
2025/0141

Mr R Tucker

Outline consent (with approval for access) for residential development (up to 5 dwellings) following demolition of existing house and outbuildings.

1 Hopton Farm Cottage, Chapel Street, Shafton, Barnsley, S72 8NS

Introduction

This application seeks outline planning permission for up to 5 dwellings, with access details, following the demolition of an existing dwellinghouse and outbuildings/barns. During the course of the application updated ecological/ BNG documents have been submitted.

Site Location & Description

The application site consists of an existing detached dwelling and associated outbuildings/barns. The site was historically a farm, though the outbuildings are now used for the parking and storage of commercial buildings. The site has an operator licence for this use, albeit planning permission has not been granted.

The existing dwelling is sited in the south-west corner of the site and immediately abuts the footway on Chapel Street. There is a small garden to the side of the property, with two larger grassed areas in the south-eastern and north-western corners of the site. The dwelling is two storey, with a single storey conservatory on the side; finished in light coloured stone and render, with a gable roof. Large trees are located along the northern edge of the site, though these have been categorised as category C and U, thus considered to be of low value.

An existing driveway extends from Chapel Street through the centre of the site, with a larger hardstanding/parking area along the western edge, and to the rear of the dwelling. The outbuildings/barns currently occupy a large proportion of the application site, though are set back from the road. The barns are a mixture of single and two storey, finished in brick, stone and cladding.

The front of the site is defined by a stone wall, which adjoins a blockwork wall along the eastern boundary. No.3 Chapel Street is sited close to the eastern boundary, with Sycamore Lodge to the west. Both of the adjacent dwellings are detached and generous in scale, though vary in appearance. No.3 is a traditional style red brick property, which is set back from the highway and sits adjacent to the existing barn. Sycamore Lodge has a more contemporary appearance, finished in a mixture of white render, stone and timber cladding, though is also set back from the road.

The northern boundary of the site abuts the end of Sceptone Grove, with No.12's plot adjoining the north-western corner. A protected tree (ref: 10 – ash) is located adjacent to the north-western corner of the site, within Sycamore Lodge rear garden.

Overall, the surrounding area has a varied character consisting of detached dwellings set back from the road, along with rows of traditional terraces. There is no established build line or finishing materials, though the majority of surrounding dwellings do have gable style roofs.



Site History

No recorded planning history.

Proposed Development

This application seeks outline planning permission (with approval for access) for the erection of up to 5 dwellings. The application has been supported by an illustrative masterplan which suggests the siting of 3x detached properties and a pair of semi-detached properties, along with associated garages and driveways.

The development description also refers to the demolition of the existing dwellinghouse and outbuildings. The proposed access is positioned in the same position as the existing, with the site plan indicating that a central private drive will be created, which the dwellings are to be positioned around. The proposal also includes widening the footpath along the front of the site to 2m.

The development will result in the loss of a Category U ash tree in the north-west corner of the site, which would be suitably replaced. The 2x category C trees (plum and birch) are to be retained.

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Allocation/Designations

The site is within a low-risk development area as designated by the Mining Remediation Authority. The majority of the site lies within Flood Zone 1 (low risk) as per the Environment Agency maps.

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

The following Local Plan policies are relevant in this case:

- Policy GD1: General Development
- Policy D1: High Quality Design and Place Making
- Policy SD1: Presumption in favour of Sustainable Development
- Policy T4: New Development and Transport Safety
- Policy LC1: Landscape Character
- Policy POLL1: Pollution Control and Protection
- Policy H1: The Number of New Houses to be Built

- Policy H4: Residential development on small non-allocated sites
- Policy BIO1: Biodiversity & Geodiversity
- Policy CL1: Contaminated and Unstable Land
- Policy CC3: Flood Risk

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 5 – Delivering a Sufficient Supply of Homes
 Section 9 - Promoting Sustainable Travel
 Section 11- Making Effective Use of Land
 Section 12- Achieving Well-designed Places
 Section 15 – Conserving and Enhancing the Natural Environment

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

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 most pertinent SPD's in this case are:

- Parking, November 2019
- Sustainable Travel, July 2022
- Design of Housing Development, July 2023
- Residential Amenity and the Siting of Buildings, May 2019
- Biodiversity & Geodiversity, March 2024
- Development on Land Affected by Contamination, November 2019
- South Yorkshire Residential Design Guide, 2011

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

Consultations

Biodiversity Officer – During the course of the application an updated preliminary ecological appraisal and BNG metric have been submitted to address comments from the Biodiversity

Officer. Initially the BNG metric provided was completed on the incorrect template, and the PEA was silent on the potential for barn owl/barn wallow. There was also a query regarding hedgehogs. Nevertheless, the updated PEA addresses these comments.

