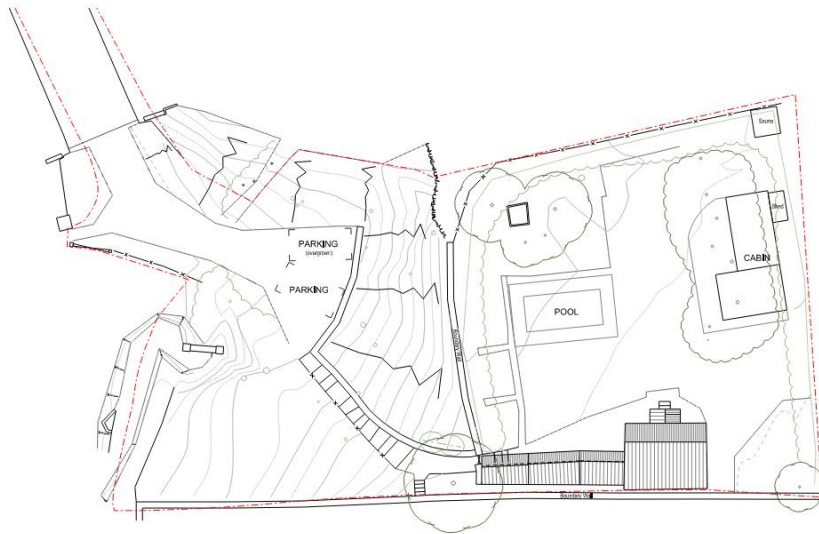
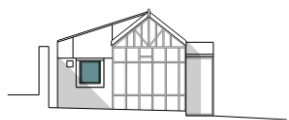


