

Application Reference: 2025/0534

Location: The Bungalow, 1 Green Lane, Hoyland Common, Barnsley, S74 0DR.

Introduction

This application seeks planning permission for the erection of a detached granny flat/annexe.

Relevant Site Characteristics

This application relates to a modest sized plot located on the west side of Green Lane off Tankersley Lane and within an area that is principally residential characterised by detached and semi-detached dwellings of varying scale and appearance. The Evri parcel distribution centre is located to the south-west and Junction 36 of the M1 is located to the north-west. Green Lane is a private access road that is unadopted and poorly surfaced and services at least six existing dwellings.

The application property is a one and half storey bungalow constructed of stone with a pitched slate roof. The application property is located to the north within the development site. A detached garage is under construction adjacent to the application property to the south.



Site History

There is an extensive planning history associated with the development site, but the most relevant applications are as follows:

2007/1817	Erection of 1 single storey dwelling.	Approved.
2010/0117	Erection of 1 no. detached bungalow.	Approved.
2010/1201	Erection of 1 no. detached bungalow (Resubmission).	Refused – <i>In the opinion of the Local Planning Authority the proposed dwelling would be contrary to UDP policies H8D and GS9, as well as PPG2 and PPS3, in that the eaves height, ridge height, roof design and unbalanced fenestration would result in a conspicuous, prominent and dominant feature that would have a significant detrimental effect on the visual amenity of the surrounding area and the Green Belt.</i>
2022/0738	Retention of 'as built' chalet bungalow dwelling, installation of two new dormer windows on west facing elevation and the erection of a detached double garage (Part Retrospective).	Approved.
2022/1281	Erection of 1no detached dormer bungalow with a detached single garage.	Refused – <i>In the opinion of the Local Planning Authority the proposed development would be contrary to Local Plan Policy H9 'Protection of Existing Larger Dwellings' in that the proposed dwelling would have an adverse impact on the setting of the original larger dwelling and the size of the remaining garden area. Furthermore, the proposal represents an undesirable form of infill development which, given the shallow depth of the site and close proximity of the neighbouring dwelling and garage, would not reflect the immediate prevailing settlement pattern of the area and appear overdevelopment</i>

of the site to the detriment of the visual amenity of the street scene, contrary to Local Plan Policy D1.

The South Yorkshire Residential Design Guide states that unadopted shared private drives may give access up to a maximum of 5 dwellings. However, the proposed dwelling would result in excess of this number of dwellings accessed from a private drive and, as such, the proposal would be contrary to the technical design requirements outlined above. Green Lane is also substandard in terms of surfacing and drainage, a situation which would be worsened by an increase in vehicular movements. Furthermore, visibility at the Green Lane Junction with Tankersley Lane is also substandard as the required sight line of 2.4m x 43m cannot be achieved in the critical direction to the right (East) without encroaching across land outside of the control of the applicant. As such, the development is contrary to Local Plan Policy T4 'New development and Transport Safety' and the Supplementary Planning Document 'Design of Housing Development'. In addition, the residents of the proposed dwelling would also have to move their bins in excess of 60m to the adopted highway for collection which is double the maximum distance of 30m set out in Approved Document H of the building regulations, contrary to Local Plan Policy GD1 'General Development'.

In the opinion of the Local Planning Authority the proposed development would be contrary to Local Plan

		<p><i>Policy GD1 'General Development' in that the position of the existing dwelling and the proposed dwelling, together with the orientation of their associated habitable room windows, would result in excessive overlooking and loss of privacy to the detriment of residential amenity. Furthermore, given the shallow depth of the proposed/remaining garden areas and the proximity of the rear habitable room windows to the rear boundaries, the existing/future residents of the existing and proposed dwellings would be subject to substandard levels of residential amenity.</i></p>
2023/1068	Erection of 1no. dwelling and detached garage.	<p>Refused –</p> <p><i>In the opinion of the Local Planning Authority the proposed development would be contrary to Local Plan Policy H9 'Protection of Existing Larger Dwellings' in that the proposed dwelling would have an adverse impact on the setting of the original larger dwelling and the size of the remaining garden area. Furthermore, the proposal represents an undesirable form of infill development which, given the shallow depth of the site and close proximity of the neighbouring dwelling and garage, would not reflect the immediate prevailing settlement pattern of the area and appear overdevelopment of the site to the detriment of the visual amenity of the street scene, contrary to Local Plan Policy D1.</i></p> <p><i>The South Yorkshire Residential Design Guide states that unadopted shared private drives may give access up to a maximum of 5</i></p>

		<i> dwellings. However, the proposed dwelling would result in excess of this number of dwellings accessed from a private drive and, as such, the proposal would be contrary to the technical design requirements outlined above, as well as Local Plan Policy T4 'New development and Transport Safety' and the Supplementary Planning Document 'Design of Housing Development'.</i>
2024/0468	Erection of a granny annex.	Withdrawn.