The updated BNG metric indicates that's 0.1584 habitat units are required to achieve the mandatory +10%. The submitted information does not demonstrate how this will be achieved, however given the limited availability on-site, it is assumed that the applicant will need to secure this either via a habitat bank/purchase units or provide off-site on other land within the applicant's ownership.

In summary, the Biodiversity Officer has no objection subject to standard BNG conditions; implementation of mitigation and updated bat surveys if development does not commence within 12 months.

Local Ward Cllrs – No response.

Contaminated Land – No objection subject to a pre-commencement condition relating to the submission of a ground contamination report.

Forestry Officer – The submitted site plan suggests that the existing ash tree (labelled as G1 within the tree report) will be retained, however the Forestry Officer does not consider this as a viable option, instead agreeing with the submitted arboricultural assessment which recommends removal of the tree to it being category U. Nevertheless, full landscaping details will be assessed at reserved matters stage. No objection subject to conditions requiring tree protection details and full landscaping details, as well as satisfactory information provided within the RM application.

Drainage – No objection subject to pre-commencement conditions requiring full drainage details.

Highways DC - No objection to the proposed vehicular access arrangements subject to various conditions relating to surfacing; driveway lengths; gradients; sight lines and visibility splays; off-site highway works; management of carriageways; cycle storage and the submission of a construction method statement.

Pollution Control – No objection subject to conditions relating to hours of construction and the pre-commencement submission of a construction method statement (similar wording to the condition suggested by the Highways DC Officer).

Parish Council – No response.

Yorkshire Water – No objection subject to conditions.

Representations

This application has been advertised in accordance with Article 15 of the Development Management Procedure Order (DMPO) 2015, as follows:

- Neighbour notification letters sent to adjoining properties- consultation expiry date: 13/5/2025
- Site Notice (Public Interest) displayed adjacent to the site- consultation expiry date: 2/6/2025

1 representation has been received which raises concerns regarding the existing commercial vehicle storage use.

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:

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

Principle of Development

The site falls within urban fabric which has no specific land allocation. New dwellings are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety and accord with the relevant policies quoted below.

Policy H4 Residential Development on Small Non-allocated Sites states that proposals for residential development on sites below 0.4 hectares will be allowed where the proposal complies with other relevant policies in the Plan. The application site is 0.14ha in size and therefore Policy H4 applies.

Local Plan Policy H9 resists the loss of existing larger dwellings, with paragraph 9.34 stating that the development in gardens of larger dwellings will be resisted. Although the development will result in the loss of the existing dwellinghouse, this is considered to be acceptable in this instance. The majority of the application site is used for storage/parking, with the existing dwelling only having a small defined garden. The proposal will provide 5 replacement dwellings, thus will provide an uplift in the number of dwellings on this site and therefore within the borough and on balance, for this case, this is considered acceptable. There would also be the opportunity to provide larger dwellings as part of the reserved matters submission and this can be assessed at that stage.

The surrounding area is predominately residential, with dwellinghouses abutting the site in all directions. The existing barn buildings/storage use is therefore uncharacteristic of the area and the principle of residential development is more in-keeping with the neighbouring uses. On this basis the development is acceptable in principle subject to the considerations as followed. This weighs in substantial favour in the overall planning balance.

Design, Appearance & Impact Upon Character of Area

NPPF Paragraph 135 relates to high quality design and states that developments should function well and add to the overall quality of the area; are visually attractive; sympathetic to local character; maintain a strong sense of place whilst optimising the potential of the site and create places which are safe and inclusive and promote well-being.

Local Plan Policy D1 states that development is expected to be of high-quality design and should respect and reinforce the distinctive, local character and features. Development should contribute to place making and make the best use of materials, as well as display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangements of materials, colours and details.

The proposed development seeks outline permission for up to 5x dwellings including access details. This means the appearance, siting and scale of the dwellings are to be assessed at reserved matters stage. However, an indicative layout has been submitted which confirms that 5

dwellinghouses can be accommodated on site, whilst remaining sympathetic to the local character and appearance.

