

<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 21 May 2019
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## AGENDA

### 1. Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interest from Members in respect of the under mentioned planning application/s which is/are subject of a site visit.

### 2. Minutes (*Pages 3 - 6*)

To receive the minutes of the meeting held on 16<sup>th</sup> April 2019.

## Planning Applications

Any planning applications which are to be the subject of individual representation(s) at the meeting will be dealt with prior to any other applications.

**If you have any queries in respect of the planning applications included within this pack, or if you would like to register to speak at the meeting, please contact the Planning Department directly at [developmentmanagement@barnsley.gov.uk](mailto:developmentmanagement@barnsley.gov.uk) or by telephoning (01226) 772593.**

3. Land off Saunderson Road, Penistone - 2018/0800 - For Approval (*Pages 7 - 20*)
4. Fairfield, 2 Silkstone Lane, Silkstone - 2018/1082 - For Approval (*Pages 21 - 28*)
5. The Met Centre, Unit SU5, Cheapside - 2019/0373 - For Approval (*Pages 29 - 34*)
6. 25 Longside Way, Barnsley - 2019/0322 - For Approval (*Pages 35 - 40*)
7. 14 South Lea Drive, Hoyland - 2019/0181 - For Approval (*Pages 41 - 44*)

## Planning Appeals

8. Planning Appeals - 1st to 30th April 2019 (*Pages 45 - 46*)

To: Chair and Members of Planning Regulatory Board:-

Councillors D. Birkinshaw (Chair), M. Dyson, Franklin, Gollick, David Griffin, Hand-Davis, Hayward, Higginbottom, Lamb, Leech, Makinson, Markham, Mitchell, Noble, Pickering, Richardson, Saunders, Spence, Stowe, Tattersall and Wilson

Matt Gladstone, Executive Director Place  
David Shepherd, Service Director Regeneration and Property  
Paul Castle, Service Director Environment and Transport  
Joe Jenkinson, Head of Planning and Building Control

Matthew Smith, Group Leader, Development Control  
Andrew Burton, Group Leader (Inner Area), Development Management  
Bob Power, Senior Legal Officer (Locum)

Parish Councils

Please contact Elizabeth Barnard on email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk)

Monday, 13 May 2019

<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 16 April 2019
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

### Present

Councillors D. Birkinshaw (Chair), Coates, M. Dyson, Franklin, Gollick, Hampson, Hand-Davis, Hayward, Higginbottom, Lamb, Leech, Makinson, Markham, Noble, Pickering, Richardson, Riggs, Spence, Stowe, Tattersall, Wilson and R. Wraith

Councillors D. Birkinshaw (Chair), Coates, Higginbottom and Tattersall were in attendance at the site visit.

### 102. Chair's Remarks

The Chair expressed thanks to retiring Members and those seeking re-election for their hard work and dedication to the work of the Planning Regulatory Board over the past year.

Thanks were also expressed to Barbara Wilson, Highway Development Control Manager, who is leaving the Authority shortly for her hard work, dedication and support to the work of the Planning Regulatory Board. The Chair and Members of the Committee expressed their thanks in the usual way and wished her well for the future.

### 103. Declarations of Interest

Councillors Makinson and Coates declared a Non-Pecuniary interest in **Planning Application 2019/0271** [Erection of single storey extension to rear/side of dwelling and provision of associated disabled access ramps at 19 Buxton Road, Athersley South, Barnsley S71 3SR] as they are Berneslai Homes' Board Members.

Councillor Higginbottom declared a Non-Pecuniary interest in **Planning Application 2018/1437** [Variation of conditions (4, 17, 18, 19 and 20) of application 2015/0137: Erection of a Renewable Energy Park to allow for Refuse Derived Fuel (RDF) and waste wood to be used for energy recovery, to increase the capacity limit and daily traffic movements along with amended routing of delivery vehicles and to extend construction hours at land off Houghton Main Colliery Roundabout, Park Spring Road, Barnsley] as she is the Chair of Great Houghton Parish Council. Councillor Coates also declared a Non-Pecuniary interest in the same application as she is a Member of Great Houghton Parish Council.

### 104. Minutes

The minutes of the meeting held on 19<sup>th</sup> March 2019 were taken as read and signed by the Chair as a correct record.

**105. Former Foulstone School Site, Nanny Marr Road, Darfield, Barnsley S73 9AB - 2018/1564 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2018/1564** [Demolition of existing building and erection of 41 dwellings with associated landscape works at former Foulstone School Site, Nanny Marr Road, Darfield, Barnsley S73 9AB]

Messrs Robert Brown and Chris Needham addressed the Board and spoke against the Officer recommendation to approve the application

Ms Jen Patterson addressed the Board and spoke in favour of the Officer recommendation to approve the application

**RESOLVED** that the application be granted in accordance with the Officer recommendation, subject to the completion of a S106 Agreement to secure the amount of affordable housing proposed within the application and £72,539.35 towards public open space enhancements off site; changes to conditions 13 and 17 with regard to trees and road safety respectively and in addition Asset Management are to be informed of the collective will of the Board that the retained part of the site comes forward for retail development at a later date.

**106. Land off Houghton Main Colliery Roundabout, Park Spring Road, Barnsley - 2018/1437 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2018/1437** [Variation of conditions (4, 17, 18, 19 and 20) of application 2015/0137 – erection of a Renewable Energy Park to allow for Refuse Derived Fuel (RDF) and waste wood to be used for energy recovery, to increase the capacity limit and daily traffic movements along with amended routing of delivery vehicles and to extend construction hours at land off Houghton Main Colliery Roundabout, Park Spring Road, Barnsley]

Mr Kevin Osborne addressed the Board and spoke against the Officer recommendation to approve the application

Mr Lee Searles addressed the Board and spoke in favour of the Officer recommendation to approve the application

**RESOLVED** that the application be approved in accordance with the Officer recommendation and subject to the decision type changing to approval of planning permission subject to conditions only (not a S106 Agreement as stated in the report) on the basis that the £50,000 commuted sum for off-site ecological enhancements has already been paid to the Council.

**107. Land at Everill Gate Lane, Wombwell, Barnsley - 2018/1353 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2018/1353** [development of the site for employment uses within use classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) and associated access, parking and circulation areas and infrastructure at land at Everill Gate Lane, Wombwell, Barnsley]

Garry Fox addressed the Board and spoke against the Officer recommendation to approve the application

**RESOLVED** that the application be approved in accordance with the Officer recommendation subject to the imposition of an additional condition requiring details of the external facing materials to be submitted to and approved by the Local Planning Authority (LPA).

**108. Land adjacent 7 Kenworthy Road, Worsbrough Common, Barnsley S70 4LW - 2019/0209 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0209** [Erection of 3 no. two storey dwellings and associated works (2 no. 2 bed semi detached and 1 no. 3 bed detached) at land adjacent 7 Kenworthy Road, Worsborough Common, Barnsley S70 4LW]

**RESOLVED** that the application be approved in accordance with Officer recommendation

**109. Darfield Family Centre, School Street, Darfield, Barnsley, S73 9EU - 2018/1442 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2018/1442** [Single storey extension to building at Darfield Family Centre, School Street, Darfield]

**RESOLVED** that the application be approved in accordance with Officer recommendation

**110. 19 Buxton Road, Athersley South, Barnsley S71 3SR - 2019/0271 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2019/0271** [Erection of single storey extension to rear/side of dwelling and provision of associated disabled access ramps at 19 Buxton Road, Athersley South, Barnsley S71 3SR]

**RESOLVED** that the application be approved in accordance with Officer recommendation

**111. Planning Appeals - 1st to 31st March 2019**

The Head of Planning and Building Control submitted an update regarding cumulative appeal totals for 2018/19.

The report indicated that 3 appeals were received in March 2019, 7 appeals were decided and no appeals were withdrawn.

It was reported that 26 appeals have been decided since 1<sup>st</sup> April 2018, 19 of which (73%) have been dismissed and 7 of which (27%) have been allowed.

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Chair

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**2018/0800**

**Applicant:** Orion Homes & Ms J Horton Mr C Beever, Mr R Biltcliffe C/o Johnson Mowat

**Description:** Full planning application for the erection of 28 no. dwellings (Amended Plans)

**Site Address:** Land off Saunderson Road, Penistone Barnsley, S36 9DU

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**20 Letters of objection have been received from local residents and 7 further letters received in response to the amended scheme**  
**Penistone Town Council Object**

## **Description**

The site is located on the north western edge of Penistone and consists of 0.92 hectares of grazing land. The site is relatively level and is bordered by existing residential development to the north, south and west by properties located on Saunderson Road, Bent Street and Thurlstone Road. The eastern boundary of the site runs along the access road to the Cemetery to the south. The site is accessed from Saunderson Avenue via the cul-de-sac of the previous affordable housing scheme approved under application ref 2013/0072.

The surrounding properties located along Thurlstone Road comprise of a range of architectural styles and materials and are predominately two storeys in height and largely consist of a mix of detached and semi-detached dwellings. Saunderson Road comprises a number of single storey dwellings of simple architectural scale and design; however the more recent affordable housing development of 22 dwellings is of a more modern style.

## **Proposed Development**

This is a full planning application and proposes the erection of 28 dwellings. The scheme initially proposed 24 dwellings, however following the adoption of the Local Plan and to comply with density requirements, an additional 4 units have been proposed.

The scheme comprises a mix of two storey detached, semi-detached and terraced 3 and 4 bed dwellings across a range of eight different house types.

The scheme consists of:-

6 x 3 bed terraced  
10 x 3 bed semi detached  
3 x 3 bed detached  
9 x 4 bed detached

The properties proposed are of a brick-built construction and include architectural features such as front gable features, bay windows, lean-to front projections and sill detailing to doors and windows. Material details consist of a mix of red brick and grey and red roof tiles to match with the adjacent dwellings.

The following documents have also been submitted with the application:-

- Phase 1 Geo-environmental Report
- Statement of Community Involvement
- Viability Appraisal
- Design and Access Statement
- Transport Statement
- Flood Risk Assessment & Drainage Strategy
- Phase 1 Geo Environmental Assessment
- Ecological Appraisal
- Arboricultural Survey and Statement, Method Survey and Tree Protection Plan

- Air Quality Assessment
- Archaeological Survey
- Landscaping Scheme

## **Planning History**

There have been no previous planning applications submitted on this site, however the land was part of a larger site of which the southern portion was developed for 22 affordable dwellings, approved under planning application 2013/0072.