Detailed Description of Proposed Works

Planning permission was granted for the erection of a single storey dwelling within the development site under application 2007/1817. The dwelling was not built in accordance with the approved plans. The dwelling was built off the higher land level within the development site rather than the lower level which resulted in an element of under build that was not approved. Additionally, the eaves and ridge height were higher than approved. Consequently, an enforcement notice was served and appealed. However, that appeal was dismissed.

The dwelling 'as built' was approved under application 2022/0738. The erection of a detached double garage was approved under the same application.

The erection of an additional dwelling and detached garage within the development site was refused under applications 2022/1281 and 2023/1068.

Planning application 2024/0468 for the erection of a granny annexe was withdrawn as the proposed annexe was shown to be attached to detached garages that did not exist, and the LPA considered that an annexe could not be erected or attached to a structure that did not exist. Concerns regarding an excessive floorspace and the appearance of two separate dwellings with separate gardens were also raised by the LPA at this time. It was suggested that the applicant should either submit a new full application with amendments, or implement the scheme approved under application 2022/0738 and apply later. It was made clear at the time that any potential future application for the erection of an annexe may prove unacceptable due to the concerns raised.

Planning application 2025/0534 was submitted for consideration. The applicant is seeking planning permission for the erection of a detached granny flat/annexe.

The proposed annexe would measure approximately 6.5 metres (L) x 7.9 metres (W) x 5.2 metres (H) and would be constructed of closely matching external materials. The annexe would adopt an internal floorspace of approximately 39.9 sqm and would comprise a bedroom, en-suite bathroom, storage and open plan living, dining and kitchen area.

During the application process, the proposal was amended to reduce the internal floorspace.



PROPOSED SITE PLAN

NOTES:
 All dimensions to be checked on site. Do not rely on this drawing for dimensions, substantiate and verify the accuracy of all dimensions on site. Commencing from the top left corner.
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SCALE:
 1:500

***TATLOW STANKER ARCHITECTS**
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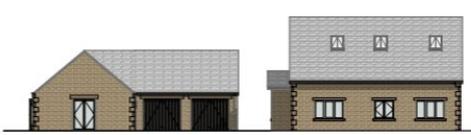
PROJECT:
 GRANNY FLAT ANNEX TO THE BUNGALOW AT GREEN LANE

PROPOSED SITE PLAN
 DATE: JUNE 2025 DRAWN BY: J.S.
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SOUTH EAST ELEVATION



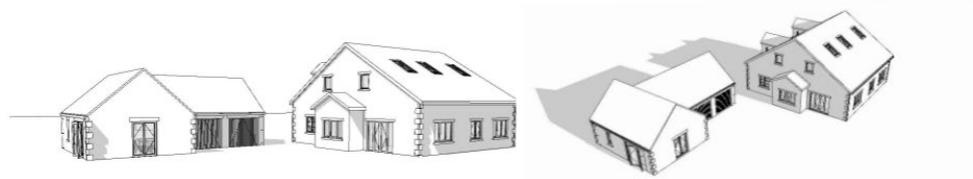
NORTH EAST ELEVATION



NORTH WEST ELEVATION



SOUTH WEST ELEVATION



PERSPECTIVE VIEW FROM WEST

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PROJECT:
 GRANNY FLAT ANNEX TO THE BUNGALOW AT GREEN LANE

PROPOSED ELEVATIONS
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 JOB NO: 22102 CHECKED BY: P.S.
 SCALE: A1, 1/500

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PROPOSED ELEVATIONS
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 JOB NO: 22102 CHECKED BY: P.S.
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Relevant Policies

The Development Plan

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

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

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. The development site also partially falls within HS57 which is land allocated for housing. However, site specific requirements in relation to this land allocation are not relevant in this instance as this application is considering householder development within an existing domestic curtilage.

The following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy D1: High quality design and place making.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T4: New Development and Transport Safety.*

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

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 12: Achieving well designed places.*

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

Supplementary Planning Guidance

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

- *House extensions and other domestic alterations (Adopted March 2024).*
- *Parking (Adopted November 2019).*

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

Consultations

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

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 also posted nearby, expiring 25th July 2025. No representations have been received.

