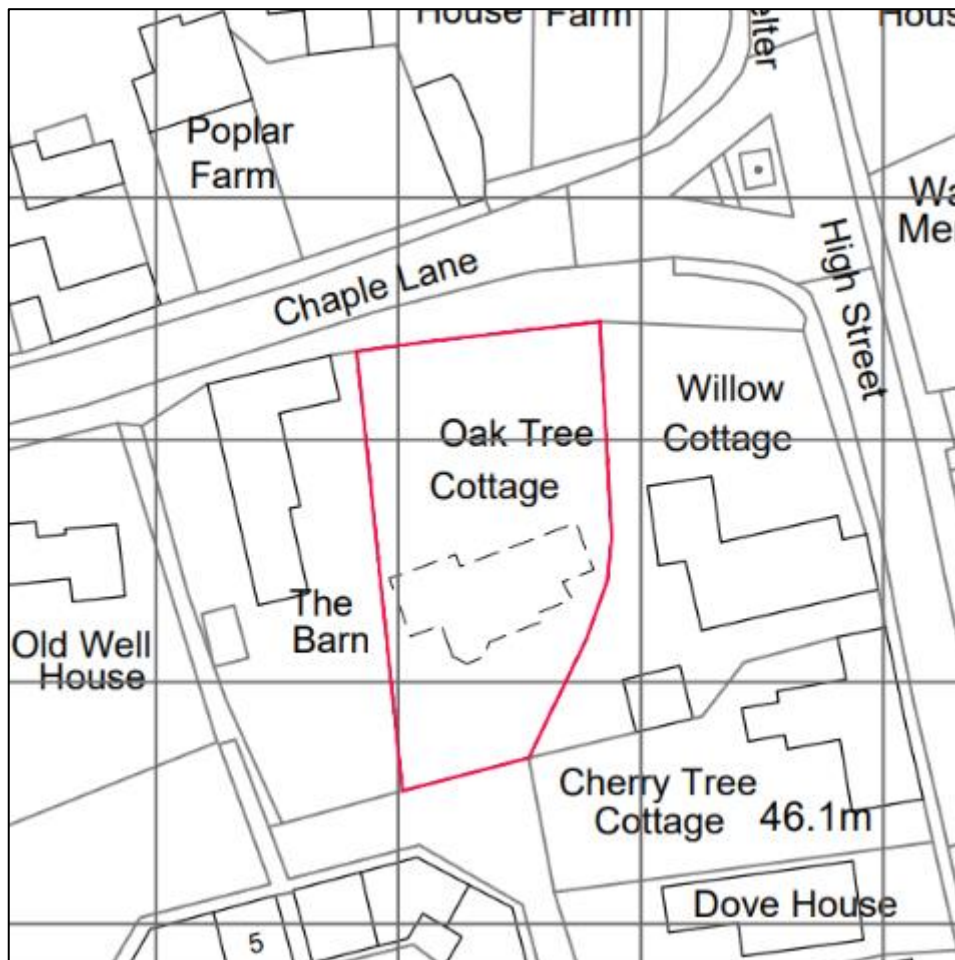
Summary: The applicant is seeking retrospective planning permission for the demolition of the previous dwelling house. The applicant is seeking planning permission for the erection of a new detached dwellinghouse with integral garages. Having balanced all relevant material planning considerations, while objections have been received in respect of the proposal, it is considered that concerns have been appropriately addressed through the assessment of this application. Despite conflict with Local Plan Policy GB2 which is attributed moderate weight against the proposal, it is considered acceptable regarding paragraph 154(g) of the NPPF and Local Plan Policy GB1 as the proposal would represent the re-development of previously developed land and would not result in substantial harm to the openness of the Green Belt. The proposal is also supported by Local Plan Policy H4 and other relevant national and local policies and guidance. The principle of the development is therefore attributed significant weight in favour of this proposal. Great weight is attributed to the conservation of the Billingley Conservation Area in accordance with paragraph 212 of the NPPF despite the less than substantial harm caused due to the unauthorised demolition of the previous dwellinghouse. This proposal would secure and reinstate the optimum viable residential use of the development site with a sympathetic design comprising an appropriate scale, massing, appearance and materials and would likely result in acceptable potential impacts regarding residential amenity, visual amenity and green belt, highway safety, trees and biodiversity, subject to any necessary conditions. This proposal is considered to be in accordance with paragraphs 210(c), 219 and 154(g) of the NPPF as well as Local Plan Policies GB1, HE1, HE3, HE4, D1, GD1, POLL1, T4 and BIO1, and sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The collective weight attributed to these elements is considered to outweigh any potential disbenefits and departure from Local Plan Policy GB2 and the total loss of the previous dwellinghouse, on balance. Recommendation: Approve subject to conditions.