## **Policy Context**

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

### Local Plan

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

The site is an allocated Housing Site within the Local Plan Policies Map - HS72 Land east of Saunderson Road, Penistone - Indicative number of dwellings 29.

The development will be expected to:

Retain the heathland in the southern half plus provide a buffer strip of vegetation to the cemetery at the south; and

Respect the historic setting of the listed buildings at 8-10 Thurlstone Road and the group character of Penistone Conservation Area 200m to the east. Development will require the use of appropriate site layout, sympathetic design that reflects the setting, scaling, massing, details and materials.

Archaeological remains may be present on this site therefore proposals must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary) that must include the following:

- Information identifying the likely location and extent of the remains, and the nature of the remains;
- An assessment of the significance of the remains; and
- Consideration of how the remains would be affected by the proposed development.

The following policies are also of relevance:-

SD1 'Presumption in Favour of Sustainable Development'  
 GD1 'General Development'  
 LG2 'Location of Growth'  
 H1 'The number of New Homes to be Built'  
 H2 'Distribution of New Homes'  
 H6 'Housing Mix and Efficient Use of Land'  
 H7 'Affordable Housing'  
 T3 'New Development and Sustainable Travel'  
 T4 'New Development and Transport Safety'  
 D1 'High Quality Design and Place Making'  
 LC1 'Landscape Character'  
 HE1 'The Historic Environment'  
 HE2 'Heritage Statements and General Application Procedures'



HE3 'Developments Affecting Historic Buildings'  
HE6 'Archaeology'  
GI1 'Green Infrastructure'  
BIO 'Biodiversity and Geodiversity'  
CC1 'Climate Change'  
CC2 'Sustainable Design and Construction'  
CC3 'Flood Risk'  
CC4 'Sustainable Drainage Systems (SuDs)'  
RE1 'Low Carbon and Renewable Energy'  
CL1 'Contaminated and Unstable Land'  
Poll1 'Pollution Control and Protection'  
AQ1 'Development in Air Quality Management Areas'  
I1 'Infrastructure and Planning Obligations'

#### SPD's/PANs

The following Supplementary Planning Documents and Planning Advice Notes are currently being updated and have been out to consultation. Those of relevance to the proposal are:

- Designing New Residential Development
- Parking
- Open Space Provision on New Housing Developments
- Planning obligations
- Affordable Housing
- Financial contributions to Schools

#### Penistone Neighbourhood Plan

Penistone Neighbourhood Plan has been submitted for examination to an independent examiner. This Plan sets out the vision and objectives for the future of Penistone and development proposed in it. A key component of the vision is to *'offer a range of housing that provides for all sectors of the community, as well as attracting new residents to the area's unique blend of town and country'*. In addition, the 10 objectives support development whilst protecting the town's rural and historic character.

#### NPPF

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

In respect of this application, relevant policies include:

The Presumption in Favour of Sustainable Development  
Delivering a sufficient supply of homes  
Conserving and Enhancing the Historic Environment

#### **Consultations**

Biodiversity – No objections subject to conditions

Contaminated Land – No objection subject to condition

Drainage – No objections subject to conditions

Education – The proposal would impact on the deficit of school places already in the area, therefore we would require a S106 contribution for educational provision for 6 primary pupils and 4 secondary pupils generated by the development.

Highways – No objections subject to conditions

Penistone Town Council – Object as it is deemed to be on a flood plain, inadequate surface water drainage, (phase 1 is already encountering such problems) and the impact on the existing highway infrastructure.

Police Architectural Liaison – the development would benefit greatly from being constructed to Secure by Design and a number of recommendations have been made which have been passed to the agent.

Regulatory Services – No objections subject to conditions

SYMAS – The site is not located within a Coal Mining Referral Area

Tree Officer – No objection subject to conditions

Yorkshire Water – No objections made to the submitted plans

Councillor Kitching - has raised the following concerns:-

- Drainage
- Concerns regarding the safety of the exit from the estate onto the A628, both from Saunderson Ave and also from Bents Road,
- Concerns regarding traffic flow at the Bridge End traffic lights,
- Impact on local schools, and
- To ensure that any S106 money generated from this and further developments is spent in the immediate area to mitigate the many impacts of this development on the residents of this community.

## **Representations**

The application has been advertised by way of a site notice and properties within the vicinity have been consulted by letter. The following comments have been received in response.

20 Letters of objection have been received to the original proposal for 24 dwellings which raised the following concerns:-

- Drainage
- Flood risk
- Change in levels and impact on hydrology
- Existing drainage problems to existing properties
- Loss of openness, view and outlook
- Loss of privacy to home and gardens
- Visual impact
- Loss of green space
- Construction Traffic problems
- Disruption during building works
- Access should be allowed to Bent Street
- Increased traffic
- Impact on traffic at Bridge End traffic lights
- Existing parking problems on Saunderson Road
- Insufficient affordable housing
- The Council own the ransom strip
- Impact on schools and doctors and capacity issues
- All money received should be spent locally
- Properties should be designed with environmentally friendly technology

7 further objections and the following comments have been received to the amended scheme for 28 dwellings:-

- Concerns regarding increased number of dwellings and increase in traffic/highway safety concerns
- Impact of additional units on local facilities such as school places and doctors
- Increased disturbance/noise
- Loss of privacy
- Impact on drainage
- Impact of the development upon visual amenity
- Insufficient affordable housing provided

## **Assessment**

### Principle of Development

The Barnsley Local Plan was adopted on the 3<sup>rd</sup> January 2019. The site is allocated in the Local Plan for housing under site reference HS72, Land east of Saunderson Road. As such, subject to the detailed requirements of this policy being met and any additional policy requirements as identified in the assessment of the application, the proposed development is acceptable in principle subject to the material considerations outlined below.

### Visual Amenity

In terms of density, Policy H6 Housing Mix and Efficient Use of Land states that a minimum density of 40 dwellings per hectare will be expected in Urban Barnsley and Principal Towns. However, the policy does state that lower densities will be supported where they are necessary for character and appearance, need, viability or sustainable design reasons. The indicative number of dwellings shown in the site specific policy for site HS72 within the Local Plan is 29. The proposal amounts to 28 dwellings which is 30.4 dwellings per hectare. Whilst this is less than the indicative number of units, the proposal put forward complements the pattern of development in the area and is therefore seen as more appropriate to the character and appearance of the area than a more dense development would be.

The layout of the proposed development is acceptable and is dictated by the existing access road which is located off Saunderson Road to the south of the site. The proposed dwellings would be orientated in a relatively traditional layout, arranged with small cul de sacs with the properties fronting the road and having parking to the front/sides/rear with small buffer gardens between the road and the front elevations and all have private gardens to the rear.

In terms of the site allocation, the text to the allocation HS72 Land east of Saunderson Road, Penistone states that development on the site should:-

- Retain the heathland in the southern half plus provide a buffer strip of vegetation to the cemetery at the south; and
- Respect the historic setting of the listed buildings at 8-10 Thurlstone Road and the group character of Penistone Conservation Area 200m to the east. Development will require the use of appropriate site layout, sympathetic design that reflects the setting, scaling, massing, details and materials.

The land was part of a larger site in the former Unitary Development Plan of which the southern portion was developed for 22 affordable dwellings, approved under planning application 2013/0072. This constructed development now provides the buffer between this scheme and the cemetery to the rear. As such a green buffer of vegetation is no longer required. In relation to the design, the applicant has proposed eight different house types and would be developed with a mix of detached properties with some semi-detached and terraced properties, which reflects the type of housing in the area. It is acknowledged that a number of plots would have parking spaces to the front, rather than side, of the dwellings making vehicles relatively prominent within the streetscene. However, these parking

spaces would be broken up and softened by gardens and planting. Furthermore, the proposed parking layout reflects that of the existing properties on Saunderson Road.

With regards to the historic setting of the listed buildings at 8-10 Thurlstone Road, these listed buildings are approximately 170m away from the site and would be screened from the development by existing housing and vegetation. As such it is not considered that there would be any detriment to the setting of the listed properties. In a similar manner, the Conservation Area is 200m away and is predominantly at a higher level to the site and therefore the impact of the development on its setting would be minimal. In terms of the design, the houses have been designed with architectural features such as front gable features, bay windows, lean-to front projections and sill detailing to doors and windows. The Conservation Officer has been consulted and has no objection to the proposal in terms of design or materials proposed. As such the plans are considered to be acceptable with regards to Local Plan Policy HE1 'The Historic Environment' and Policy D1 High Quality Design and Place Making.

### Residential Amenity

Objections have been raised with regard to the impact of the proposal upon the residential amenity of the adjacent dwellings. The relationships between existing and new properties shown on the submitted site plan are in compliance with the Council's spacing standards and should not cause any significant overlooking, overbearing or overshadowing impact.

Concerns have been raised by residents with regard to a loss of view and outlook over this land. Unfortunately this is not a material consideration and cannot be taken into account when assessing the planning application.

The internal layout of the properties provides a good standard of living space in accordance with the Internal Space Standards in the South Yorkshire Residential Design Guide and the layout includes adequate sized gardens.

In terms of any impact during construction, the Pollution Control Officer has no objection, however due to the site being surrounded by existing residential developments, conditions are required to ensure the residents are not adversely affected by noise and dust issues during the development works in accordance with Policy Poll1 Pollution Control and Protection.

### Highways

The proposals are to include a singular point of vehicular access from Saunderson Avenue, forming a continuation of the previous affordable housing led scheme approved under application reference 2013/0072. The Local plan allocation states an indicative number of dwellings as 29 which would have been calculated taking into account the capacity of the highway network. The number proposed is just under this indicative number and would therefore be within the capacity threshold that would have been assessed.

It is acknowledged that the signal controlled junction at A628 Barnsley Road/B6462 Bridge Street is currently operating close to capacity in both the AM and PM peaks. In 2024, the junction operates over capacity without the development, obviously when the development is included it is made slightly worse. The NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Normal traffic growth results in the junction operating over capacity in 2024, the addition of the development traffic has only a slight impact. A refusal of planning permission on highway grounds could not, therefore, be substantiated.