Highway Drainage	<i>No comments received.</i>
Highways Development Control	<i>No objection subject to condition(s).</i>
Pollution Control	<i>No objection subject to condition(s).</i>
Local Ward Councillors	<i>No comments received.</i>

Planning Assessment

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

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

Principle of Development

Extensions and alterations to a dwelling are acceptable in principle if the development would remain subservient and would be of a scale and design which would be appropriate to the host property and would not be detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety.

Scale, Design and Impact on Character

The House extensions and other domestic alterations SPD sets out guidance on proposals garages, outbuildings and annexes

Paragraph 7.29 states that an annexe may be permitted in a rear garden where it would not occupy a disproportionate amount of the garden or have its own separate access or garden area. An annexe should normally have a close physical relationship with the host dwelling and maintain a reliance by having some shared facilities. An annexe should be single storey, and their size shall be up to 39sqm and no larger than the size of a double garage. If the Council is minded to grant planning permission, it will almost always be subject to a condition requiring the annexe to remain ancillary, be the same family occupancy, and one which prevents it being used, sold or rented as an independent dwelling or separated planning unit later.

In this instance, the proposed annexe would be attached to a detached garage, which was approved under application 2022/0738, and is under construction, but not fully implemented. It would adopt a

sympathetic roof type and external materials and its internal floorspace was decreased to align more with the Council's adopted guidance during the application process. Normally, these would represent positive factors. However, in this instance, the proposed annexe would be attached to a garage that would accentuate its appearance as a stand-alone dwelling within the development site and broader street scene. The proposed annexe would be attached to the south elevation of the garage, which would create a degree of separation and result in the appearance of the proposed annexe benefiting from its own separate garden area, contrary to the Council's adopted design guidance. This would further emphasise the proposed annexe appearing as a stand-alone dwelling and would lessen the extent to which the proposal would appear subservient to the host dwelling. The proposed floor plans (A1_07 Rev. P02) also show that the annexe would benefit from all the facilities normally expected to be provided by a dwelling and therefore, the LPA is not convinced that the proposal would remain ancillary to the host dwelling by maintaining reliance on some shared facilities, although the Agent has stated that the annexe would rely on the host dwelling for day-to-day facilities and would share access and garden space and would not include a fully independent kitchen. The submitted drawings appear to contradict this statement. Whilst the LPA could adopt the use of a condition requiring the annexe to remain ancillary, be of the same family occupancy, and which prevents it being used, sold or rented as an independent dwelling or separated planning unit later, this is not considered sufficient in this instance to address the concerns discussed.

Considering the above, this is considered to weigh significantly against the proposal.

The proposal is therefore considered to be contrary to Local Plan Policy D1: High Quality Design and Placemaking and the guidance within the House extensions and other domestic alterations SPD and is considered unacceptable regarding visual amenity. Consequently, in accordance with paragraph 139 of the NPPF, this application should be refused.

Impact on Neighbouring Amenity

It is not considered that the proposal would contribute to significant overshadowing, overlooking and loss of privacy, or reduced outlook impacts which may otherwise adversely affect the amenity of the occupants of the application and neighbouring properties or any potential occupants of the proposed annexe. The proposed annexe would be erected to the south within the development site and away from surrounding properties and would not occupy a disproportionate amount of the garden.

Pollution Control were consulted, and no objections were received subject to a condition controlling construction hours.

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

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity. Nevertheless, development that is considered acceptable regarding residential amenity does not justify the approval of a scheme that is considered unacceptable regarding visual amenity.

Impact on Highways

Highways Development Control have previously objected to proposals under applications 2022/1281 and 2023/1068 which were subsequently refused in part due to highway safety concerns regarding the intensification of use of a substandard private access.

Highways Development Control were consulted on the application under consideration, and whilst it is acknowledged that the proposal does not address the concerns previously raised, the proposal is for an annexe and can therefore only be considered as an extension to the host dwelling. Given this, it is not anticipated that refuse collection requirements would be intensified, and the proposed layout provides adequate off-street parking for the host and annexe accommodation. As such, no objection

was raised subject to the imposition of a condition requiring the proposed annexe to remain ancillary and for access, parking and manoeuvring facilities to be made of a solid bound material.

The LPA has no reason to disagree with the opinion of Highways Development Control and as such, the proposal is not considered to be prejudicial to highway safety.

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

The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety. Nevertheless, development that is considered acceptable regarding highway safety does not justify the approval of a scheme that is considered unacceptable regarding visual amenity.

Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development and therefore, for the reasons given above, and taking all other matters into consideration, the proposal does not comply with the relevant local planning policies and guidance and is therefore considered unacceptable regarding visual amenity. Therefore, planning permission should be refused in accordance with paragraph 139 of the NPPF.

RECOMMENDATION: Refuse.

Justification

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

In dealing with the application referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.