Site Description

This application relates to a large plot located on the south side of Chapel Lane close to the junction with High Street and is in the Green Belt and in the Billingley Conservation Area at the southern end of the village. This location is the historic core of the village as evidenced by the position of various historic buildings in the vicinity which includes the grade II-listed Poplar Farmhouse to the north, the grade II-listed Manor House to the east, and the grade II-listed Billingley Hall to the south-east. There is an unlisted War Memorial surrounded by iron railings in the road at the junction of Chapel Lane with High Street, and there are other historic but unlisted buildings within the locality. Many of these buildings show evidence of alteration and extension, but the historic significance and group value of them is clear.

The development site previously accommodated a two-storey detached dwellinghouse constructed of stone with a pitched slate roof. The west side of the dwellinghouse had been historically extended as approved by application B/88/0565/HR. The east side of the front elevation of the dwellinghouse benefited from a small porch extension. The dwellinghouse had also been extended to the rear, with the extension having an asymmetrical design also adjoining a rear conservatory. The dwellinghouse was fronted by a large garden with an existing driveway and turning head. The development site is bounded by a stone wall with highway trees beyond. The development site is largely level but is set below neighbouring dwellings on Well Lane Court.

The previous dwellinghouse has since been demolished and the development site cleared following the approval of various works under application 2024/0467. The demolition of the previous dwellinghouse was unauthorised. A previous scheme that comprised the demolition of the existing dwelling (retrospective) and the erection of 1no. detached dwelling with integral garages was approved under application 2025/0153.



Planning History

B/88/0565/HR	Extension to dwelling and erection of private garage.	Approved.
2024/0467	Removal of existing porch to north elevation and installation of new ground floor window with alterations to existing first-floor windows, removal of existing rear conservatory and extension and erection of new two-storey rear extension and single storey side and rear extension with alterations to existing roof, including increase in height, conversion of existing integral garage to habitable space, and raise height of front boundary wall and gate (Amended Plans and Description).	Approved.
2025/0153	Demolition of existing dwelling (retrospective) and erection of 1 no. detached dwelling with integral garages (custom/self-build).	Approved.

Proposed Development

The applicant is seeking retrospective planning permission for the demolition of the previous dwelling house.

The applicant is seeking planning permission for the erection of a new detached dwellinghouse with integral garages.

The proposed dwellinghouse would measure approximately 10.6 metres (L) x 17.7 metres (W) x 8.8 metres (H) with an eaves height of approximately 5.1 metres.

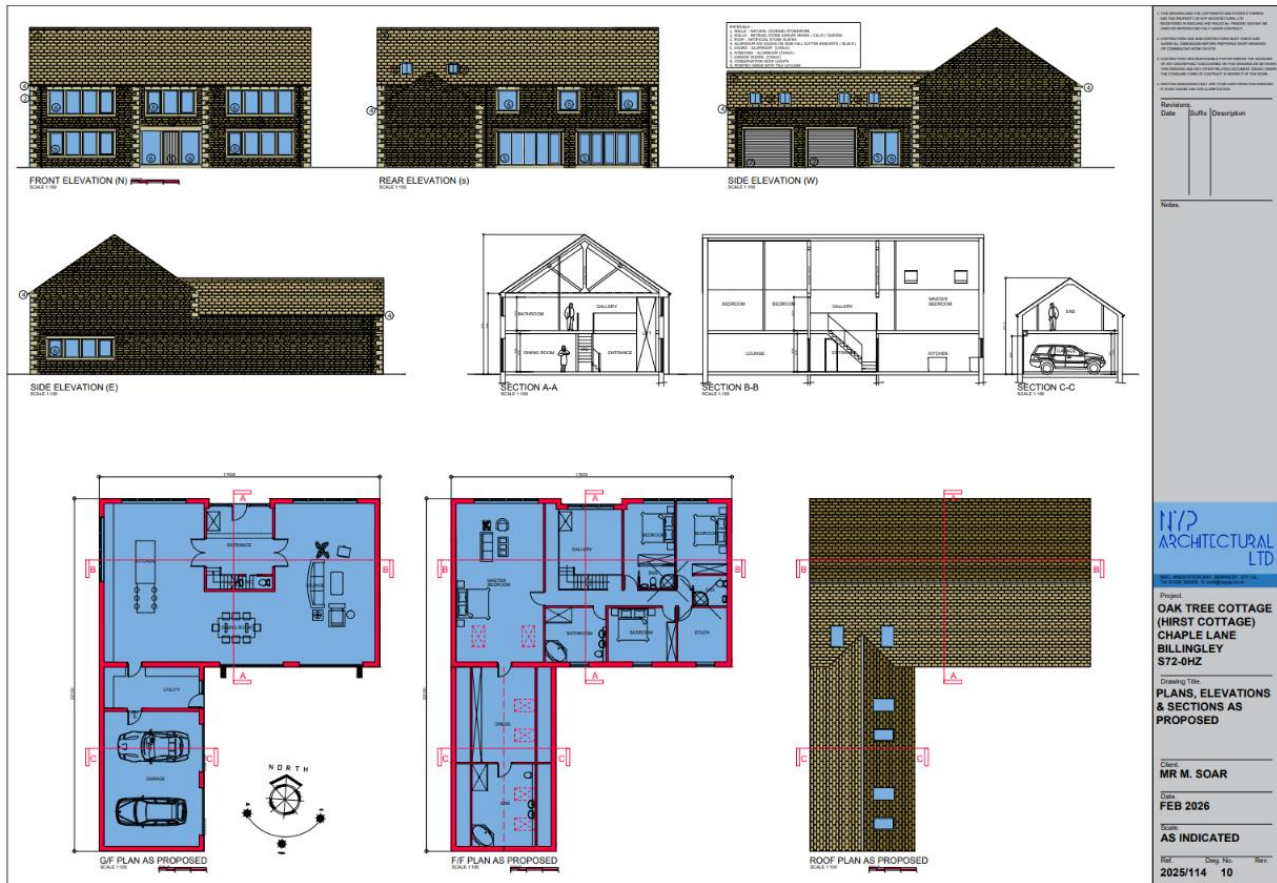
The proposed dwellinghouse would feature a single storey rear projection measuring approximately 11.6 metres (L) x 6.6 metres (W) x 6.1 metres (H) with an eaves height of approximately 3.8 metres. The rear projection would provide integral garages and a utility at ground level and a dressing room and en-suite bathroom within the roof space.

