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**2024/0702**

Mr J Wooller

Variation of condition 2 of app 2021/0324 (amended siting of plot 1) - Erection of 2no detached two storey dwellings and associated works.

Land adjacent to 534 Carlton Road, Carlton, Barnsley, S71 3JE

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### **Site Location and Description**

The application site relates to a plot of land located at the junction of Carlton Road and Wood Lane, within close proximity to the Carlton Conservation Area boundary. The area is predominantly residential in nature and is characterised by detached and semi-detached, two storey and single storey dwellings. The dwellings to the north-west of the site are two-storey semi-detached red-brick dwellings and those to the south-west are 1970 style single storey detached bungalows. The dwelling to the south-east is a large, detached two-storey red brick property which fronts onto Carlton Road.

The site is rectangular in shape and previously formed part of the rear garden of 534 Carlton Road. The site was previously grassed with mature hedging along the western boundary, with brick walls and fencing defining the remaining boundaries. The site has been cleared and the foundations dug and laid in relation to application 2021/0324.

### **Planning History**

B/04/0325/BA – Residential Development (Outline) – Approved April 2004

2007/0654 – Residential Development (Outline) – Approved August 2007

2021/0324 – Erection of 2no detached two storey dwellings and associated works – Approved August 2021. Works associated with this application commenced within 3 years of the date of the planning permission being granted.

2024/0188 – Erection of 2x detached dwellings and associated works including formation of driveways and boundary treatments – Refused June 2024 for the following reasons:

- 1. The development would disrupt the established building line along Wood Lane and harmfully impact the appearance and character of the street by virtue of the scale, massing and design of the proposed dwellings. The proposal does not reflect or reinforce the surrounding building traditions and is therefore discordant with Barnsley Local Plan (2019) Policy D1 and National Planning Policy Framework (2023) Paragraph 135.*
- 2. The development would harmfully impact existing residential amenity by introducing an oppressive and dominating outlook for residents of the neighbouring dwelling. The separation distance between the proposed Plot 1 and the existing property fails to accord with the Design of Housing Development SPD - Section 4 guidance and therefore conflicts with Barnsley Local Plan (2019) Policy GD1 and POLL1.*

2024/0599 – Discharge of conditions 3 (Materials), 4 (Boundary Treatment), 5 (Broadband) and 11 (EVCP) of app 2021/0324 Erection of 2no detached two storey dwellings and associated works – Approved September 2024

## **Proposed Development**

This application proposes a variation of condition 2 of app 2021/0324 (Erection of 2no detached two storey dwellings and associated works) to amend the siting of plot 1.

This application seeks approval for the variation to approved plans in order to amend the siting of plot 1, 1.5m forward of its approved location.

Planning permission for the erection of 2no dwellings was approved on the site in August 2021. The plans originally submitted as part of this application had the front left-hand corner (north-western corner) of plot 1 sited 2.2m forward of the corner of 1 Wood Lane. During the determination of this application, it was considered that this siting was unacceptable, and amendments were sought which set this corner level with 1 Wood Lane. The approved siting of plots 1 and 2 were forward of the side elevation of 534 Carlton Road and at an angle to the building line of 1-11 Wood Lane.

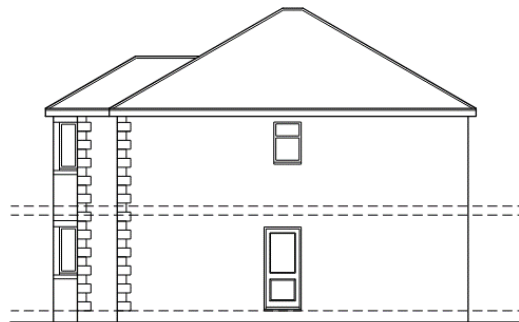
Due to an oversight, the developer implemented the incorrect plans, utilising the original siting, rather than the approved siting. The Local Planning Authority understands that discussions were had between the developer and the occupants of Wood Lane, which resulted in the siting subject to this application.

The siting of plot 2 is not under consideration as part of this application and following inspection on site is located in the approved location as outlined in the amended plans of application 2021/0324.