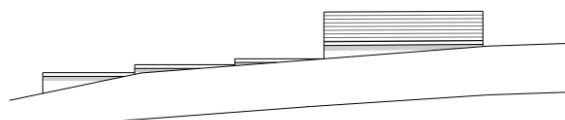
Front Elevation - North West



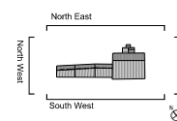
Garden Elevation - North East



Rear Elevation - South East



Back Elevation - South West



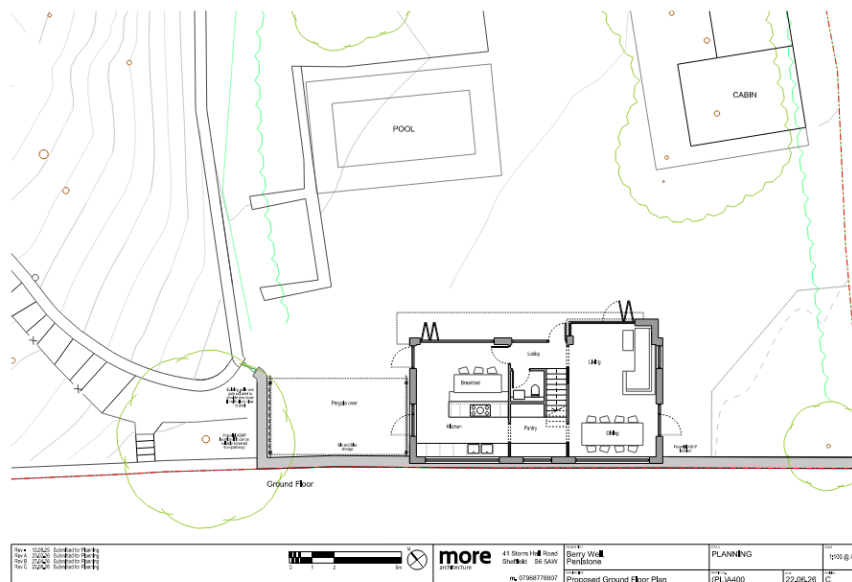
Site History

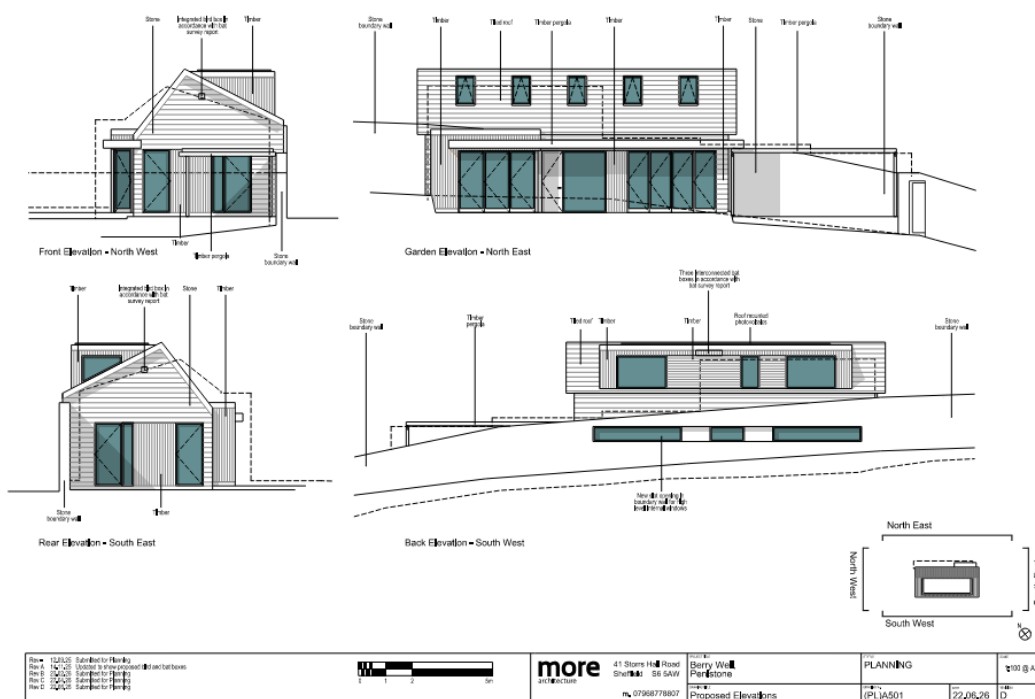
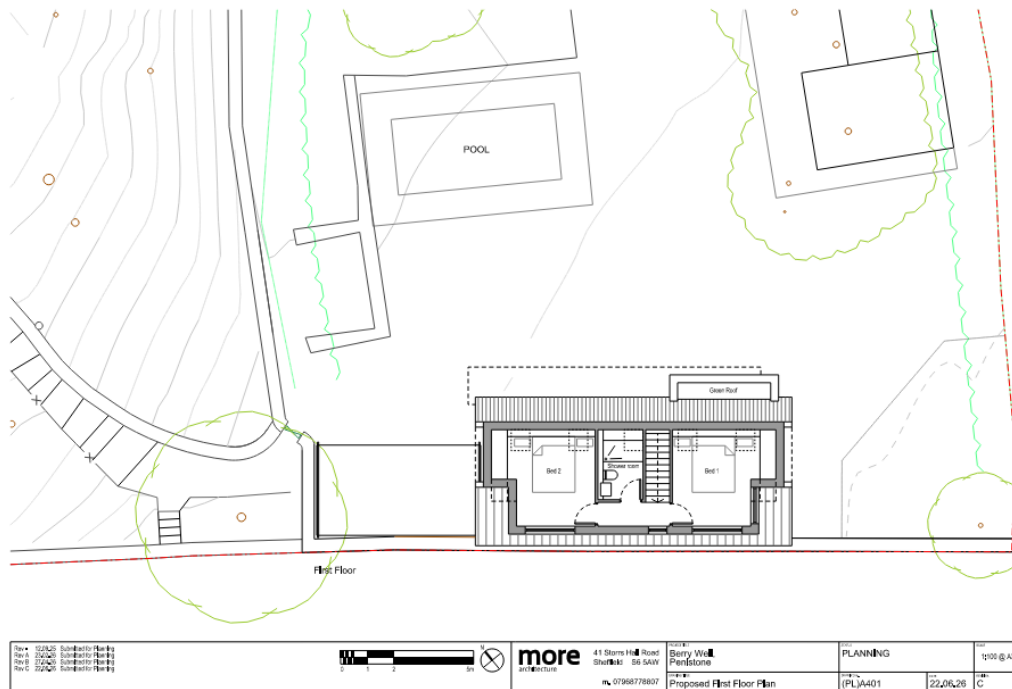
Application Reference	Description	Status (Approved/Refused)
None		

Detailed description of Proposed Works

The proposal seeks to demolish the existing dwelling and replace with a new dwelling of a similar footprint. The proposed dwelling will be constructed with a mix of stone, timber and tiles and will incorporate a green roof at the front. The proposal will also incorporate some wooden pagoda's on the front and side elevations to creative covered outdoor spaces. The roof is pitched and has been designed asymmetric with roof lights on the front elevation and a large flat roof dormer on the rear. This will facilitate living accommodation in the roof space and solar panels will adorn the dormer roof.