Whilst concerns have been raised by residents with regard to the additional traffic and parking, the site proposes 28 dwellings, all of which would have sufficient parking areas. Whilst there would be an increase in vehicular movements via Saunderson Road onto Thurlstone Road the modelling of the junction provided through the submitted Transport Assessment shows that the junction performs very well with no predicted queues or delays in either the am or pm peak hours.

The proposed scheme includes sufficient off street parking, meeting the parking standards as set out in the SPD and has been assessed by the highways as acceptable in terms of highway safety. Consequently, there are no objections to the proposed development in a highway context, subject conditions. Subject to conditions the Council's Highways Section have raised no objections to the scheme

#### Drainage/Flood Risk

Objections have been raised with regard to drainage and potential flood risk as a result of the proposed development. A Flood Risk and Drainage Strategy has been submitted with the application and concludes that the site is not within a flood risk area (Flood Zone 2 or 3). The Environment Agency flood map shows that the site is entirely located within Flood Zone 1, where there is less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year.

Yorkshire Water and the Council's Drainage Officer have not raised any concerns at this stage subject to the imposition of conditions. Any surface water flooding currently affecting the site will be removed by the development's drainage systems. The proposal is considered as being acceptable with regards to flood risk and drainage impacts in accordance with Local Plan Policy CC4.

#### Contamination/Coal Mining Risk

The application has been supported by a Phase 1 Geotechnical Report. The report has concluded there are potential contamination risks to the proposed development and recommended that an Intrusive Site investigation will be required to fully assess the contamination risks. The Contaminated Land officer supports this approach and therefore has raised no objections subject to the imposition of a suitable condition.

SYMAS state that the site is located within a Coal Mining Referral Area therefore a Coal Mining Risk Assessment would not be required.

#### Biodiversity/Trees

The Biodiversity Officer stated that the Council's own ecological report prepared during the Local Plan site allocations indicated that the site appeared to be of relatively low ecological value. The Biodiversity Officer is satisfied with the applicant's Ecological report and no objections are raised on biodiversity grounds subject to conditions requiring the recommendations to be followed. The proposal is considered to be in accordance with policy BIO1 of the Local Plan.

An Arboricultural Survey and Landscaping Proposal has been submitted with the application. There are a number of trees allocated along the eastern boundary located off site along an access to the Cemetery. These trees T1 – T16 are all being retained, and it has been recommended in the Tree Survey to undertake necessary pruning of these trees which has been agreed by the Tree Officer.

Trees and vegetation within along part of the northern boundary are to be cleared for access construction and ground remediation purposes. The remainder of the trees along the boundaries are to be retained and protective measures are proposed to ensure that they are not damaged during construction. Additional tree planting is also proposed within the site as part of the landscaping scheme.

#### Heritage/ Archaeology

A Heritage and Archaeological Assessment has been submitted with the application. In terms of the impact upon heritage assets, the western edge of Penistone Conservation Area is located over 200m from the application site and looking west toward the site from the defined Conservation Area, and are largely obscured by way of existing buildings. The Conservation Officer has been consulted and has no objections to the proposal put forward. The proposal is considered to be acceptable in terms of HE1 and HE2 of the Local Plan.

In terms of Archaeology, Policy HE6, states that 'applications for development on sites where archaeological remains may be present must be accompanied by an appropriate archaeological assessment (including a field evaluation if necessary)'. An Archaeological Desk Based Assessment has been prepared in support of the application in accordance with the Local Plan housing allocation supporting text. The report assessed the potential for archaeological remains on site and concluded that there is limited potential for archaeological remains to be present within the site, with no finds or remains within the study area. Given the lack of known archaeology within the site and the wider area no further works have been recommended.

#### S106 Contributions

Policy I1 Infrastructure and Planning Obligations of the Local Plan states that 'Development must be supported by appropriate physical, social, economic and communications infrastructure, including provision for broadband.

Development must contribute as necessary to meet all on and off site infrastructure requirements to enable development to take place satisfactorily.

Where the necessary provision is not made directly by the developer, contributions will be secured through planning obligations.

As the development proposes 28 dwellings, there is a requirement for the developer to provide contributions towards, additional school places, affordable housing and green space. These are assessed below:-

#### Additional School Places

The Council's Education Officer has been consulted and states that the proposal would impact on the deficit of school places already in the area. Due to the number of new homes proposed in Penistone over the period of the current core strategy the existing provision will be insufficient to accommodate all demands during the duration of the existing and proposed plans. As there are capacity issues, and given the numbers of pupils that would be generated by the development, the following contributions would be required:-

6 primary pupils at a cost of £96,000  
4 secondary pupils at a cost of £64,000

A total contribution of £160,000 would be required and should be secured part of the Section 106 Agreement.

#### Affordable Housing

Local Plan Policy H7 states that housing developments of 15 or more dwellings will be expected to provide affordable housing. 30% affordable housing will be expected in Penistone and these percentages will be sought unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable.

In line with Policy H7, an independent viability assessment has been carried out which states that:-

(Given the submitted evidence) we agree that the scheme is unable to support the target policy level of affordable housing as well as the full complement of S106 contribution. However, we have adjusted our appraisal with the aim of arriving at a viable level of affordable housing provision. We believe that this can be achieved by reducing the number of affordable units to 6 units"

It has therefore been demonstrated through an independent viability assessment that the required figure would render the scheme unviable. It has therefore been agreed with the developer that 6 affordable units would be provided on site with a 50/50 split between affordable rent and shared ownership. The details of their type and positioning can therefore be agreed through a Section 106 agreement. On this basis, the scheme is considered to comply with Policy H7.

### Green Space

The development involves the loss of an area of greenspace, known as GS1886 - Saunderson Road Open Space and Natural Area. Policy GS1 Green Space states that proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

- An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or
- The proposal is for small scale facilities needed to support or improve the proper function of the green space; or
- An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

In order to improve the quantity, quality and value of green space provision we will require qualifying new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy and in accordance with the requirements of the Infrastructure and Planning Obligations Policy.

Where there is a requirement to provide new green space an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints. In cases where it is deemed unsuitable to make provision for open space within or adjacent to a development site, suitable off-site open space facilities may be acceptable either as new facilities or improvements to those existing.

An assessment of the green space provision shows that Penistone does not have the range of green spaces to meet local standards. However, given the allocation of the site for housing in the Local Plan, it is considered that the loss of this particular green space would not have a negative impact on the overall provision of green space, subject to the compensatory requirements of GS1. The application involves the total loss of the green space which amounts to 0.8ha. In this instance, we would seek financial compensation for the loss of the green space which is a compensation figure of £125,640 per hectare and therefore totals £100,512.00 which would be used to upgrade existing green space in the locality.

In addition, the Supplementary Planning Document (SPD) 'Open Space Provision on New Housing Developments, which is to be updated, is in line with GS1 states that all residential developments over 20 units are required to provide green space. The SPD required that a minimum of 15% of the gross site area of new housing development must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses.

The layout provided does not indicate any green space provision on site. However, it is considered that the site affords little opportunity to accommodate a green space of sufficient size to address local deficiencies. In this instance, it is deemed appropriate to seek an off-site contribution in its entirety. Based on the unit split shown on the submitted site layout plan, the total off-site contribution for this application would be a total of £53,965.54.

### Conclusion

The site is allocated as a housing site HS72 Land east of Saunderson Road, Penistone within the Adopted Local Plan. The site is also located in Penistone where Policy LG2, The Location of Growth, which states that priority will be given to development in the Principal Towns. A residential development of the site is therefore acceptable and the proposed scheme put forward complies with Local and National Planning Policy, and is therefore recommended for approval.

## Recommendation

**Grant** subject to conditions and completion of section 106 agreements securing off site open space, green space, education and affordable housing contributions: -

- 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. 9295-100 Rev L,  
9295-004 Rev C,  
Tree Protection Plan Rev B,  
6295-100  
6295-003 Rev B,  
01/2017/200,  
01/2017/201,  
01/2017/208  
01/2017/209  
01/2017/212,  
01/2017/213,  
01/2017/220,  
01/2017/221,  
01/2017/236, Rev A  
01/2017/237, Rev A  
01/2017/256,  
01/2017/257,  
01/2017/258  
01/2017/268,  
01/2017/269,  
Phase 1 Geo-environmental Report (Patrick Parsons)  
Statement of Community Involvement (Johnson Mowat)  
Viability Appraisal (Johnson Mowat)  
Design and Access Statement (Johnson Mowat)  
Transport Statement (Patrick Parsons)  
Flood Risk Assessment & Drainage Strategy (Patrick Parsons)  
Phase 1 Geo Environmental Assessment (Patrick Parsons)  
Ecological Appraisal (Brooks Ecological)  
Arboricultural Survey, Tree Protection Plan and Arboricultural Statement (Iain Tavendale)  
Air Quality Assessment (BWB Consulting)  
Archaeological Survey (BWB Consulting)  
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 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place 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: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**
- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in**



**accordance with Local Plan Policy T4 New Development and Transport Safety.**

- 5 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.  
**Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and Poll1 Pollution Control and Protection.**
- 6 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 7 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.  
**Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:-
  - The parking of vehicles of site operatives and visitors;
  - Means of access for construction traffic;
  - Loading and unloading of plant and materials;
  - Storage of plant and materials used in constructing the development;
  - Measures to prevent mud/debris being deposited on the public highway.**Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 9 Prior to commencement of works onsite, the developer shall submit details of actions for mitigation of air quality impact, for agreement with the Local Planning Authority, in accordance with suggested mitigation contained within the air quality assessment submitted in support of the application.  
**Reason: In the interests of minimising the impact of the proposal on local air quality in accordance with Local Plan Policy Poll1, Pollution Control and Protection.**
- 10 No development shall take place unless and until full foul and surface water drainage details, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.  
**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC4.**
- 11 Prior to the commencement of the development details of the provision of an on site water supply or water storage facility along with other dust suppression measures as required shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be put in place from the start of the construction period and shall be adhered to for the duration of the construction period.  
**Reason: In the interests of minimising the impact of the proposal on adjacent residents in accordance with Local Plan Policy Poll1, Pollution Control and Protection.**
- 12 Prior to any construction being undertaken the applicant shall submit to the Local Planning

Authority, for approval, a dust management plan which details how dust will be controlled during the construction stage of the site. Once approved the applicant shall strictly adhere to the dust management plan.