The proposed dwellinghouse would be constructed of natural coursed stonework and natural stone ashlar heads, cills and quoins. The pitched and gable pitched roofs would be constructed of artificial stone slate. Doors and windows would be aluminium and there would be six conservation roof lights to the rear within the south roof slope of the main dwellinghouse and the east roof slope of the rear projection. Doors and Windows would be coloured chalk.

The proposal also includes retrospective works to increase the height of the northern boundary wall and vehicular access gates and the erection of an eastern boundary wall with infill fence panels that were also previously approved.

This proposal under consideration is an amended scheme compared with that which was approved under application 2025/0153. The main differences being:

- An increase of approximately 0.7 metres to the ridge height of the dwellinghouse;
- An increase of approximately 0.1 metres to the eaves height of the dwellinghouse;
- The removal of a two-storey eastern projection now amalgamated within the footprint of the dwellinghouse;
- The removal of a single storey northern projection now amalgamated within the footprint of the dwellinghouse;
- A decrease of approximately 0.1 metres to the width of the rear projection;
- An increase of approximately 1.7 metres to the ridge height of the rear projection;
- An increase of approximately 1.3 metres to the eaves height of the rear projection;
- Minor changes to design and materials.



Relevant Policies

The Development Plan

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

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on 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, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as Green Belt in the adopted Local Plan and is located within the Billingley Conservation Area. The following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GB1: Protection of Green Belt.*
- *Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt.*
- *Policy HE1: The Historic Environment.*
- *Policy HE2: Heritage Statements and General Application Procedures.*
- *Policy HE4: Developments affecting Historic Areas or Landscapes.*
- *Policy H4: Residential Development on Small Non-allocated Sites.*
- *Policy D1: High Quality Design and Place Making.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T3: New Development and Sustainable Travel.*
- *Policy T4: New Development and Transport Safety.*
- *Policy BIO1: Biodiversity and Geodiversity.*

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF 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. The 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 (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 5: Delivering a sufficient supply of homes.*
- *Section 9: Promoting sustainable transport.*
- *Section 12: Achieving well designed places.*
- *Section 13: Protecting Green Belt land.*
- *Section 15: Conserving and enhancing the natural environment.*
- *Section 16: Conserving and enhancing the historic 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 this guidance into account when taking decisions.

Supplementary Planning Guidance

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

- *Biodiversity and Geodiversity (Adopted March 2024).*
- *Design of Housing Development (Adopted July 2023).*
- *Heritage Impact Assessment (Adopted May 2019).*
- *Parking (Adopted November 2019).*
- *Trees and Hedgerows (Adopted May 2019).*
- *Walls and Fences (Adopted May 2019).*

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

Planning (Listed Buildings and Conservation Areas) Act 1990

- *Section 16: Decision on application.*
- *Section 66: General duty as respects listed buildings in exercise of planning functions.*
- *Section 72: General duty as respects conservation areas in exercise of planning functions.*

Other material considerations

- *South Yorkshire Residential Design Guide 2011 (SYRDG).*
- *Billingley Conservation Area Appraisal.*

Representations

This planning application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended) and paragraph 5a of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

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

A site notice was posted nearby which expired 06th May 2026.

A press notice was used which expired 16th May 2026.

One objection was received.

The concerns raised which are material planning considerations are summarised as follows:

- Impact on residential amenity by way of loss of daylight and sunlight, overshadowing, overbearing sense of enclosure, reduced outlook, overlooking and loss of privacy, and increased noise, disturbance and artificial lighting impacts.
- Non-compliance with 25-degree and 45-degree tests.
- Impact on the character and appearance of the Conservation Area.
- Unacceptable development in the Green Belt.
- Housing need argument is not accepted.