The dwelling will comprise a living dining room, and kitchen diner, w/c, and large pantry at ground floor level, and two double bedrooms and a shower room within the roof space. The rear of the property will be incorporated as part of the boundary wall with high level windows looking out onto the open fields. There is a large amount of glazing to the front and sides of the property with two sets of bi-folds facing into the garden serving the living and kitchen areas.





Relevant policies

The Development Plan

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 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 site is identified as Green Belt within the Local Plan and as such the following policies are considered to be relevant to this application:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy D1: High Quality Design and Place Making.
- Policy GD1: General Development.
- Policy T4: New Development and Transport Safety
- Policy T3: New Development and Sustainable Travel
- Policy Poll1: Pollution Control and Protection
- Policy LG2: The Location of Growth
- Policy CC1 Climate Change
- Policy H1: The number of new houses to be built.
- Policy H2: The distribution of new homes
- Policy H4: Residential development on small non-allocated sites
- Policy H6: Housing Mix and Efficient Use of Land
- Policy CC2: Sustainable Design and Construction
- Policy CL1 Contaminated and Unstable Land
- Policy BIO1: Biodiversity and Geodiversity
- Policy GB1: Protection of Green Belt
- Policy GB2: Replacement, extension, and alteration of existing buildings in the Green Belt
- Policy GB3: Changes of use in the Green Belt
- Policy GS2 Green Ways and Public Rights of Way

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:

Paragraph 2. States that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 2 - Achieving sustainable development.

Paragraph 7. States that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8. Provides three overarching objectives to sustainability, social, environmental, and economic.

Paragraph 10 states to ensure that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Section 4 - Decision making

Paragraph 39. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 48. Affirms that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Section 5 – Delivering a sufficient supply of homes.

Paragraph 83. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential building; or*
- e) the design is of exceptional quality, in that it: is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.*

Section 9 – Promoting Sustainable Transport

Paragraph 110. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Paragraph 115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements, and the content of associated standards reflect current national guidance, including the National Design Guide and the National Model Design Code ⁴⁸(Policies and decisions should not make use of or reflect the former Design Bulletin 32, which was withdrawn in 2007); and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

Paragraph 116. 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

Section 11 – Making effective use of land.

Paragraph 124. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land, ⁴⁹(Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity) .

Section 12 - Achieving well-designed places.

Paragraph 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities, and other interests throughout the process.

Paragraph 135. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

b) are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users ⁵¹(Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified); and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 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, ⁵²(Unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate) that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

Paragraph 139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, ⁵⁴(Contained in the National Design Guide and National Model Design Code) taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects 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; and/or

b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Section 13 – Protecting Green Belt Land

Paragraph 143. Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas;

b) to prevent neighbouring towns merging into one another;

- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness ⁵⁵(Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.). 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 harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Paragraph 155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed ⁵⁶(Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years; and in the case of traveller sites means the lack of a five year supply of deliverable traveller sites assessed in line with Planning Policy for Traveller sites.);*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework ⁵⁷(In the case of development involving the provision of traveller sites, particular reference should be made to Planning Policy for Traveller Sites paragraph 13.); and*
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.*

Section 15 Conserving and Enhancing the Natural Environment.

Paragraph 193. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons ⁷⁰and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

Paragraph 196. Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Paragraph 197. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

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:

- Design of Housing Development
- Biodiversity and Geodiversity
- Parking
- Trees and Hedgerows
- Walls and Fences
- Sustainable construction and climate change adaptation

Other Material Considerations

- South Yorkshire Residential Design Guide

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

Relevant Consultations

Ward Members	No comments received
Highways DC	The highways department have no objections to the amended proposal subject to informative.
Pollution Control	The pollution department have no objections subject to conditions
Drainage	Happy for the details to be checked by building control
Yorkshire Water	No comments received
Biodiversity	No objections subject to condition
Parish Council	No comments received
Tree Officer	No objection subject to conditions
PROW	Some concerns, include condition if approved

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

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 placed nearby and a press notice placed in a local newspaper.