**Reason: In the interests of minimising the impact of the proposal on adjacent residents in accordance with Local Plan Policy Poll1, Pollution Control and Protection.**

- 13 Prior to any construction being undertaken the applicant shall submit to the Local Planning Authority, for approval, a noise management plan which details how noise will be controlled during the construction stage of the site. Once approved the applicant shall strictly adhere to the submitted plan.

**Reason: In the interests of minimising the impact of the proposal on adjacent residents in accordance with Local Plan Policy Poll1, Pollution Control and Protection.**

- 14 No development works shall begin until a report, endorsed by a competent engineer experienced in ground contamination and remediation, has been submitted and agreed with the Local Planning Authority. The report shall, amongst other matters, include the following:-
1. A survey of the extent, scale and nature of contamination.
  2. An assessment of the potential risks to human health, property, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
  3. An appraisal of remedial options, and proposal of the preferred option(s).
  4. A remediation statement summarising the works to be undertaken (if required).
  5. A Validation Report to confirm remediation works have been undertaken (if required).

The above must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The development shall thereafter be undertaken in full accordance with the submitted report.

**Reason: To ensure that any potential contamination risks are minimised accordance with Local Plan Policy Poll1, Pollution Control and Protection.**

- 15 The development shall be carried out in accordance with the mitigation and proposed enhancements detailed within sections 40 and 43 of the submitted Preliminary Ecological Appraisal Report dated November 2016 by Brooks Ecological.

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

- 16 Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason: In order to ensure compliance with Local Plan Policy I1.**

- 17 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

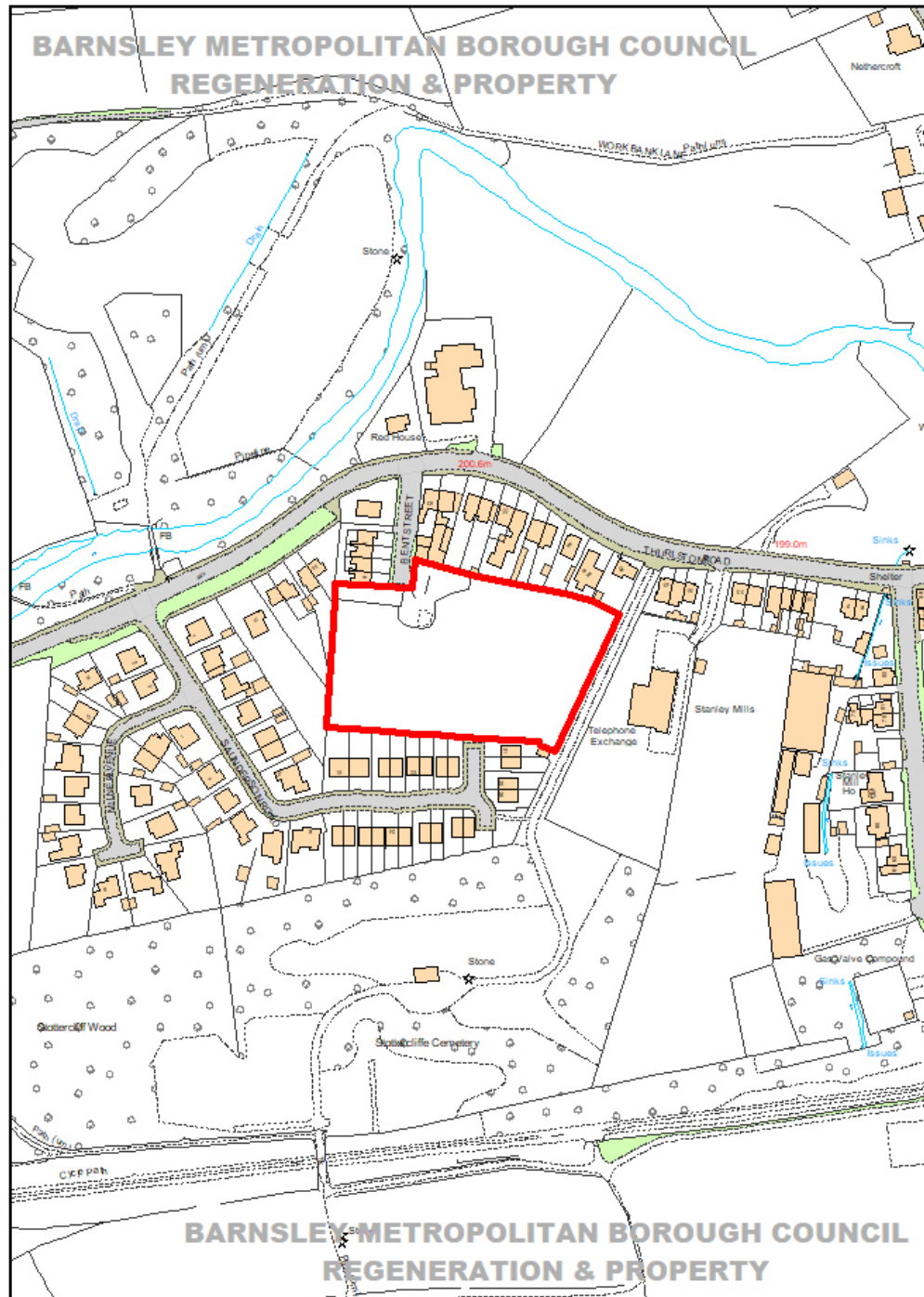
**Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality in accordance with Local Plan Policy BIO1 Biodiversity.**

- 18 The erection of barriers and any other measures specified for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in

accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.  
**Reason: To safeguard existing trees, in the interest of visual amenity and in accordance with Local Plan Policy BIO1 Biodiversity.**

- 19 Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**
- 20 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**

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### **BARNSEY MBC - Regeneration & Property**

Service Director: David Shepherd  
Westgate Plaza One, Westgate  
Barnsley, S70 9FD  
Tel. (01226) 772621



Scale 1: 2500

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**2018/1082**

**Applicant:** Mr & Mrs Gill, C/o 2131

**Description:** Demolition of existing dwelling and erection of new dwelling and detached garage

**Site Address:** Fairfield, 2 Silkstone Lane, Silkstone, Barnsley, S75 4DX

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**Cawthorne Parish Council object**  
**3 letters of representation have been received**

## **Description**

Number 2 Silkstone Lane is a large detached hipped roofed dwelling set on a prominent corner plot on the corner of Silkstone Lane and Lane Head Road. The property is of a traditional style with a large central front gable element to the front and is constructed of stone. The property is currently set at a slight angle on the site and faces the north east.

The site is bordered to the east by Silkstone Lane; to the south and west by neighbouring detached properties and gardens and to the north by an embankment of semi-mature trees extending down to Lane Head Road (A635).

The site is set outside the Cawthorne Conservation Area, but is close to it, being separated by Lane Head Road.

## **Proposed Development**

The proposal involves the demolition of the existing dwelling and erection of a new 5 bedroom dwelling and detached garage. The dwelling has been orientated on the site so that it sits slightly more centrally within the plot than the existing dwelling. The dwelling is designed with gable elements to the front and the rear and a glazed terrace to the first floor on the rear elevation, set above a single storey element. The proposed garage is set to the rear of the site and is of a low impact design with a sedum roof.

The plans have been amended during the course of the application and the ridge height of the dwelling has been reduced. The roof design has also been amended from a pitched roof to a hipped roof to match the existing dwelling on the site.

The materials proposed include Oak, Delph sandstone, zinc cladding, lime pointing, aluminium windows and, conservation rooflights.

A Preliminary Ecological Appraisal, an Arboricultural Implication Assessment and an Arboricultural Method Statement have been submitted with the application.

## **Policy Context**

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

## Local Plan

The site is set within an area of Urban Fabric as allocated within the Adopted Local Plan

The following policies are also of relevance:-

- Policy GD1 General Development
- Policy H4 Residential Development on Small Non-allocated Sites
- Policy T4 New development and Transport Safety
- Policy HE1 Historic Environment
- Policy D1 High Quality Design and Place Making
- Policy Poll1 Pollution Control and Protection
- Policy BIO1 Biodiversity and Geodiversity

### SPDs

The following Supplementary Planning Documents are currently being updated having gone through an initial consultation period and are relevant to the proposal:

SPD 'Designing New Housing Development'

SPD 'Parking' provides parking requirements for all types of development.

The Cawthorne Design Statement is out of date as the policies it supplements are superseded by policies in the Local Plan. This is currently not proposed to be updated by BMBC but if the Parish Council wished they could be incorporated into a Neighbourhood Plan or they could look to update it and submit it to BMBC to carry out the necessary consultation process.

### Other Guidance

The South Yorkshire Residential Design Guide.

### NPPF

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

### **Consultations**

Cawthorne Parish Council – have objected on the following grounds:

- Whilst the site is outside the Conservation Area, the boundary is close by. An application will shortly be made to include the village green and Kirkfield Close within the Conservation Area.
- Concerns regarding the materials put forward including the use of zinc cladding and dressed stone does not conform with the design statement
- The full height windows are excessive in size and quantity and the glazed gable is intrusive
- The proposal will have a negative impact upon the village entrance and Conservation Area
- The site is very visible from the Conservation Area

Ward Councillors – Cllr Barnard raised the following concerns:-

'The plans show a significant amount of glass and zinc cladding which is out of character when compared with the rest of the village and the nearby conservation area. The proposed building would dominate the street scene when viewed from the village green and the A635 entrance to the village. It is not in-keeping with the other properties on Silkstone Lane.'

Yorkshire Water – No objections

Drainage – Details to be checked by Building Control

SYMAS – No objection subject to a condition

Tree Officer – No objections

Highways – No objection subject to conditions

Conservation Officer – No objections to amended plans subject to material samples

## **Representations**

3 representations have been received which raise the following concerns:-

- Object to the loss of another traditional property within Cawthorne being replaced with a modern dwelling
- Concerns regarding design and materials
- Impact on the Conservation Area and views from the village green
- Concerns regarding the scale/size of the dwelling
- Impact during construction (noise/safety/disturbance/construction traffic)

## **Assessment**

### Principle of Development

The site is located within an area of Urban Fabric where Local Plan Policy GD1 applies. The proposal put forward is for one replacement dwelling which is acceptable in principle in accordance with GD1. All new dwellings proposed must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy.