The indicative layout consists of a mix of semi-detached and detached properties, including both attached and detached garages. The properties are arranged around a central driveway with small gardens to the front and private gardens to the rear.

As summarised above, the street scene is fairly varied in terms of housing types and scales, therefore a mix of semi/detached properties would not disrupt the prevailing character. The site is already developed in the form of large barn buildings, meaning the introduction of residential properties would not significantly alter the site's appearance. The proposal is not considered to overdevelop the site or adversely affect the character of the area. The development will instead support residential uses within this predominantly residential location.

The appearance, materials and siting of the proposed dwellings will be assessed further at reserved matters stage. However, based on the information available, it is considered that the development will improve the appearance of the site and positively contribute towards the character of the local area. The development accords with the requirements of Local Plan Policy D1 and NPPF Paragraph 135, and is afforded considerable weight.

Impact upon Residential Amenity

Local Plan Policy GD1 states that proposals for development will be approved if there are no significant adverse effect on the living conditions and residential amenity of existing and future residents. Proposals should be compatible with neighbouring land and should not significantly prejudice the current or future use of neighbouring land.

Local Plan Policy POLL1 states that development will be expected to demonstrate that there would be no unacceptable affect or cause a nuisance to the natural and built environment or to people.

As mentioned, the internal layout and appearance of the dwellings will be assessed at reserved matters stage. This includes the position of windows in terms of possible overlooking and the scale/height of the dwellings in regard to any overshadowing, as well as internal space standards.

Nevertheless, the supporting site plan does indicate that suitable separation distances can be achieved. The indicative site plan includes annotated distances between the front and rear elevations of the proposed dwellings, as well as the distances between existing properties, which accord with the Design of Housing Development SPD.

The site plan does suggest that the occupiers of Plot 2 could be impacted by potential overshadowing if the Category U Ash tree was retained (as suggested on the plan). However, it is understood that as part of the landscaping details this will be removed and replaced, therefore alleviating the potential overshadowing issues. Nevertheless, the submitted plan is indicative and therefore possible overshadowing would not constitute as a reason for refusal.

The size of the indicative rear gardens also achieve the required sizes. Each dwelling has an acceptable footprint size to suggest that the site can provide a mix of 2, 3 and/or 4 bedroom dwellings.

The introduction of 5x residential properties is not considered to cause significant disturbance upon existing neighbours by virtue of comings and goings or residential activities. It is recognised that the site is currently used for the storage of vehicles and therefore the potential change in vehicular movements is unlikely to be noticeable. Only one neighbour representation has been received whom raised concerns regarding the current storage activities, rather than the proposed development. Nevertheless, the Environmental Health Officer has suggested a condition restricting hours of construction/demolition activities to further protect existing amenity.

A full assessment in terms of any overlooking/overshadowing impacts upon residential amenity will be carried out at reserved stage. However, it is considered that the application site can accommodate the proposed number of dwellings whilst protecting existing and future residential amenity, subject to strict accordance with the attached conditions. The proposal therefore accords with Local Plan Policy GD1 and POLL1 and is afforded substantial weight in the planning balance.

Highway Considerations

NPPF Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Local Plan Policy T4 states that 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. It follows on to state if a development is not suitably served by the existing highway or would add to problems of safety or the efficiency of the highway, developers will be expected to take mitigating action to make sure the necessary improvements go ahead.

Table 1 of the Parking SPD (November 2019) sets out the adopted parking standards for new developments.

The application seeks approval for access details but not for the site layout, therefore only the access into the site can be assessed at this stage. The South Yorkshire Residential Design Guide Section 4.B.1.1.9 states that unadopted shared private drives may give access for up to a maximum of 5 dwellings. This development proposes up to 5 properties meaning the proposed shared private drive arrangement is acceptable.

The proposal includes widening the existing site entrance and forming a centrally positioned private drive, as well as widening the footpath along the frontage of the site. The Highways DC Officer has reviewed the submitted plans and confirms the proposed works are acceptable in terms of visibility/sight lines. Although the sightlines do not achieve those specified in the speed survey results, the proposal is a substantial improvement on the existing arrangement, and when taking into account the proposed number of vehicle movements, the works are satisfactory. The development also includes an acceptable pedestrian visibility.

In terms of the footpath widening works, a scheme shall be agreed prior to commencement via a condition discharge application.