Planning Assessment

The main issues for consideration are as follows:

- The impact on the character of the area
- The impact on the Green Belt
- Impact on residential amenity
- The impact on the highway network, including PROW, and highways standards
- The impact on the ecology and biodiversity of the site of the site

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

Local Plan Policy H6: Housing mix and efficient use of land, states that proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness ⁵⁵(Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate). 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 harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless one of the following exceptions applies:

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

Policy GB1: Protection of Green Belt, sets out that the Green Belt will be protected from inappropriate development in accordance with national planning policy.

Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt, sets out that the erection of replacement buildings in the Green Belt where the new building would be of the same use and would not be materially larger than that which it replaces, will be allowed provided the development would not have a harmful impact on the appearance, or character, and will preserve the openness of the Green Belt.

The proposed is for the demolition and redevelopment of an existing house within the Green Belt. Local Plan Policy GB2 is the starting point for assessing this and states:

Provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we will allow the following development in the Green Belt:

- Replacement buildings where the new building is in the same use and is not materially larger than that which it replaces.

The proposed new dwelling is approximately 68m² which is just over the size of the existing house at 58.09m². It is materially larger than the building it is replaces and therefore policy GB2 and paragraph 154 of the NPPF are not strictly complied with.

It must be noted that the existing dwelling is small with very little circulation space and does not comply with the modern spatial standards set within the South Yorkshire Residential Design Guide. The Council has observed that the proposed dwelling is not excessive in size, the rooms are proportionate and the internal layout and size has been kept to a minimum whilst meeting the internal spatial standards set out within the South Yorkshire Residential Design Guide. The original design has been amended and reduced significantly in size to reflect the requirements of the Planning Department. The new dwelling will incorporate the rear boundary wall and will overlay a similar footprint to the existing, which will lessen the overall impact within the green belt. It must also be noted that through utilising permitted development rights a dwelling of a similar scale could be achieved on this site.

Policy GB2 also expects development in the green belt to be: *'of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials'*. The proposed dwelling has been designed to reflect the principles of the existing dwelling. The palette of materials are in keeping with the area and typical of rural buildings within the area. The design of the building has traditional elements and whilst there are a number of large windows these are in keeping with this traditional approach in style and detailing. The dwelling has rooms in the roof space accommodated within the dormer which will ensure that the height of the property remains relatively low, reducing the visual impact and overall massing and scale of the building.

Therefore, whilst the proposed is materially larger than the existing dwelling, it is accepted that through utilising the PD rights available a dwelling of a similar scale to the proposed could be achieved on this site. These PD rights can be removed as part of this application to restrict further development of the site. Furthermore, by demolishing and rebuilding the dwelling, a better quality of design can be achieved. In addition, the proposed site could be considered previously developed land and, in line with paragraph 154 (g), it is not considered that the small increase in floorspace would cause substantial harm to the openness of the Green Belt. As such, the proposed does comply with the spirit of Local Plan Policy GB2 and paragraph 154 of the NPPF and the principle of development in this instance is therefore considered to be acceptable.

Scale, Design and Impact on the Character

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 GD1 General Development states that Proposals for development will be approved if they include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape.

Local Plan Policy D1 states that development is expected to be of high-quality design that should respect, take advantage of and reinforce the distinctive, local character and features. Developments should contribute to place making; be of high quality; complement and enhance the character and setting of distinctive places and transform environments which lack distinctiveness. Proposals should provide an inclusive environment; clear connections and ensure ease of movement for all users whilst making use of high quality materials and architectural quality.

Paragraph 139 states that development that is not well designed should be refused, and significant weight should be given to development which reflects 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.

Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt, sets out that the erection of replacement buildings in the Green Belt where the new building would be of the same use and would not be materially larger than that which it replaces, will be allowed provided the development would not have a harmful impact on the appearance, or character, and will preserve the openness of the Green Belt.

Policy GB2 also expects development in the green belt to be: *'of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials'*.

SPD: Design of Housing Development indicates that elevations and fenestration should be designed in such a way that they provide relief, depth texture, and modelling. It also denotes that development must respect local context and history, and the materials should take into consideration the local area.

The proposal seeks consent to erect a new dwelling within the confines of the site. The proposed dwelling has been designed to reflect the principles of the existing dwelling. The palette of materials are in keeping with the area and typical of rural buildings within the locality. The design of the building has traditional elements and whilst there are a number of large windows these are in keeping with this traditional approach in style and detailing. The dwelling has rooms in the roof space accommodated within the dormer which will ensure that the height of the property remains relatively low, reducing the visual impact and overall massing and scale of the building.