In addition, as the property is set close to the Cawthorne Conservation Area, considerations must be given to the impact on the setting of the Conservation Area in accordance with policy HE1.

### Visual Amenity/Impact on Conservation Area

The proposal is set on a prominent corner plot and will be visible from the margins of the Conservation Area and from an important gateway around the area of the green. In terms of the loss of the building, the Conservation Officer does not believe the existing dwelling has any degree of intrinsic heritage significance, therefore its loss is considered to be acceptable. In terms of any replacement dwelling, the development on this site has the potential to enhance or harm the Conservation Area setting, thus improving or eroding the significance of the designated asset.

The plans have been amended during the course of the application and through discussions with the Conservation Officer. The overall height of the dwelling has been reduced and the roof altered from a pitched roof to a hipped roof. This reduction in the height of the building and the hipped roof proposal reduce the mass and bulk. In addition, the re-orientation of the main elevations of the buildings and the slight set back towards the north assists in reducing the sense of an overbearing new building close to the Conservation Area. In terms of the existing dwelling, the comparison between the ridge of the existing house and that of the proposal amounts to an approximate 720mm increase. This compares favourably to a comparison with the neighbouring house which is a further 1065mm in height to the ridge.

Objections have been raised with regard to the amount of glazing used within the design. The rear elevation features significant amounts of glazing; however this will not be seen from the surrounding areas due to the existing trees along the boundary. The front elevation does feature a large front facing gable element, however this is seen on the existing dwelling. The gable is mainly glazed, however the plans have also been amended to show the windows to this gable to be framed in Oak which can be seen on other properties in the area and would reduce its overall mass. The main side elevations facing Lane Head Road is restrained and only one small window can be seen on this elevation.

Concerns have been raised by the Parish Council with regard to the materials proposed which include, Oak, Delph sandstone, lime pointing, aluminium windows and, conservation rooflights. In terms of the zinc clad front facing gable, the Conservation Officer has no objections to this as there are local and regional precedents of the use of zinc on historic buildings. The Conservation Officer has no objections to the materials proposed and considers these to be in keeping with the Conservation Area and surrounding dwellings, subject to the submission of material samples.

The proposed garage, whilst it is large it is of a low impact design with a sedum roof. The garage would be set to the rear of the site and given its limited height; it would have very little impact upon visual amenity. No objections have been raised with regard to the garage.

On balance, the amended proposal is considered to be acceptable in terms of scale and mass and would preserve the character of the nearby Cawthorne Conservation Area. In addition the site is of a significant size and a two storey dwelling of this nature fits comfortably within the plot. The materials put forward are acceptable subject to the submission of material samples. As such the proposal is considered acceptable in terms of design and the impact on the Cawthorne Conservation Area in accordance with policy HE1 and D1 of the Local Plan.

#### Residential Amenity

Given the size of the site, the separation distances between the proposed dwelling and the existing properties comply with guidelines set out in SPD 'Designing New Housing Development'. There would not be any significant overlooking of adjacent properties in compliance with the SPD. In terms of overshadowing, the proposed dwelling is set to the north of the closest property number 4 Silkstone Lane. This property is set with its main habitable room windows facing the east and west; therefore there would not be a significant loss of light, overbearing or overshadowing impact to the main habitable room windows or private garden areas of this property. The other adjacent dwellings are significant distances away and should not be affected by overshadowing or overbearing impacts.

The proposed garage is set close to the western boundary; however it will be constructed into the existing land levels and would have a maximum height of 1.4m above the adjoining existing ground level at this point. Due to its position and limited height, the garage should not cause any significant overshadowing or overbearing impact upon number 8 to the west.

Concerns have been raised with regard to the construction period and impact on the adjacent dwellings, however standard conditions can be applied to ensure that adjacent residents are protected.

The proposal is considered to be acceptable when measured against the guidelines set within the SPD 'Designing New Housing Development' in terms of residential amenity and the proposal complies with policy GD1 of the Local Plan.

#### Highway Safety

The proposal has sufficient parking and turning areas within the site and as such complies with the SPD 'Designing New Housing Development'. In addition there is sufficient space to allow for construction vehicles to be parked within the site during construction. The Highways Officer has been consulted and raises no objections subject to standard conditions.

#### Impact on Trees

The Tree Officer has been consulted and has no objections to the proposal. Two trees require removal, including a Sycamore Tree along the northern boundary; however its loss is not considered to be significant, given that there is significant tree cover along this boundary. An Ash Tree on the site frontage would be required to be removed due to damage to the stone boundary retaining wall, however it is proposed to be replaced with a selected standard 10-12cm girth Sweet Gum Tree sited 2 metres further into the garden to avoid a re-occurrence of the issue.

In terms of the retained trees, an arboricultural method statement and protection measures have been submitted and agreed by the Tree Officer, therefore subject to the development being carried out with



these documents there should not be any significant impact upon the retained trees in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

### Biodiversity

A Preliminary Ecological Appraisal has been submitted with the application which found bat droppings located within the loft of the existing dwelling. There are also an extensive number of bat records within the local area; therefore there is a risk that the building will be used as a bat roost in the summer. The submitted report recommends in line with best practice guidelines, two bat emergence surveys would be required on the building in suitable weather conditions between May and August, with a minimum of 2 weeks apart. Should a bat roost be observed, a European Protected Species Mitigation Licence (EPSML) from Natural England to allow works that would otherwise be classed as unlawful. In the event that a bat roost is not observed, as bat droppings have been found, the building could be demolished under a Method Statement. A condition should be applied to ensure that the recommendations of this report are followed in accordance with Local Plan Policy BIO1.

### Conclusion

The proposal put forward is for one replacement dwelling within an area of Urban Fabric which is acceptable in principle in accordance with GD1. The amended proposal is considered to be acceptable in terms of scale and mass and would preserve the character of the adjacent Cawthorne Conservation Area. The materials put forward are also acceptable subject to the submission of material samples. As such the proposal is considered acceptable in terms of design and the impact on the Cawthorne Conservation Area in accordance with policy HE1 and D1 of the Local Plan.

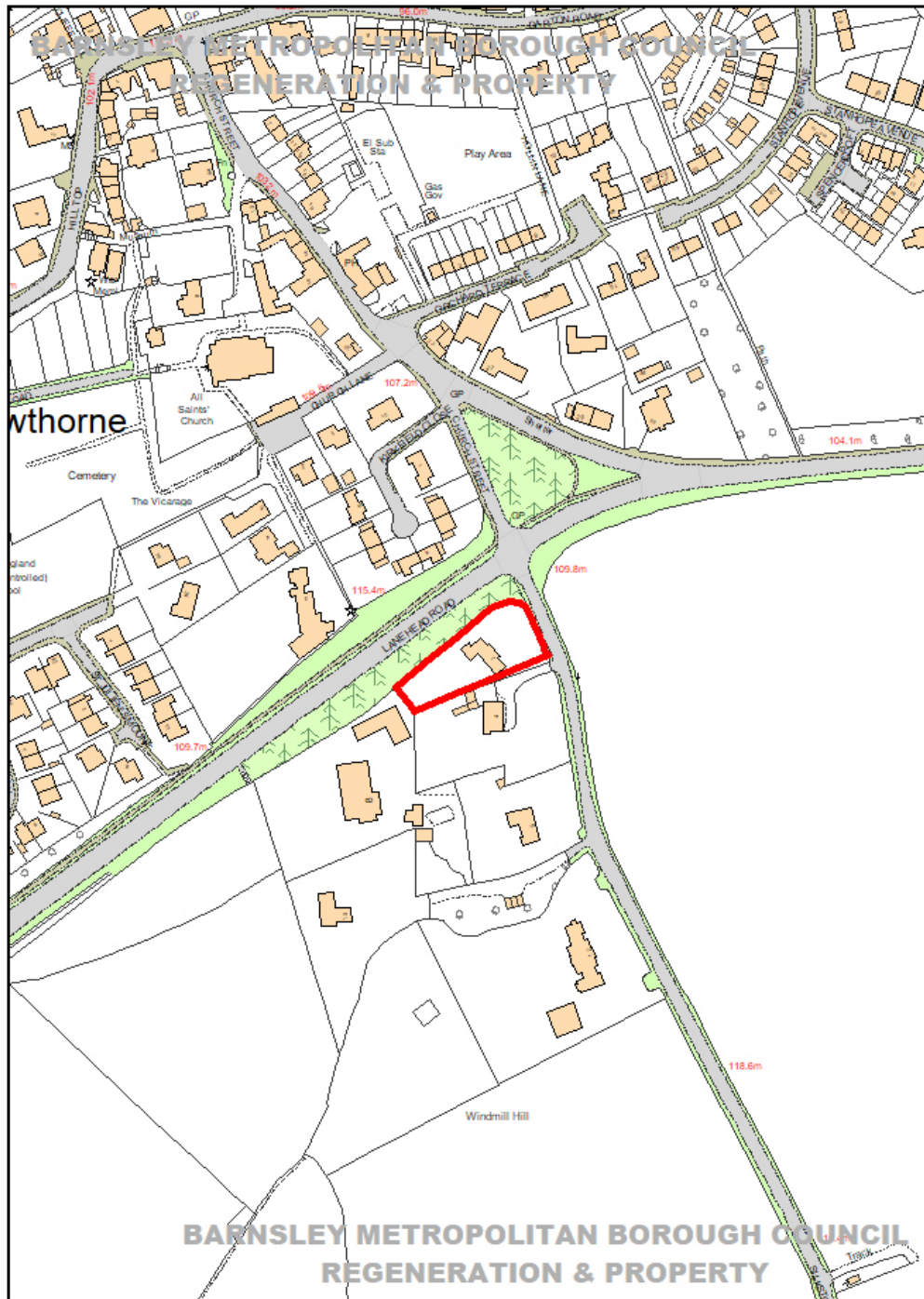
### **Recommendation**

**Approve** subject to conditions:-

- 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.038-201, 038-202 REV B, 038-204 REV B, 038-205, 038-101, 038-102, 038-103, 038-104, 038-206 REV A and the following documents:- Preliminary Ecological Appraisal dated November 2018, Arboricultural Implication Assessment dated 5 March 2019, Arboricultural Method Statement dated 22nd April 2019) 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 Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**
- 4 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place 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: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.**

- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 6 Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 7 All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.  
**Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.**
- 8 Sight lines having the dimensions 2.4m x site frontage shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.  
**Reason: In the interest of highway safety, in accordance with Local Plan Policy T4 New Development and Transport Safety.**
- 9 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - The parking of vehicles of site operatives and visitors
  - Means of access for construction traffic
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - Measures to control noise levels during construction
  - Banksman to be used for all construction, demolition and delivery vehicles entering or exiting the site.**Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.**
- 10 The development site is located in a Coal Authority coal mining referral area due to the possible presence of shallow coal and/or coal mine workings. The site could therefore be at risk from ground instability and associated mining legacy health and safety risks. An intrusive site investigation must therefore be undertaken by a suitably qualified person to evaluate the ground conditions and the potential mining legacy risks. The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication 32 "Construction over abandoned mine workings" where applicable. Prior to commencement of development, a report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details. Responsibility for securing a safe development rests with the developer and/or landowner.  
**Reason: In accordance with the NPPF, 178 a,b,c. 179 and 170 e & f - Land Stability.**
- 11 The development shall be carried out in accordance with the recommendations of the Preliminary Ecological Appraisal dated November 2018.  
**Reason: To ensure that there is no harm to protected species in accordance with Local Plan Policy BIO1.**

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### **BARNSELY MBC - Regeneration & Property**

Service Director: David Shepherd  
Westgate Plaza One, Westgate  
Barnsley, S70 9FD  
Tel. (01226) 772621



Scale 1: 2500

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**2019/0373**

**Applicant:** Mr David Shepherd, C/o IBI Group

**Description:** Alterations to shop front

**Site Address:** The Met Centre, Unit SU5 Cheapside, Barnsley

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No objections received.

## **Site History**

2015/0549 - Outline application with all matters reserved comprising of a mixed use development of Barnsley Markets and adjoining land following demolition of existing offices, bridge, part of existing market hall and multi-storey car park to provide a replacement refurbished retail / market floorspace, new retail / food and drink (Use classes A1, A3, A4), a cinema (Use Class D2), a library (Use Class D1), and new public open space, access road and associated servicing arrangements, car parking and a pedestrian footbridge across the adjacent railway to the site of the former CEAG building – approved July 2015.

2017/0135 - Proposed refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1, A3, A4), and leisure (D2) uses - Reserved matters of outline planning permission 2015/0549 (access, appearance, layout and scale, excluding landscaping) – approved April 2017.

2017/0586 - Mixed use development of land adjoining Barnsley Markets following demolition of part of existing market hall and multi storey car park to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road – approved September 2017.

2018/1569 - Variation of condition 2 (approved plans) of planning permission 2017/0586 to enable changes to the design of the multi storey car park and its access arrangements - Mixed use development of land adjoining Barnsley Markets following demolition of part of existing market hall and multi storey car park to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road – approved February 2019.

## **Site Description**

The application relates to a 374sqm shopping unit (SU5) of the Glassworks Development in the Markets District of Barnsley Town Centre. The retail space is located at the ground floor directly in the middle of Cheapside opposite The Body Shop store. The redline boundary indicates the unit to be rectangular in footprint with three bays fronting Cheapside and four facing the newly formed lane constituting the Glasswork's Arcade. The elevation fronting Cheapside is a primary shopping frontage under Barnsley Local Plan Policies TC2 and BTC13 with A1 uses having long been established in the area as the Metropolitan Centre. The proposal will be framed by the structural form of the building which is clad in Portland stone with the storey above recessed back with buff brick infilled panels.

## **Proposed Development**

The applicant seeks permission to amend and install 7no. shopfront alterations to cavities within Glasswork's SU5. The entrance to the retail store will be positioned on the Cheapside elevation with the shopfronts on this aspect measuring 4.65m in height at a width of 5.6m, 5.4m and 4.2m respectively. In contrast three of the Arcade shopfronts have a height of 3.5m with widths of 5.5m while the fourth recess has the same height as those on Cheapside but at a narrower width at 2.94m. The alterations specifically relate to the introduction of mullions, transoms and curtain wall frame in black aluminium with the glazing panels in the upper part of the frame incorporating grey ceramic glass with the lower, larger panels formed of clear glass. The proposal is the first use for this unit and maintains the A1 use class that was established in this area prior to the Glasswork's development.

## **Policy Context**

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

### Local Plan

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Relevant Local Plan policies include:

GD1 – General Development

D1 – High Quality Design and Place Making

TC1 – Town Centres

TC2 – Primary and Secondary Shopping Frontages

BTC12 – The Markets Area District

BTC13 – Development Site 1 – The Glassworks

### SPDs

The following Supplementary Planning Documents are currently being updated having gone through an initial consultation period and are relevant to the proposal

Shopfront Design SPD

### Others

Glassworks Shopfront Design Guide – IBI Group – Submitted as a part of the design and access statement for application 2017/0135 (the reserved matters application for the Glasswork's).

### NPPF

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

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 58 (general design considerations) and paragraph 64, which states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

## Consultations

*Civic Trust* – Support the application and have stated that, from the information received, are confident that the proposed retail store will be of the standard expected.

*Design* – The urban designer requests that the curtain wall framing is amended to a champagne colour and seeks more clarification with regard to the design of the occupier's signage.

*Ward Councillors* – No response

## Representations

The application was advertised by way of a site notice and consultation letters which were sent to units/properties adjacent to the proposal site. No formal representations have been received.

## Assessment

### Principle of Development

The site is allocated as within the Markets District of Barnsley Town Centre within the Local Plan Policies BTC12 and BTC13. The Markets District is a designation which allows shops, offices, leisure developments, and food and drink uses that are considered compatible with the town centre. Indeed SU5 is within the Glassworks which is a major redevelopment within Barnsley that aims to create and sustain a high quality retail and leisure offer for the town. Similarly, Local Plan Policy TC1 requires all retail and town centre developments to be appropriate to the scale, role, function and character in which they are proposed while Policy TC2 requires primary shopping frontages, of which this unit constitutes a part of the Cheapside Primary Frontage, to remain predominantly retail in nature. As the proposal is for an A1 retail use, in an area previously established for this purpose, the development is acceptable in principle subject to the residential and visual amenity assessments below.

### Residential Amenity

It is not anticipated that the use or alterations proposed will create amenity issues for surrounding commercial units as it is a compatible use and a relatively restrained design in a predominantly commercial area. As such the proposal is considered to be in line with Local Plan Policy GD1 in relation to residential amenity.

### Visual Amenity

Section 2.3 of the IBI Glasswork's Shopfront Design Guide states the following:

*'Where frames are to be provided they should be metal with only natural, achromatic or metallic finishes to be used.'* [p.5]

The proposal for black aluminium frames in this instance thus constitutes the metal frame and finish that would comply with the Glasswork's shopfront guidance. The urban designer's comments are noted in relation to his request for champagne coloured frames, however it is considered that black frames would be more complementary to the grey ceramic glazing proposed in the upper panels of the shopfront which would be retained to maintain the tenants corporate image.

Similarly, the BMBC Shopfront SPD states that:

*'A large number of businesses, comprising national, regional and local chains, have a corporate image which they wish to communicate to the public. This is an understandable aim, which the Council supports.'*

On the basis of the above statement, the inclusion of black frames is further justified to tie-in the shopfront with the tenant's corporate image. Likewise it is considered that the colour chosen will offer a sympathetic tone that will contrast well with the Portland stone cladding which covers the integral structure of the Glasswork's. Indeed the risk of a clash between this proposal and other framing

across the Glasswork's is low due to the presence of this Portland stone cladding that evenly separates the shopfronts with a projecting gap. This gap breaks up the units and maintains a steady colour palette across the facades on Cheapside and The Arcade.

The urban design officer also queried the situation with regard to tenant signage for SU5 however advertisement consent is not covered under this application and the layout of any signage scheme would need to be assessed through the submission of an advertisement consent application.

The shopfront conforms to the scale and proportions of the building in which it is situated and complies with the necessary supplementary guidance outlined above. As such the proposal is not considered to be a detrimental addition to the streetscene or to the wider town centre and is consequently determined to be in line with the SPD – Shopfront Design and Local Plan Policy D1.

### Summary

It is recommended that the proposal is granted permission as it provides an attractive and appropriate shopfront design for a retailer locating business and employment in the town centre which will contribute to the Glassworks becoming a successful retail and leisure space.