- Environmental impact with respect to trees and biodiversity.
- Impact on drainage.

The concerns raised which are not material planning considerations are summarised as follows:

- Access and maintenance and potential damage to western party boundary wall.
- Encroachment.
- Damage to property.
- The behaviour of individual(s).
- Undesirable precedent.
- Party Wall Act 1996.

While all concerns are acknowledged only those which are material planning considerations can be taken into account.

Consultations

Billingley Parish Council	<i>No comment(s) received.</i>
Biodiversity Officer	<i>No objection(s) subject to condition(s).</i>
Local Ward Councillors	<i>No comment(s) received.</i>
Conservation Officer	<i>No objection(s) subject to condition(s).</i>
Forestry Officer	<i>No comment(s) received.</i>
Highways Drainage	<i>No objection(s).</i>
Highways Development Control	<i>No objection(s).</i>
Public Rights of Way	<i>No objection(s) subject to informative(s).</i>
Yorkshire Water Services Ltd	<i>No objection(s) subject to condition(s).</i>

Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

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

Principle of Development and Green Belt Assessment

The applicant is seeking retrospective planning permission for the demolition of the previous dwelling house.

The applicant is seeking planning permission for the erection of a new detached dwellinghouse with integral garages.

This application follows the approval of various works under application 2024/0467. This permission became void following the unauthorised demolition of the previous dwellinghouse. Contact with the Applicant and Agent from the Local Planning Authority and Planning Enforcement ensued. A formal planning application was submitted, and various proposal iterations were considered. Ultimately, the proposals were considered unacceptable. Consequently, the Applicant sought the services of a new Agent, and a new amended proposal was submitted. This amended proposal was approved under application 2025/0153.

Paragraph 153 of the NPPF states that when considering any planning application(s), LPAs should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. 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 resulting harm is outweighed by other considerations.

Paragraph 154 of the NPPF establishes exceptions where development in the Green Belt should not be considered inappropriate.

Previous applications at this site have been assessed against paragraph 154(d) of the NPPF which establishes that development in the Green Belt is not inappropriate if it would comprise replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. However, the applicant now argues that this proposal should be advanced against 154(g) of the NPPF which permits development that comprises the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt, on such basis that paragraph 154 of the NPPF establishes that development only needs to meet one of the stated exceptions.

Recent appeals demonstrate that in similar circumstances such as those surrounding this application that Planning Inspectors have allowed proposals to be progressed against paragraph 154(g) of the NPPF where proposals would constitute redevelopment of previously development land, irrespective of local authority concerns under paragraph 154(d) of the NPPF.

Annex 2: Glossary of the NPPF defines previously developed land 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.

The development site was occupied by a dwellinghouse until its demolition within the last two years. The development site also benefits from substantial permanent boundary treatments and areas of hardstanding within the plot.

It is therefore considered that this proposal would constitute re-development of previously developed land and can be progressed under the provisions of paragraph 154(g) of the NPPF in this instance, and an assessment now needs to be made as to whether this proposal would not cause substantial harm to the openness of the Green Belt.

The original building is shown most clearly on a 1960 OS map. Due to the absence of further detailed historical records, the original floorspace is taken to be approximately 168.25m² measured externally over two storeys.

The resulting floorspace of the proposal approved under application 2024/0467 was approximately 369.23m². While this would have resulted in more than a doubling of the original building contrary to Local Plan Policy GB2, the extent in which the limit would have been exceeded was by approximately 32.73m² or 19%. As such, the proposal approved under application 2024/0467 was not considered to result in disproportionate additions in accordance with paragraph 154(c) of the NPPF.

The resulting floorspace of the proposal under consideration would be approximately 447.89m². This total is based on the external measurements and does not account for the floorspace within the roof space of the integral garages in accordance with adopted guidance. This would result in more than a doubling of the original building contrary to Local Plan Policy GB2. While previous proposals have proven acceptable, the extent in which this limit would be exceeded under this current proposal is approximately 111.39m² or 66% and as such, the LPA considers this proposal to result in a materially larger replacement building contrary to Local Plan Policy GB2.

Notwithstanding the above, the proposed dwellinghouse would be erected in an existing residential plot within an existing residential settlement and as such, it is not considered that this proposal would present substantial harm to the openness of the Green Belt in accordance with paragraph 154(g) of the NPPF despite the significant increase in floorspace proposed not being desirable. This weakens the weight that can be attributed to the conflict with Local Plan Policy GB2. Moreover, a reasonable case could be made that this proposal should not be considered against Local Plan Policy GB2 given there is no existing dwellinghouse in situ to replace. This weakens the weight that can be attributed to the conflict with Local Plan Policy GB2 further. It would also significantly weaken any arguments put to the Planning Inspectorate in the event of a refusal and could result in an appeal being allowed. The LPA has also allowed previous schemes in conflict with Local Plan Policy GB2 albeit to a much lesser extent and the unauthorised demolition of the pre-existing dwellinghouse was regularised by the approval of application 2025/0153.