The proposal seeks to retain the boundary treatment surrounding the site. In particular the proposal seeks to incorporate the boundary wall to the rear of the existing property within the build essentially using it as the rear wall of the new dwelling. Although this is unusual, the impact is not expected to be more detrimental than the existing property within this setting. The existing trees and hedges will be retained which will help to soften the impact when viewing the site in its entirety within this green belt setting.

In view of the above, it is considered that the proposal would not result in an unacceptable impact on the visual amenity of the locality. As such, the scheme is acceptable from a visual amenity perspective in compliance with Local Plan Policy D1: High Quality Design and Place Making, GB1: Protection of the Green Belt, GD1: General Development and SPD: Design of Housing Development and SPD: Design of Housing Development and is in compliance with the principles set out within the NPPF.

Given the proportions of the proposed dwelling and taking into account the existing outbuildings within the site it would be reasonable to remove permitted development rights from the property to ensure that overdevelopment does not occur which may negatively impact the surrounding green belt.

Significant weight has been given to the design and impact on the character of the area.

Impact on 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 of neighbours and future occupiers,, are compatible with neighbouring land and do not significantly prejudice the current or future use of neighbouring land.

Local Plan Policy POLL1 states development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

The proposal is for the erection of a detached dwelling to replace the existing within the confines of the site. It is noted that there are no immediate neighbours to the site therefore significant adverse effects are not expected as a result of this proposal. The proposal will be replacing a like for like development and as such is not expected to negatively impact on the locality.

Although Policy GD1 of the Local Plan does not include reference to any specific space standards, it states that proposals for development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents amongst other matters. Policy D1 of the Local Plan expects development to be of a high quality, including through its layout and design, so that it contributes to a healthy, safe, and sustainable environment.

The 2023 Design of Housing Development Supplementary Planning Document (SPD) advises that all developments should achieve the internal spacing standards set out in the South Yorkshire Residential Design Guide (SYRDG). It also advises that rear gardens of proposed dwellings should be at least 50 square metres in the case of two-bedroom houses/bungalows and 60 square metres for houses/bungalows with three or more bedrooms.

The proposal is for the erection of a two-bed dwelling. The SYRDG sets out acceptable internal spatial standards. The proposal meets the internal spatial standards set out within the SYRDG and the Council is satisfied that the proposal will deliver acceptable living conditions protecting the residential amenity of future occupiers in line with planning policy. The external amenity space also meets with the requirement in both SPD: Design of Housing Development and the South Yorkshire Residential Design Guide.

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

It is therefore concluded that the internal living space and external amenity area of the proposed development would be of a sufficient size and configuration such that future occupiers would have acceptable living conditions, and the existing residential amenity of the neighbouring dwellings is retained.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development, Local Plan Policy D1: High Quality Design and Placemaking, SYDG, SPD: Design of Housing Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

Significant weight has been given to the impact on residential amenity.

Highways

The site is accessed via a narrow track off Sheffield Road (B6462) which forms part of the network of Public Rights of Way, namely Oxspring Footpath No.15.

The proposals involve the demolition of the existing dwelling and the erection of a replacement dwelling, as such, there would be no intensification of use of the site access. It is stated within the submitted information that there are two parking spaces within the site and that these are to remain.

The Council's Highways DC Officer has assessed the proposal and concluded that the proposals would not affect the existing vehicular access and parking arrangements or otherwise adversely impact upon the highway.

In view of the above, it is considered that the proposals would not result in an unacceptable impact on highway safety. As such, the scheme is acceptable from a highways development control perspective in compliance with Local Plan Policy T3: New Development and Sustainable Travel and T4: New Development and Transport Safety.

Significant weight has been given to highway safety.

Biodiversity

Local Plan Policy BIO1 Biodiversity and Geodiversity states that development will be expected to conserve and enhance the biodiversity and geological features of the borough by: Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance; Maximising biodiversity and geodiversity opportunities in and around new developments; Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest; Protecting ancient and veteran trees where identified; Encouraging provision of biodiversity enhancements.

Development which may harm a biodiversity or geological feature or habitat, including ancient woodland and aged or veteran trees found outside ancient woodland, will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

The proposals include the construction of a residential dwelling to replace the existing building on site. The proposed dwelling is a custom self-build and is therefore exempt from the Biodiversity Gain Condition.