### **Recommendation**

**Grant** subject to conditions:-

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

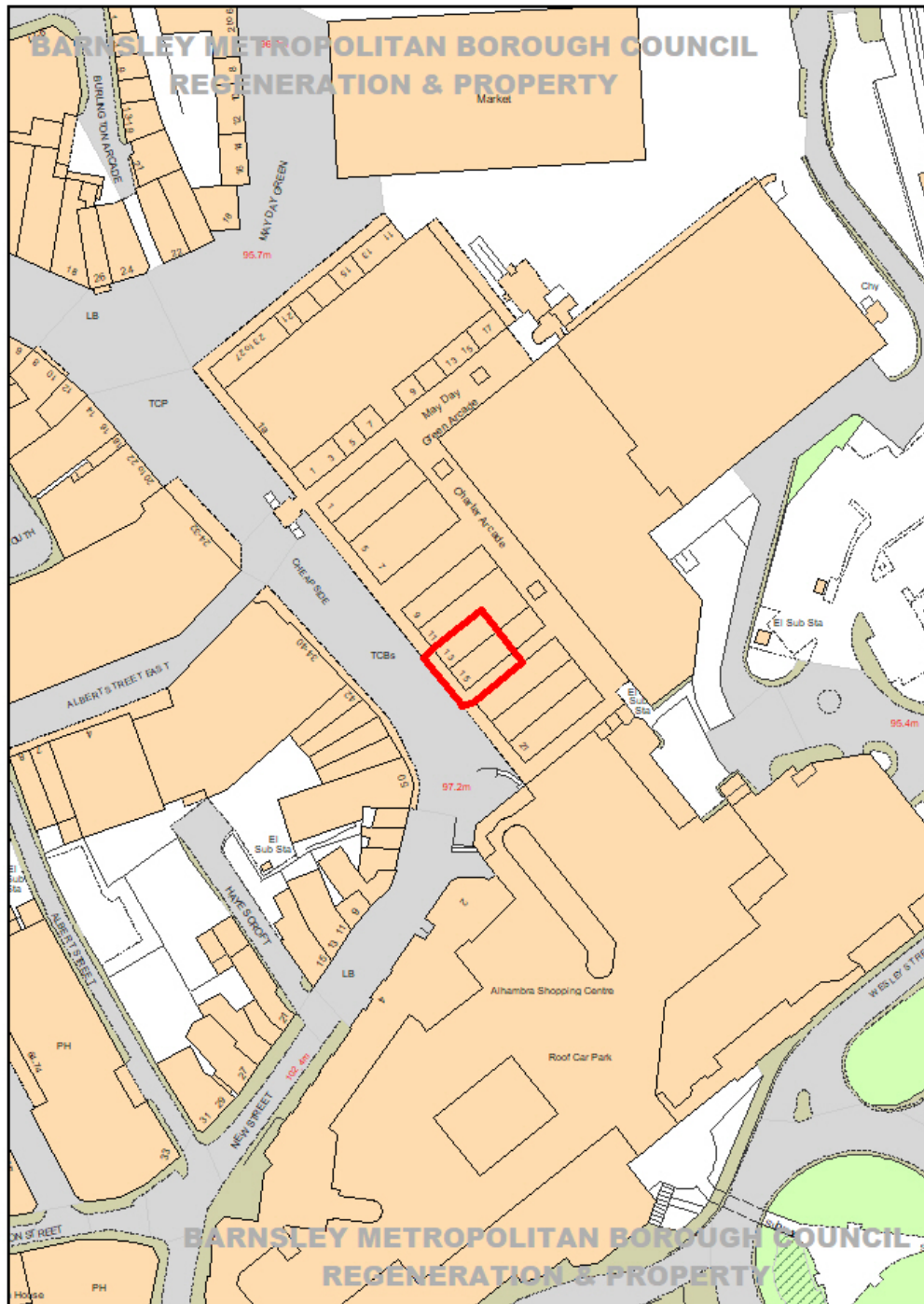
### Plan No:

- Unit SU5 Proposed Curtain Wall Design - BGW2-IBI-MC-XX-XX-A-F100-SU5-0003 Rev P01
- Unit SU5 Site Location Plan - BGW2-IBI-MC-GF-SP-A-F100-SU5-0001 Rev P01
- Unit SU5 Site Plan - BGW2-IBI-MC-GF-SP-A-F100-SU5-0002 Rev P01

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



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### **BARNSELY MBC - Regeneration & Property**

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**2019/0322**

**Applicant:** Mr Brayford, C/o Quill Architecture

**Description:** Enlargement of attached garage to front and removal of rear conservatory and replacement with single storey rear extension to dwelling.

**Site Address:** 25 Longside Way, Barnsley, S75 2JL

---

## **Context**

The application has been brought to board owing to the applicant being related to a member of staff within BMBC's Development Management Team.

## **Planning History**

2007/1089 – Erection of rear conservatory extension to dwelling – Approved.

## **Site Location and Description**

The property is located in the suburb of Pogmoor at the western extent of Urban Barnsley. The dwelling is in a raised position on the southern side of Longside Way adjacent to the junction with Harden Close. The dwelling is detached and set back 7.6m from the highway with a 2.75m by 5.16m projection forming a single storey porch and garage section at the front of the property. At the rear of the dwelling exists a 2.5m by 5.8m single storey pitched roof conservatory extension. Neighbouring properties are similarly detached and set uphill and back from the highway along a partially staggered building line. The materials present across the property are buff brick and white uPVC.

## **Proposed Development**

The applicant proposes an enlargement to the attached garage to the front of the property. The front extension is proposed with an increase in projection of 1.59m toward the highway which reduces the length of the driveway to 6.02m in length while preserving vehicle space standards to maintain the same level of off-street parking for the dwelling. The front extension will also sustain the width of the garage and porch at 5.16m and will moderately increase its total height from 3.8m to 4m when viewed from the roadside. The proposal shall retain a similar door and fenestration design as the existing situation while incorporating a roller shutter door with the materials proposed as matching the main dwelling.

The plans as submitted also include the replacement of the rear conservatory with a single storey rear extension. This would be within the parameters of permitted development and therefore has been removed in the description of the development as it does not require planning permission.

## **Policy Context**

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

## Local Plan

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). Relevant policies include:

GD1 – General Development – There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1 – Design – High quality development will be expected to respect, take advantage of and reinforce the distinctive character and features of Barnsley, particularly heritage, townscape and landscape character including the scale, layout, building styles, and materials of the built form in and around Barnsley Town Centre and within and adjacent to Conservation Areas.

T4 – New Development and Transport Safety – 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.

#### SPDs

The following Supplementary Planning Documents are currently being updated having gone through an initial consultation period and are relevant to the proposal

SPD – House Extensions

SPD – Designing New Housing Development

#### Other guidance

SYRDG – South Yorkshire Residential Design Guide

#### NPPF

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

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

#### **Representations**

The application has been advertised by way of neighbour notification letters. No representations have been received in relation to the proposal.

#### **Assessment**

##### Principle of Development

The extension is proposed upon a dwelling within an area designated as Urban Fabric in the Local Plan Policies Map. This implies that the principle of development has been previously established and that the construction of extensions is acceptable where they do not impact detrimentally on the residential and visual amenity of the vicinity, whilst also not contributing adversely to highway safety.

### Residential Amenity

Owing to the relatively small increase in projection, at 1.56m, the resultant impact of the proposal on residential amenity is believed to be minor. Indeed the single storey element is positioned on the northern side of the principle elevation with the neighbouring dwelling, No. 27, being symmetrically designed in relation to the applicant's dwellinghouse. As such No. 27's garage is situated most proximate to the proposed front extension with the remainder of the neighbouring dwelling recessed away from the two single storey structures. Thus, as the proposed development has a reasonable projection, is limited to a single storey and its pitched roof is angled away from the party boundary, it is determined that its impact upon overshadowing and overbearance of No.27 is unlikely to be at an onerous or prejudicial level.

To conclude, the proposal is not considered to be of detriment to residential amenities in line with Local Plan Policy GD1 and the SPD House Extensions.

### Visual Amenity

Despite the single storey structure being an original component of the dwelling's design, its appearance otherwise implies that it is a front extension. To further extend an existing front extension needs careful assessment to prevent additions being intrusive and discordant within the streetscene with large extensions not normally being acceptable.

Nevertheless the SPD states '*extensions at the front of individually-designed, detached houses, which are set-back from the highway or set on staggered building lines, may, in certain circumstances, be acceptable.*' In this instance the dwelling is not individually designed but it is large, set-back significantly from the highway and set partially on a staggered building line. Indeed the proposal simply emulates the existing form of the structure to which it will be attached while retaining the same access and fenestrative arrangement.

On balance the plot size and arrangement of the dwelling on a somewhat staggered building line mitigates against the increase in the structure's size with its height marginally increasing by 0.2m to suggest that it will not form an overly intrusive feature within the streetscene - especially when many surrounding properties incorporate identical designs.

To summarise, the development is determined to be in line with the design requirements of the SPD House Extensions and Local Plan Policy D1 on the basis of its sympathetic form and scale relative to the host property and neighbouring dwellings.

### Highway Safety

As previously mentioned, the proposal does not affect the amount of off-street parking available on the plot and is therefore believed to be in accordance with Local Plan Policy T4 relating to New Development and Highway Safety.

### Summary

On the basis of the above analysis, the proposed extension is deemed to be in compliance with the SPD House Extensions and Local Plan Policy GD1, D1 and T4 with respect to residential and visual amenity and highway safety. The materials composing the development will be expected to match the main dwelling and will therefore be conditioned as such.

### **Recommendation**

#### **Grant subject to conditions:-**

- 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 external materials shall match those used in the existing building.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**
- 3 The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission.  
Plan Nos.  
CAD/QA/1802 rev A - Proposed Elevations  
CAD/QA/1803 - Existing & Proposed Ground Floor Layouts  
**Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

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**BARNSELY MBC - Regeneration & Property**

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**2019/0181**

**Applicant:** Mr & Mrs Lamb & Shepherd, C/o Mark Smith Architectural Design

**Description:** Erection of single storey rear extension (Resubmission)

**Site Address:** 14 South Lea Drive, Hoyland, Barnsley, S74 9NA

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**1 letter of representation has been received regarding this application.**

## **Site Description**

The application relates to a semi-detached bungalow located in a purely residential area of similar styled properties.

The dwelling in question is set lower than the highway; however the land falls away at the rear elevation, with an overall level difference of approximately 1.4m between the front and rear elevations, increasing to 1.9m at the rear elevation of the extension.

Work has already taken place on the rear extension that was approved under planning permission 2018/0770.

## **Planning History**

2018/0770 – Single storey rear extension to dwelling approved August 2018

## **Proposed Development**

The applicant is seeking permission for the erection of a single storey extension to the dwelling. This application is a resubmission of a previously approved application (Ref. 2018/0770) to provide a revision to the design of the extension.

The extension will have a rearward projection of 3.1m at the eastern elevation and 1.5m at the western elevation, giving the extension a stepped appearance. A patio area with steps down to the garden projects a further 2.5m beyond the rear elevation of the extension at the western side. The extension will have a gable pitched roof, with eaves of 3.6m and a ridge 5.8m. Matching brickwork and roof material are proposed.

The design of the extension has been amended from the previously approved with the introduction of a parapet wall to the western elevation, due to problems with water run-off which had occurred during construction of the previously approved extension. To ensure water coming off the roof is appropriately captured a box gutter is provided adjacent to the parapet. The remainder of the development remains as previously approved.

## **Policy Context**

### Local Plan

Local Plan Allocation – Urban Fabric

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise and the recently revised NPPF does not change the statutory status of the development plan as the starting point for decision making.