Considering the above, moderate weight is therefore attributed to the conflict with Policy GB2 against the proposal. However, this proposal is considered acceptable in respect of paragraph 154(g) of the NPPF and Local Plan Policy GB1 which is attributed significant weight in favour of the proposal.

Paragraph 210 of the NPPF establishes in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Appendix 2: Glossary in the NPPF establishes that a Designated Heritage Asset is: A World Heritage Site; Scheduled Monument; Listed Building; Protected Wreck Site; a Registered Park and Garden; Registered Battlefield; or Conservation Area designated under the relevant legislation.

In this instance the proposal affects the Billingley Conservation Area which is a designated heritage asset.

Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm to the asset's significance amounts to substantial harm or less than substantial harm, or total loss.

Paragraph 213 of the NPPF establishes that any harm to, or loss of, the significance of a designated heritage asset (from its alteration, destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 215 of the NPPF establishes that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 219 of the NPPF establishes that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve elements of setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 220 of the NPPF establishes not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm (paragraph 214) or less than substantial harm (paragraph 215) as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Paragraph 221 of the NPPF states local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

In this instance, the proposal relates to the loss of a dwellinghouse within the Billingley Conservation Area. Under application 2024/0467 it was accepted that the rear of the previous dwellinghouse had undergone much change and did not contribute markedly to the conservation area group value. The most historic part of the previous dwellinghouse was its north front elevation. Consequently, the loss of the previous dwellinghouse is considered to lead to less than substantial harm of the conservation area, although it remains a deeply regrettable action.

The proposal would secure and reinstate the optimum viable residential use of the development site. Therefore, it is considered that the harm and loss would be outweighed by the benefit of bringing the site back into use. This stance is maintained from the previous approval under application 2025/0153 and the anticipated benefit of bringing development site back into its optimum viable use is attributed significant weight in favour of the proposal in this instance.

Whilst this proposal would be contrary to Local Plan Policy GB2 in that it would result in more than a doubling of the original building and would represent a materially larger replacement building, it is considered that this conflict and departure from this policy is outweighed by other considerations in this instance.

Local Plan Policy H4: Residential developments on small non-allocated sites establishes proposals for residential development on sites below 0.4ha will be allowed where the proposal would comply with other relevant policies in the Local Plan. Such sites make a valuable contribution to the housing supply, and sites in towns and villages can offer good opportunities for providing houses where other people already live, near to existing shops and services. Developing these sites can reduce the need to provide new sites outside of settlement boundaries. As such, we will allow small scale residential development within towns and villages in line with other policies, including those protecting peoples living conditions, road safety and design.

All new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level, for existing and new and future residents, including visual amenity and highway safety.

Considering the above, the proposal is considered acceptable in principle on balance and subject to an assessment of the following matters.

Impact on Design, Heritage and Visual Amenity

Sections 16(2), 66(1), and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving a listed building and a conservation area or its setting or any features of special architectural or historic interest which it possesses.

This application relates to a large plot located on the south side of Chapel Lane close to the junction with High Street and is in the Green Belt and in the Billingley Conservation Area at the southern end

of the village. This location is the historic core of the village as evidenced by the position of various historic buildings in the vicinity which includes the grade II-listed Poplar Farmhouse to the north, the grade II-listed Manor House to the east, and the grade II-listed Billingley Hall to the south-east. There is an unlisted War Memorial surrounded by iron railings in the road at the junction of Chapel Lane with High Street, and there are other historic but unlisted buildings within the locality. Many of these buildings show evidence of alteration and extension, but the historic significance and group value of them is clear. Consequently, the Council's Conservation Officer was consulted.

The approved scheme (2025/0153) had seen several iterations including informal amendments that were submitted for discussion. It was added that following the approval of a previous scheme which included part retention and conversion, the building was demolished in its entirety contrary to those approved plans and permission granted under 2024/0467 and resulted in its total loss. This resulted in harm to the conservation area which was extremely regrettable.

Subsequent iterations of the proposal following demolition included increases to the overall size and footprint and introduced various incongruous design elements. These were objected to due to a lack of sympathy with the character of the conservation area and the lack of mitigation.

The approved scheme (2025/0153) was considered to be more sympathetic and addressed the main concerns raised previously. The Conservation Officer stated the loss of the original dwellinghouse was obviously harmful. However, in their view the approved scheme (2025/0153) was sympathetic to the character of the conservation area and generally reflected the scale and appearance of the scheme approved under 2024/0467. The scale, massing, materials, and architectural detailing were considered less grandiose than previous iterations and more akin to the local vernacular.