The number of residential parking spaces and their position will be assessed further as part of the reserved matters applications. The consultee comments provide guidance on the required number of spaces as well as details of the necessary refuse collection point. Overall, the development is acceptable in terms of access arrangements and complies with Local Plan Policy T4 subject to the conditions attached. This is afforded significant weight in the planning balance.

Landscaping Considerations

Policy GD1 states proposals for development will be approved if existing trees are to remain on site and are considered in order to avoid overshadowing.

Section 5.3 of the Trees and Hedgerow SPD (May 2019) states where trees are situated in close proximity to a proposed development a full tree survey is required. The survey should specify any works or pruning that is needed. Section 5.4 states that the submitted site plan must clearly indicate which trees are to be retained and which are to be removed.

As mentioned above, landscaping details will be agreed as part of the relevant reserved matters application. However, the application has been supported by a Tree Survey (ref: 240807) which includes an assessment of the 3 tree/tree groups on site. It concludes that the existing trees are of low value or poor condition, with tree group G1 having ash die back disease and decay in the main stem.

The indicative site plan includes an annotation stating that the ash tree is to be retained and 'pollarded' to combat dieback and encourage regrowth. However, the Forestry Officer agrees with the conclusions of the submitted assessment which suggested that the existing ash tree will need to be removed, and a replacement tree secured as part of the reserved matters application. As summarised above, the existing tree could potentially cause overshadowing issues upon the indicatively sited Plot 2 and therefore the removal of the tree would be acceptable in this instance.

Nevertheless, the Forestry Officer considers that the indicative scheme does largely avoid undue impact upon the existing trees and therefore would have no objection should a similar layout be proposed as part of the reserved matters application. The reserved matters proposals would need to be supported by an arboricultural impact assessment and method statement to ensure that any impacts are addressed and adequately dealt with. The landscaping scheme should include replacement and new planting details. Overall, there is no objection subject to the conditions attached which includes tree protection and full landscaping details to be provided prior to commencement. This weighs considerably in favour of the application.

Ecology & Biodiversity Considerations

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.

BNG became mandatory for all applications in April 2024 except where one of the exemptions (as set out in the PPG) are met.

The original BNG metric was completed on the incorrect version, however a correct copy has been submitted (received: 14/5/2025). The metric indicates 0.1584 habitat units are required to achieve the mandatory +10% net gain in biodiversity. The application does not specify how this will be achieved, however this is not a legal requirement and can be agreed as part of the net gain plan condition. Based on the indicative layout, there is considered to be limited availability to provide sufficient planting to achieve the +10% onsite and it is therefore assumed that this will be secured via purchased units/credits at a habitat bank, or alternatively on land off-site owned by the applicant. The BNG condition must be discharged prior to the commencement of development.

The submission includes a preliminary ecological assessment (PEA) which provides the results of the bat roost and emergence surveys. The Biodiversity Officer is content with the findings, however because the surveys were undertaken in 2024, updated bat surveys would be required if works do not commence within 12months. A condition has been attached to this effect.

The updated PEA addresses queries raised by the Biodiversity Officer regarding barn owl; barn swallow and hedgehog. On this basis, there is no objection in relation to biodiversity subject to strict accordance with the attached conditions, which includes the installation of 1x bird and bat box per dwelling, in accordance with the adopted Biodiversity and Geodiversity SPD. This is afforded significant weight in the planning balance.

Conclusion

The principle of residential development in this location is acceptable, with housing considered to be a more appropriate use than the existing storage operation. The site is in a sustainable location, surrounded by residential properties. Although the loss of an existing larger dwellinghouse is discordant with the principle of Local Plan Policy H9, given the proposed uplift in the number of dwellinghouses, this is acceptable in this instance.

The development is proposed in outline, with only access details being agreed at this stage. The Highways DC Officer has no objection to the proposed vehicular/ pedestrian access, with a condition attached to secure the footpath widening works. The residential parking arrangements will be assessed as part of the reserved matters application, along with the layout, appearance and landscaping.

There are no outstanding consultee concerns subject to strict accordance with the conditions attached in relation to highways, drainage, contamination and ecology/BNG. Overall, and taking into account the planning balance, the proposed development of 5x dwellings is acceptable.

RECOMMENDATION: Granted with 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:

- Updated BNG Metric;
- Updated Preliminary Ecological Appraisal

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.