The new Local Plan was adopted at the full Council meeting held 3<sup>rd</sup> January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted 2000) and the Core Strategy (adopted 2011).

Local Plan policies of relevance to the scheme are:

Policy GD1 – General Development  
Local Plan Policy D1 – High Quality Design and Place Making

### SPDs

The following Supplementary Planning Documents are currently being updated having gone through an initial consultation period and are relevant to the proposal

SPD – House Extensions

SPD – Designing New Housing Development

Other guidance

SYRDG – South Yorkshire Residential Design Guide

### **Representations**

Notification letters were sent out to surrounding properties. One letter of representation has been received. The objections raised were:

- Incorrect plans were submitted
- The extension is encroaching on to the adjoining property at no. 16
- Drainage issues

Amended drawings were requested to ensure that the correct plans were to be assessed. The objectors were re-consulted on the amended plans submitted on 2/4/19. No further representations were received.

There has been no indication from site visits that any encroachment has been made onto the adjoining property. Furthermore, boundary disputes would be a civil matter between individuals.

### **Assessment**

#### Principle of Development

The site is allocated as Urban Fabric in the adopted Local Plan. As such, extensions and alterations to a domestic property are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

Extensions to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and on highway safety.

#### Residential Amenity

Extensions to dwellings are considered on the basis of overshadowing, loss of privacy and outlook. The only windows on the extension are to the rear which are sufficient distance from neighbouring properties to the south to ensure their amenities are adequately maintained. The extension is not of an excessive size or scale; with a small projection adjoining the boundary with the neighbouring dwelling. As such, it is highly unlikely to have a significantly detrimental effect on the amenity of the neighbouring property and so is considered acceptable. The presence of fencing along the boundary line further mitigates its impact.

It is acknowledged that the construction of the previous approval has caused problems with water run-off from the roof and this has affected the amenity enjoyed by neighbouring residents. This application seeks to correct this issue with the issue of drainage being looked at through the Building Regulations application that has been submitted separately to this planning application.

### Visual Amenity

The extension is located on the rear elevation of the dwelling and so cannot be easily viewed from public vantage points. Although the new parapet wall to the side elevation is not fully harmonious with the rest of the dwelling, it has been constructed to help rectify a problem encountered during construction of the previous approval. The rest of the extension has been designed to harmonise with the original dwelling in terms of materials, detailing and design. It is therefore considered acceptable in terms of visual amenity and in compliance with Local Plan Policy D1 and SPD – House Extensions.

### **Recommendation**

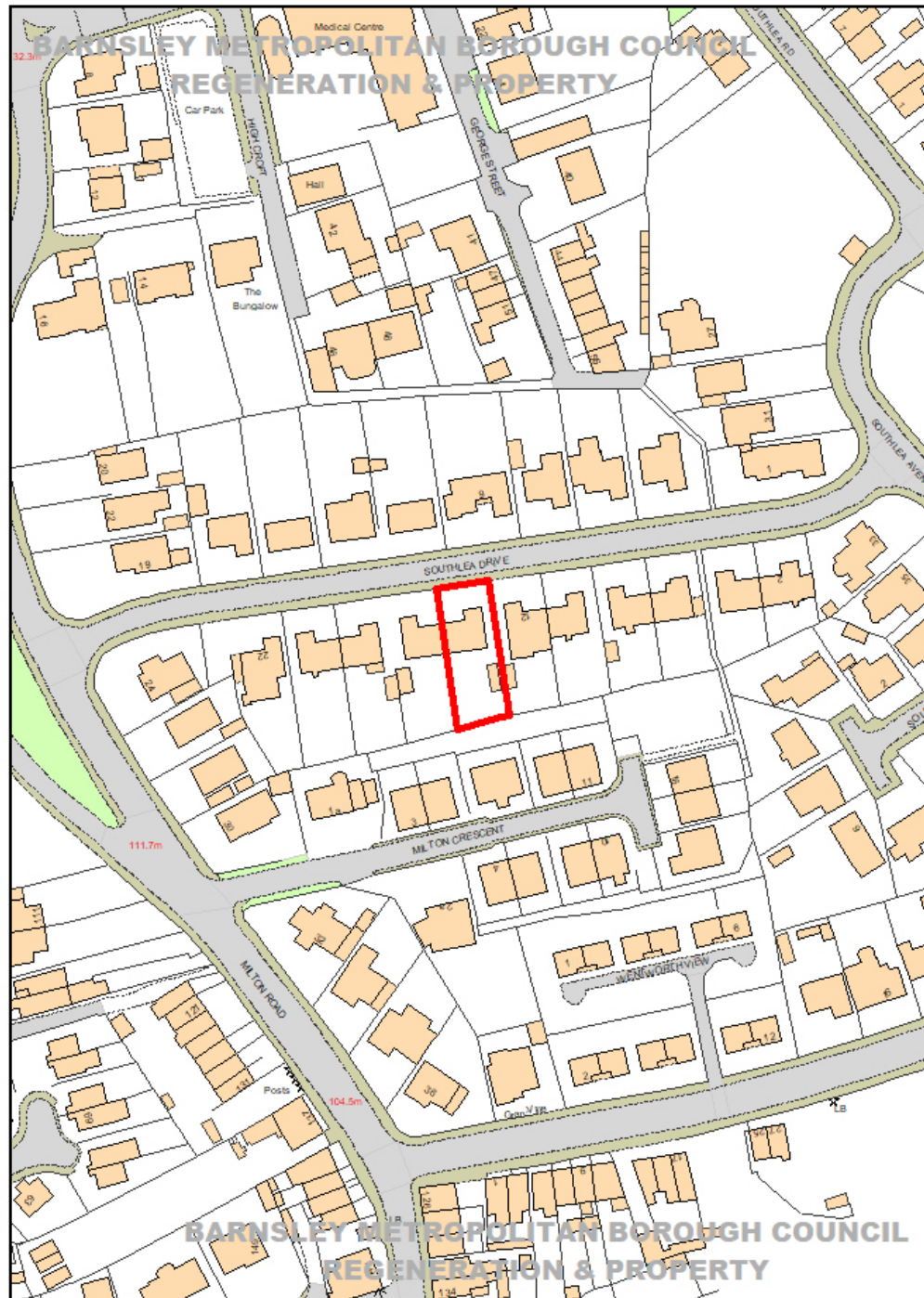
**Approve** subject to conditions:-

- 1      The development hereby approved shall be carried out strictly in accordance with the amended plans (MS/078/18-01 B) 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.**
- 2      The external materials shall match those used in the existing building.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

PA Reference:-

2019/0181

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# Item 9

## BARNSELY METROPOLITAN BOROUGH COUNCIL

### PLANNING APPEALS

01 April to 30 April 2019

#### APPEALS RECEIVED

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
2018/0071	Conversion of redundant farm buildings into 4 no. dwellings and erection of 3 no. additional new build dwelling houses and associated garage blocks <b>Hangman Stone Bar Farm, Moor Lane, Birdwell, Barnsley, S70 5TY</b>	Written Representations	Delegated
2019/0070	Two storey side extension to dwelling. <b>20 Gilder Way, Shafton, Barnsley, S72 8WP</b>	Written Representations	Delegated
2019/0168	Erection of agricultural storage building <b>Muscle Hill Farm, Lee Lane, Royston, Barnsley, S71 4RT</b>	Written Representations	Delegated
2018/1101	Erection of 2no detached bungalows (Outline with all matters reserved) <b>8 Scar Lane, Ardsley, Barnsley, S71 5BB</b>	Written Representations	Delegated

#### APPEALS WITHDRAWN

1 appeal was withdrawn in April 2019

#### APPEALS DECIDED

5 appeals were decided in April 2019

<u>Reference</u>	<u>Details</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
2017/0994	Conversion of first and second floors in 27 residential apartments <b>Hoyland Town Hall, High Street, Hoyland, Barnsley, S74 9AD</b>	Dismissed	Delegated
2017/1463	Removal of condition 4 (Highway Improvement Works) of previously approved application 2014/1573 - Change of use from working mens club (D2) to a church (D1) <b>Seventh Day Adventist Church, Doncaster Road, Kendray, Barnsley, S70 3HA</b>	Allowed	Delegated
2018/0245	Erection of detached garage with store above and erection of boundary fencing and demolition of existing garage. <b>7 Burntwood Close, Thurnscoe, Rotherham, S63 0QQ</b>	Allowed	Delegated
2018/0481	Erection of 1 no. detached dormer bungalow with side attached garage <b>Land adjacent 1 Woodland View, Silkstone Common, Barnsley, S75 4SA</b>	Dismissed	Delegated
2018/1374	Erection of brick outbuilding to the rear of dwelling (retrospective)	Dismissed	Delegated

	<b>21 Kings Court, Wombwell, Barnsley, S73 0FB</b>		
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### **2019/2020 Cumulative Appeal Totals**

- 5 appeals have been decided since 01 April 2019
- 3 appeals (60%) have been dismissed since 01 April 2019
- 2 appeals (40%) have been allowed since 01 April 2019

	<b>Audit</b>	<b>Details</b>	<b>Decision</b>	<b>Committee / Delegated</b>
1	2017/0994	Conversion of first and second floors in 27 residential apartments <b>Hoyland Town Hall, High Street, Hoyland, Barnsley, S74 9AD</b>	Dismissed	Delegated
2	2017/1463	Removal of condition 4 (Highway Improvement Works) of previously approved application 2014/1573 - Change of use from working mens club (D2) to a church (D1) <b>Seventh Day Adventist Church, Doncaster Road, Kendray, Barnsley, S70 3HA</b>	Allowed	Delegated
3	2018/0245	Erection of detached garage with store above and erection of boundary fencing and demolition of existing garage. <b>7 Burntwood Close, Thurnscoe, Rotherham, S63 0QQ</b>	Allowed	Delegated
4	2018/0481	Erection of 1 no. detached dormer bungalow with side attached garage <b>Land adjacent 1 Woodland View, Silkstone Common, Barnsley, S75 4SA</b>	Dismissed	Delegated
5	2018/1374	Erection of brick outbuilding to the rear of dwelling (retrospective) <b>21 Kings Court, Wombwell, Barnsley, S73 0FB</b>	Dismissed	Delegated