A bat survey report has been submitted in support of the application. The report sets out the findings of a building inspection, which assesses the building as having a low suitability for roosting bats. Signs of nesting birds were also noted.

Ordinarily, a single dusk emergence survey would be recommended for a building with low bat potential; however, as the report details, the Bat Conservation Trust survey guidance states that if all areas of a building have been inspected and no evidence (of bats) is found then further surveys are not appropriate. The building inspection included an endoscopic search, and no signs of bats were identified.

The report recommends that a destructive survey of the building is carried out prior to the building being demolished by a qualified ecologist. If bats are found to be present during the destructive search, the need for a protected species licence would need to be considered. In addition to the destructive search there are recommendations for precautionary measures to be adopted for nesting birds, the installation of integrated bat and bird boxes as part of the new building, the use of cladding membrane safe for bats and the use of sympathetic lighting. The recommendations set out within the report are satisfactory and can be secured by way of a planning condition.

The bat survey report details that the site comprises a swimming pond and a wildlife pond. Details of the ponds on site and the precautionary working methods in relation to amphibian species have been submitted and the Council's Biodiversity Officer is satisfied and considers the methods to be proportionate to the proposals.

Further recommendations within the report include a destructive survey of the building carried out under supervision of a qualified ecologist prior to demolition works. If bats are found to be present during the destructive search, the need for a protected species licence would need to be considered. In addition to the destructive search there are recommendations for precautionary measures to be adopted for nesting birds, the installation of integrated bat and bird boxes as part of the new building, the use of cladding membrane safe for bats and the use of sympathetic lighting. The recommendations set out within the report are satisfactory and can be secured by way of a planning condition.

In view of the above, it is considered that the proposals would not result in an unacceptable impact on biodiversity in compliance with Policy BIO1: Biodiversity and Geodiversity. Conditions will be attached to the decision notice to comply with the above.

Moderate weight has been given to Biodiversity.

Trees

Local Plan Policy BIO1 Biodiversity and Geodiversity states that development will be expected to conserve and enhance the biodiversity and geological features of the borough by: Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of

international, national and local significance, ancient woodland and species and habitats of principal importance; Maximising biodiversity and geodiversity opportunities in and around new developments; Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest; Protecting ancient and veteran trees where identified; Encouraging provision of biodiversity enhancements.

Development which may harm a biodiversity or geological feature or habitat, including ancient woodland and aged or veteran trees found outside ancient woodland, will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

The Council's Tree Officer has assessed the site and has the following comments: the site contains a significant amount of tree cover, however in this instance only T1 and G4 will be directly impacted by works. G4 is a relatively inconsequential group of Privet of which a small part of will need to be reduced back to facilitate the works. This will not have any real detriment on the aesthetics of the trees as a whole.

The Downy Birch tree T1 will require a minor crown reduction back away from the proposed dwelling, again however this will not be detrimental to the tree or the aesthetics of the site/trees as a whole. There will also be some minor encroachment into the rooting area of T1 by the foundations of the new dwelling as well as to locate a new air source heat pump. The arboricultural impact assessment (AIA) noted that pile foundations will be used to mitigate the impacts on this tree as far as possible, likewise the AIA notes that the air source heat pump will be installed on paving slabs at existing ground level and as such should not have a significant impact on the tree.

An outline arboricultural method statement has been provided as part of the AIA, however it is only outline at this stage and as such a full AMS will need to be conditioned to deal with the installation of the air source heat pump and the construction of the piled foundations as well as the general protection measures as laid out in the outline AMS. A suitable AMS will be required, and this will be conditioned. The tree officer has concluded that there are no objections to the proposal.

In view of the above, it is considered that the proposals would not result in an unacceptable impact on Biodiversity in compliance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

Moderate weight has been given to the impact to trees on and around the site.

PROW

Policy GS2 Green Ways and Public Rights of Way states that the Council will protect Green Ways and Public Rights of Way from development that may affect their character or function.

Although no Public Rights of Way appear to be directly affected by the proposed development, ie on the development site, two Public Footpaths (Oxspring FP 15 and Penistone FP 103) are potentially affected. Oxspring FP 15 runs south along the single access track from Sheffield Road to the site and then beyond the site and up some historic stone steps. Penistone FP 103 runs south of the tunnel westwards to join the TPT.