It was acknowledged that the approved design included a full height (cart type) glazed opening that would normally reflect that of a modern barn conversion and therefore, was more agricultural in style and less domestic when compared against the appearance of the previous dwellinghouse. However, there were many examples of such features elsewhere in the conservation area and therefore, on balance, it was felt that it would be incorrect to insist the proposal would not be in-keeping. Overall, the use of coursed stone and slate to the roof that was aligned with a restrained design demonstrated a proposal that was felt would adequately preserve and enhance the character of the conservation area and consequently, the Council's Conservation Officer therefore raised no objections subject to conditions.

The Conservation Officer has provided comments on the current proposal under consideration which states that this application (2026/0259) further amends the design approved under 2025/0153. The central full-height glazed front opening has been replaced by a recessed ground-floor entrance with a mullioned window above separated by masonry. The proposed dwellinghouse now has strongly symmetrical side wings flanking the entrance, each with two four-light mullioned windows at ground-floor level and two at first-floor level. In plan form, the proposed dwelling remains similarly positioned and arranged, but the main house is now deeper on the north-south axis. Additional accommodation is also proposed above the integral garages, served by conservation rooflights. Overall, this results in a larger dwelling than the previous scheme. The roof span is noticeably wider and the roof pitch correspondingly shallower. In general, the proposed dwellinghouse has greater visual mass than the demolished property and moves away from an agricultural vernacular toward an increased domestic appearance. There are comparable examples within the village, including properties of similar size and scale elsewhere in the conservation area, such as along Back Lane and Barn Owl Close. While the loss of the original cottage fragment remains harmful, this latest redesign is not considered to be harmful to the conservation area. The changes proposed are relatively restrained and the dwelling would appear similar to the previously approved scheme albeit marginally larger. The proposed use of high-quality materials helps to offset the increase in scale. It is also considered that the increased size would unlikely affect views from the entrance onto Chapel Lane, although it may have a limited additional impact on immediate neighbouring properties. Nevertheless, it is considered that the re-development of the site with this revised proposal would unlikely harm the character or appearance

of the conservation area. The Conservation Officer therefore raised no objections subject to several suggested conditions to secure appropriate materials.

While the loss of the previous dwellinghouse and subsequent less than substantial harm to the group value of the conservation area remains deeply regrettable, the proposal would secure and reinstate the optimum viable residential use of the development site and therefore, on balance, it is considered that the harm and loss would be outweighed by the benefit of bringing the site back into use and as such, the proposal is considered to comply with paragraphs 210(c) and 219 of the NPPF in that the proposal would comprise new development that makes a positive contribution to local character and distinctiveness, and would preserve elements of the setting that make a positive contribution to the Billingley Conservation Area (or which better reveal its significance). This proposal should therefore be treated favourably in accordance with paragraph 219 of the NPPF even with the unfortunate total loss of the previous dwellinghouse.

The local planning authority has no reason to disagree with the professional opinions of conservation colleagues in this instance.

The proposed dwellinghouse would generally adopt a sympathetic scale and massing, appearance and materials, and not be overly dissimilar to the approved schemes under applications 2024/0467 and 2025/0153.

Considering the above, on balance, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to conserve or enhance the character and appearance of nearby listed assets and the Billingley Conservation Area in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would comply with Local Plan Policies D1: High Quality Design and Placemaking, HE1: The Historic Environment, HE3: Developments affecting Historic Buildings, HE4: Developments affecting Historic Areas or Landscapes and is considered acceptable regarding visual amenity.

Impact on Residential Amenity, Health, Safety and Pollution Control

During the application process, concerns were raised regarding the potential impact upon residential amenity through overshadowing, loss of outlook and privacy, and increased noise and disturbance.

The proposed dwellinghouse would be erected to the east of The Barn and adjacent to the western party boundary. It is therefore acknowledged that some overshadowing could occur. However, any potential impact is anticipated to occur and be limited to the early morning and not at peak times for use of a rear garden. The proposed dwellinghouse would be re-aligned within the development site and would be set forward of the position of the previous dwellinghouse, and while it is acknowledged that this could contribute to a degree of overshadowing impact that may not have been experienced previously, the change is not considered significant and it is anticipated that the occupant(s) of The Barn would continue to benefit from a reasonable degree of natural light. Moreover, the overall height and scale of the proposed dwellinghouse would be similar to that of the previous dwellinghouse and proposals approved under application 2024/0467 and 2025/0153 even with modest increased eaves and ridge heights and despite concerns that this proposal would not comply with the 25-degree and 45-degree tests.

The proposed dwellinghouse would be erected to the west of Willow Cottage and would be set away from the eastern party boundary. Willow Cottage is also set away from this boundary. It is therefore anticipated that any potential overshadowing impact would occur in the late evening and not at peak times for use of a rear garden and would likely be confined to the development curtilage and not the adjacent neighbouring plot. Consequently, it is not considered that the amenity of the occupant(s) of Willow Cottage would be significantly detrimentally affected.