Plans as proposed



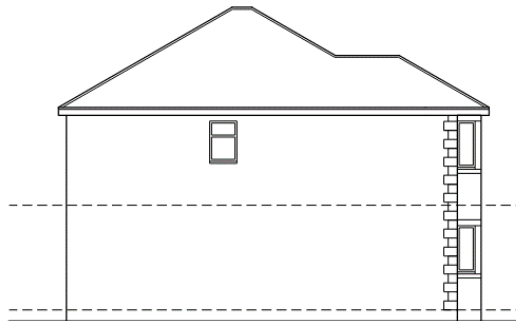
**PROPOSED FRONT ELEVATION**  
scale 1:100



**PROPOSED SIDE ELEVATION**  
scale 1:100

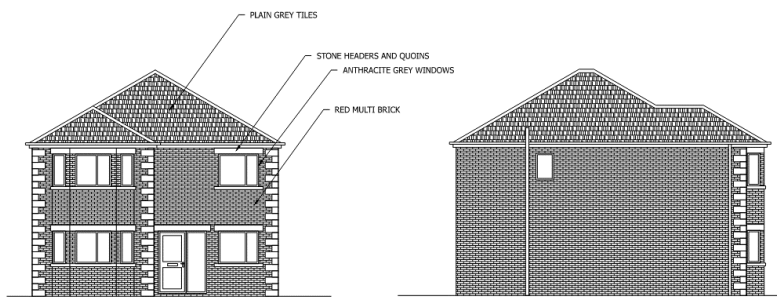
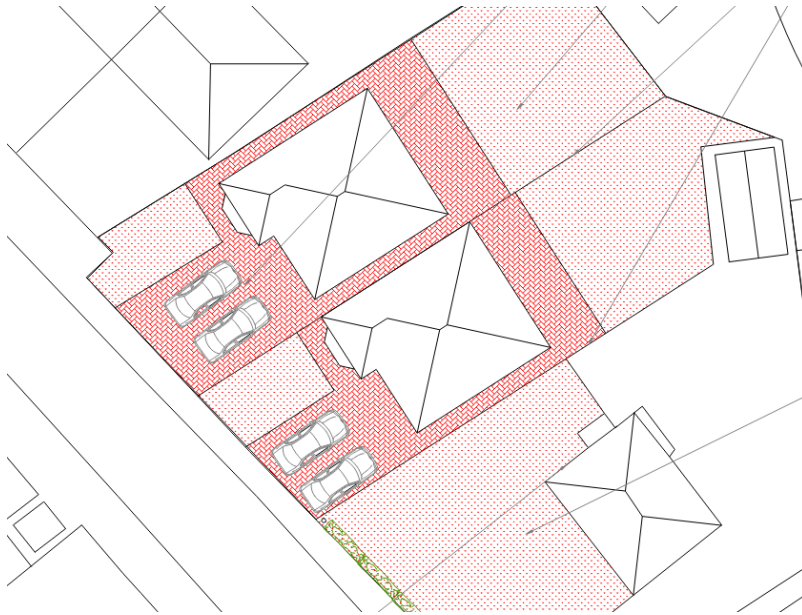


**PROPOSED REAR ELEVATION**  
scale 1:100



**PROPOSED SIDE ELEVATION**  
scale 1:100

Plans as approved 2021/0324



PROPOSED FRONT ELEVATION  
SCALE 1:100 AT A3

PROPOSED END ELEVATION  
SCALE 1:100 AT A3



PROPOSED REAR ELEVATION  
SCALE 1:100 AT A3

PROPOSED END ELEVATION  
SCALE 1:100 AT A3

## **Policy Context**

### Local Plan

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the 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 also now 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 and 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. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

The site is allocated as Urban Fabric and Dearne Valley Green Heart Nature Improvement Area within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy H4 Residential Development on Small Non-allocated Sites  
Policy H9 Protection of Existing Larger Dwellings  
Policy GD1 General Development  
Policy D1 High Quality Design and Place Making  
Policy T3 New Development and Sustainable Travel  
Policy T4 New development and Transport Safety  
Policy Poll1 Pollution Control and Protection  
Policy BIO1 Biodiversity and Geodiversity  
Policy SD1 Presumption in favour of Sustainable Development  
Policy LG2 The Location of Growth  
Policy H1 The Number of New Homes to be Built  
Policy H2 The Distribution of new Homes

### Adopted Supplementary Planning Documents

Design of Housing Development  
Parking  
The South Yorkshire Residential Design Guide (SYRDG)

### National Planning Policy Framework (NPPF) - December 2023

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 60 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

Paras 75-79 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 96 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 115 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

Para 136 – trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

Para 139 - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Para 180 – Planning policies and decisions should contribute to and enhance the natural and local environment.