The Council's Public Rights of Way Team have some concerns regarding site traffic along this very narrow access track. An informative will be placed on the decision notice to ensure

that there will be no vehicles parked on the public footpaths and when vehicles are on site, banksmen will be used if reversing up and down the access track to protect pedestrians.

The proposal is therefore considered to comply with the NPPF and Local Plan Policy GS2 Green Ways and Public Rights of Way and is considered acceptable.

Limited weight has been given to the impact on the locality.

Planning Balance and Conclusion

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

RECOMMENDATION: Approve subject to conditions

Justification

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

It was necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application.

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.

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 (Nos. 25-007-EX01 Existing Location and Block Plan; 25-007-P01 Rev A Location Plan; 25-007-P02 Rev B Proposed Site Plan; 25-007-P03 Rev A Proposed Ground Floor House A; 25-007-P04 Rev A Proposed First Floor Plan House A; 25-007-P05 Rev A Proposed Elevations House A; 25-007-P06 Rev A Proposed Elevations House A; 25-007-P07 Proposed Ground Floor Plan House B; 25-007-P08 Proposed First Floor Plan House B; 25-007-P09 Proposed Elevations House B; 25-007-P10 Proposed Garage Plan House A; 25-007-P11 Proposed Garage Elevations House A) and specifications as approved unless required by any other conditions in this permission.

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

3. During works, construction or demolition related activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or 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

4. No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition, and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

Tree protective barrier details

Tree protection plan

Arboricultural method statement

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, 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. The approved landscaping details shall be implemented prior to the occupation the dwelling.

Reason: In the interests of the visual amenities of the locality.

6. Before the development is brought into use, that part of the site to be used by vehicles shall be surfaced in a bound, solid material and adequate measures shall be so designed into the proposed access to avoid the discharge of surface water from the site on to the highway.

Reason: 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.

7. The site has been identified to be at risk from potential coal mining legacy issues. Prior to commencement of built development, Intrusive site investigations must therefore be undertaken to determine mining legacy risks and ground conditions as advised by the Groundsmiths mining risk assessment ref GUK-0625-03 dated 18th August 2025. The site investigations and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication C758D "Abandoned mine workings manual" where applicable. A report detailing the findings of the investigation, and any recommended remediation/mitigation, shall be submitted for approval in writing to the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details. In the case of further stabilisation works being required, the condition will not be discharged until a validation report for the works has also

been submitted. Responsibility for securing a safe development rests with the developer and/or landowner.

Reason – Land stability NPPF sections 189 a, b, c. 190 and 180 e & f

8. No development shall take place until the further investigation works described in report 'LCRM: Stage 1 Risk Assessment & CMRA, Birkland Farm, Gilbert Hill, Langsett', produced by Groundsmiths Geotechnical Engineers, dated 18 August 2025, ref: GUK-0625-03/Rp-001, have been carried out.

To ensure compliance with Local Plan Policy CL1 'Contaminated and Unstable Land'.

9. No development shall take place until a report is provided to the Local Planning Authority, following further investigation works, detailing an appraisal of any remedial works required and timescales for these works. The report shall be endorsed by a competent engineer experienced in ground contamination and remediation. The development shall thereafter be undertaken in full accordance with the submitted report.

To ensure compliance with Local Plan Policy CL1 'Contaminated and Unstable Land'.

10. Where remediation is to be completed, a verification report shall be submitted to the Local Planning Authority on completion of the works. The report shall be endorsed by a competent engineer experienced in ground contamination and remediation.

To ensure compliance with Local Plan Policy CL1 'Contaminated and Unstable Land'.

11. During works, construction or demolition related activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To reduce or remove adverse impacts on health and quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

12. The development shall be completed in line with the recommendations within the Ecological Appraisal Report (Birkland Farm, Penistone Ecological Impact Assessment 26th September 2025). All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO1 and SPD Biodiversity and Geodiversity.

13. Prior to the commencement of works, a Biodiversity Enhancement Management Plan (covering the first five years of the scheme) shall be completed in line with the recommendation within the Ecological Impact Assessment and shall be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of Biodiversity and in accordance with Local Plan Policy BIO1 and SPD Biodiversity and Geodiversity.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or

other alteration of the dwellings 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: To safeguard the openness and visual amenities of the Green Belt in accordance with Local Plan Policy GB1: Protection of Green Belt.