The proposed dwellinghouse would be erected to the north of Well Lane Court and the development site is set below this street. The proposed dwellinghouse would adopt a similar scale and positioning within the development site compared with the previous dwellinghouse and the proposals approved under applications 2024/0467 and 2025/0153, and therefore, it is not anticipated that the amenity of the occupant(s) of properties on Well Lane Court would be significantly detrimentally affected.

First floor windows would be limited to the front and rear elevations of the proposed dwellinghouse, with roof lights within the southern roof slope of the main dwellinghouse and the eastern roof slope of the rear projection. One ground floor window would be located on the west side elevation of the main dwellinghouse and would face toward the western party boundary with The Barn beyond.

Adequate separation distances would be achieved in all directions in line with the Council's adopted design guidance. Existing boundary treatments may also provide further mitigation, especially to the south where properties on Well Lane Court are elevated from the development site but comprise a single storey and are largely screened by existing fencing. The western party boundary wall would also provide adequate screening between the ground floor side-facing window and The Barn.

While the proposed dwellinghouse would be set forward of the position of the previous dwellinghouse the change is not considered to be significant and is unlikely to result in significantly reduced outlook. Therefore, it is not considered that the amenity of the occupant(s) of The Barn would be significantly detrimentally affected, especially as the existing stone boundary wall is likely to restrict outlook from the neighbouring single storey conservatory to a degree with any existing experienced impact likely to be tolerated.

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

This proposal would conform with the minimum internal space standards for a 4-bedroom 5-person or more dwellinghouse as set out by Table 4A.1 Space Standards in the SYRDG and would achieve reasonable access to natural light for all habitable rooms. It would also achieve an acceptable garden size (60 sqm or more) in accordance with the Council's adopted design guidance.

Considering the above, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

Impact on Highways

The proposal is not considered to be prejudicial to highway safety because existing off-street parking and access arrangements within the development site would not be affected and the proposal would not result in a requirement to provide additional spaces. Ample off-street parking space and turning provision would be maintained. Additionally, visibility splays would not be adversely affected despite an increase to the height of the northern boundary wall and gates. The proposed garage would also comply with internal space standards to count towards the off-street parking provision of the site.

Highways Development Control were consulted; and no objections were received. Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.

Impact on Trees

Trees are located to the north, west and south of the application property, most of which fall outside of the application curtilage. None of the trees are protected by a Tree Preservation Order (TPO) but are protected by virtue of their location in the conservation area.

During the application process, the submitted Arboricultural Method Statement was amended which now reflects the proposal under consideration rather than a previous approved scheme.

Previous issues regarding tree retention and removal and separation distances have been resolved. The submitted Arboricultural Method Statement (AMS) demonstrates that the remaining trees could be safely retained and protected during works. This document could be conditioned for compliance. A replacement tree planting scheme is also required as part of a site-wide landscaping scheme. This could also be secured by condition.

The Council's Forestry Officer was consulted; and while no comments were received, the LPA has reverted to comments made against the previous application (2025/0153) where no objections were received subject to conditions based on the same details.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This proposal falls within the custom/self-build exemption and is therefore not subject to BNG in this instance.

This application is not supported by a bat report. While the Council's Planning Ecologist (Biodiversity) states that they would have expected such a report given the rural setting of the demolished dwelling-house it is not necessary to determine this application in this instance. Nevertheless, enhancement measures in the form of a bird and bat box scheme should be provided. This should include a range of box type with an aim to provide appropriate mitigation where it is unknown if or what type of roosts or nesting birds were present.

The Council's Planning Ecologist was consulted; and no objections were received subject to required conditions.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.

Planning Balance and Conclusion

In accordance with the provisions of paragraph 11 of the NPPF (2024), this proposed development is considered in the context of the presumption in favour of sustainable development.

Having balanced all relevant material planning considerations, while objections have been received in respect of the proposal, it is considered that concerns have been appropriately addressed through the assessment of this application.

Despite conflict with Local Plan Policy GB2 which is attributed moderate weight against the proposal, it is considered acceptable regarding paragraph 154(g) of the NPPF and Local Plan Policy GB1 as the proposal would represent the re-development of previously developed land and would not result in substantial harm to the openness of the Green Belt.

The proposal is also supported by Local Plan Policy H4 and other relevant national and local policies and guidance.

The principle of the development is therefore attributed significant weight in favour of this proposal.

Great weight is attributed to the conservation of the Billingley Conservation Area in accordance with paragraph 212 of the NPPF despite the less than substantial harm caused due to the unauthorised demolition of the previous dwellinghouse.

This proposal would secure and reinstate the optimum viable residential use of the development site with a sympathetic design comprising an appropriate scale, massing, appearance and materials and would likely result in acceptable potential impacts regarding residential amenity, visual amenity and green belt, highway safety, trees and biodiversity, subject to any necessary conditions.