## **Consultations**

Highways – No objections  
Ward Councillors – No objections received

The following consultations were made on application 2021/0324

Drainage – No objections, Building Control to check  
Highways – No objections received  
Conservation Officer – No objections  
Tree Officer – No objections received  
Ward Councillors – No objections received

## **Representations**

The application was advertised by way of a site notice and neighbour notification letters; three letters of representation have been received, one of which does not provide an address.

The representations raise the following concerns:

- Does not follow building line of the existing dwellings on Wood Lane as confirmed by refusal of application 2024/0188
- Proximity to the junction of Wood Lane and Carlton Road
- Development of footpath to Carlton Road junction will lose valuable parking space to the front of the properties

## **Assessment**

### Principle of development

The principle of a residential development has been established with the earlier planning approval 2021/0324 subject to the conditions set out in the decision notice. This application seeks approval for the variation to approved plans in order to re-site plot 1, approximately 1m forward of the approved location.

### Visual Amenity

Comments have been received in relation to the proposed dwellings being situated forward of the building line of 1-11 Wood Lane and that application 2024/0188 was refused on this basis. Whilst application 2024/0188 was refused in part due to the dwellings siting, they were proposed significantly forward of the location currently under consideration, however, this does not preclude development being located in such a location and each application is assessed on its own merits.

It is acknowledged that the re-siting of plot 1 would be located forward of the building line of 1-11 Wood Lane. Nevertheless, the dwellings are significantly set back from the highway and are located at an angle to the properties on Wood Lane and as plot 1 is located marginally forward of the front elevations of 1-11 Wood Lane and the already approved location, the re-siting of plot 1 is considered acceptable and would not have a detrimental impact on the character of the area.

It is not proposed to alter the design of the dwelling, and the proposed materials have been approved under discharge of condition application 2024/0599.

Given the above, the proposed dwelling would sit comfortably alongside the existing housing stock and would maintain the visual amenity of the street scene, on balance and on this occasion the development is acceptable and in accordance with Local Plan Policy D1 and SPD 'Design of Housing Development'.

### Residential Amenity

As mentioned previously, residential development of the site has already been granted and consideration is only being given to the impact of the re-siting of plot 1, approximately 1m forward of the approved location, on the surrounding residents.

The proposed changes would have the greatest impact on 1 Wood Lane, as the proposed dwelling would sit to the south of this property and within close proximity of that property's side boundary. Whilst objections have been received, the re-siting of plot 1 approximately

1m forward of the approved location, is not considered to increase levels of overshadowing or overlooking or reduce levels of outlook of this property.

Whilst the re-siting of plot 1 would project forward of 1 Wood Lane, it is not considered that it would lead to a loss of outlook, given that plot 1 is located at an angle to the potentially affected property and is not located within a 45degree quadrant when taken from the mid-point of the potentially affected windows on the front elevation. This is replicated at the rear elevation, with the dwelling only projecting minimally beyond the rear elevation.

It is acknowledged that an en-suite window would face the side elevation of 1 Wood Lane, however the side elevation is a blank gable, and en-suite bathrooms are not classed as a habitable room. Therefore, it is considered that the re-siting would not increase levels of overlooking of the neighbouring dwelling. In addition, the re-siting would not impact on the future occupants of the dwelling. As such, the proposed amendments to the approved plans would not significantly increase overlooking, overshadowing, or be an overbearing feature, and are considered acceptable in accordance with Local Plan Policy GD1.

### Highways safety

Highways DC have been consulted on this application and raise no objection to the re-siting of plot 1. Whilst plot 1 is projecting forward of the approved location, there is sufficient space for the required levels of parking which would not impact on the highway and as such is acceptable.

Comments received relate to the installation of a footpath to the front of the dwellings. The plans do not indicate that a footway is to be installed. However, there is sufficient depth to the site that a footway could be installed without impeding the parking provision required. The development of the site, and its proximity to the Carlton Road/Wood Lane junction was considered during the determination of application 2021/0324 which was approved; this application only relates to the re-siting of plot 1.

### Conclusion

In summary, the proposed, re-siting of plot 1 is considered not to have a detrimental impact on the amenity of surrounding residents, on the character of the street scene or upon highway safety, in accordance with Local Plan Policies GD1, D1 and T4 and as such is acceptable.

### **Recommendation**

**Grant** subject to conditions