This proposal is considered to be in accordance with paragraphs 210(c), 219 and 154(g) of the NPPF as well as Local Plan Policies GB1, HE1, HE3, HE4, D1, GD1, POLL1, T4 and BIO1, and sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The collective weight attributed to these elements is considered to outweigh any potential disbenefits and departure from Local Plan Policy GB2 and the total loss of the previous dwellinghouse, on balance.

Consequently, for the reasons given above, and taking all other matters into consideration, planning permission should be granted subject to any necessary conditions.

RECOMMENDATION: Approve subject to conditions.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

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 representations, 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.

Condition(s) –

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country

Planning Act 1990.

2. The development hereby approved shall be carried out strictly in accordance with the amended plans:

2025/114 10 Plans, Elevations and Sections as Proposed.

2025/114 11 Existing and Proposed Site Plan.

2025/114 12 Existing and Proposed Location Plan.

Pre-Development Arboricultural Report and Method Statement prepared by Wharncliffe Trees and Woodland Consultancy rev. 3 dated and received 12th June 2026.

and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

3. Notwithstanding the submitted details, upon commencement of development, full details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

4. Notwithstanding the submitted details, upon commencement of the development hereby permitted, a one-metre-square sample panel of stonework showing the pointing and coursing shall be submitted to and approved in writing by the Local Planning Authority. The facing stone shall be natural sandstone matching the neighbouring buildings in the conservation area closely in terms of colour, grain size, type of face dressing, and method of coursing. The approved panel shall be retained on site until the construction of the building has been completed and made available for inspection if required. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

5. Upon commencement of the development hereby permitted, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping details shall be implemented prior to occupation of the development hereby permitted; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making and Local Plan Policy BIO1: Biodiversity and Geodiversity.

6. 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.

7. 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 to be submitted to and approved in writing 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwelling which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the local planning authority, and no garages or other outbuildings shall be erected.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making and to safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1: Protection of Green Belt.

9. Construction or demolition-related activity shall only take place between the hours of 08:00am – 18:00pm Monday to Fridays, 09:00am – 14:00pm Saturdays and at no time on Sundays and 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: Pollution Control and Protection.

10. There shall be no burning of any material within the development site during demolition and/or construction phases.

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: Pollution Control and Protection.

11. The dwelling hereby permitted shall be constructed as a custom/self-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 custom/self-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 custom/self-build property, a biodiversity net gain plan shall be submitted to and approved in writing 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.

12. The development shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures. The measures listed below shall be implemented in full, prior to the occupation of the development hereby permitted, and full details including photographic evidence shall be submitted to and approved in writing by the Local Planning Authority. The features shall be retained thereafter.

At least 2 no. integrated bat roosting box, including a box suitable for hibernating bats and a box suitable for summer use; and

At least 2 no. integrated bird boxes including boxes suitable for swifts and house sparrows.

Reason: In the interests of biodiversity mitigation and enhancement and in accordance with Local Plan Policy BIO1: Biodiversity and Geodiversity.

13. Pointing to the external walls shall be in lime mortar, flush to the face of the stone and finished by brushing off to produce a very slightly recessed and rounded joint.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

14. The roof shall be covered by artificial stone slates with matching ridges bed in mortar.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

15. All windows and doors to be used in the construction of the development hereby permitted shall be constructed in metal/ aluminium PPC. Windows and doors shall be mounted in the reveal by a minimum of 100mm.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

16. Window and door heads and cills, mullions, and quoins shall be dressed in natural ashlar sandstone.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

17. Rooflights shall be genuine conservation rooflights, low in profile, vertically emphasised, with black framing and a single vertical divider.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

18. Gutters shall be ogee in section and black. Gutters, rainwater and downpipes shall be black.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies HE1: The Historic Environment and D1: High Quality Design and Place Making.

19. Prior to occupation of the development hereby permitted, all areas to be used by vehicles shall be laid out in accordance with the approved plan [2025/114 11] and 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, and shall be retained thereafter. 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.

Informative(s) –

1. The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

2. The applicant/developer should be aware that the Council maintains a register of people who are interested in self-build or custom build projects in Barnsley. If you are interested in making your land available for self-build and custom housebuilding we can, with your permission, pass your contact details on to those people on the list so they have the opportunity to get in touch.

For more information on this, please refer to the Council's self-build register website at www.barnsley.gov.uk/local-self-build-register or contact planningpolicy@barnsley.gov.uk or telephone 01226 773555.

3. 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.
4. 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.
5. If any unrecorded routes have been used unchallenged by the public for 20+ years, or for a lesser period under common law, those routes may have acquired public access rights. Members of the public may apply to have such rights formally recorded and if an application is made, the Council has a legal duty to research the claimed rights and reach a decision based exclusively on the available evidence about the status of the claimed routes. If such an application is made and accepted, the route would have to be accommodated within any development proposals. If the applicant has questions about any unrecorded routes, they should contact publicrightsofway@barnsley.gov.uk to discuss.