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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 Governments 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.

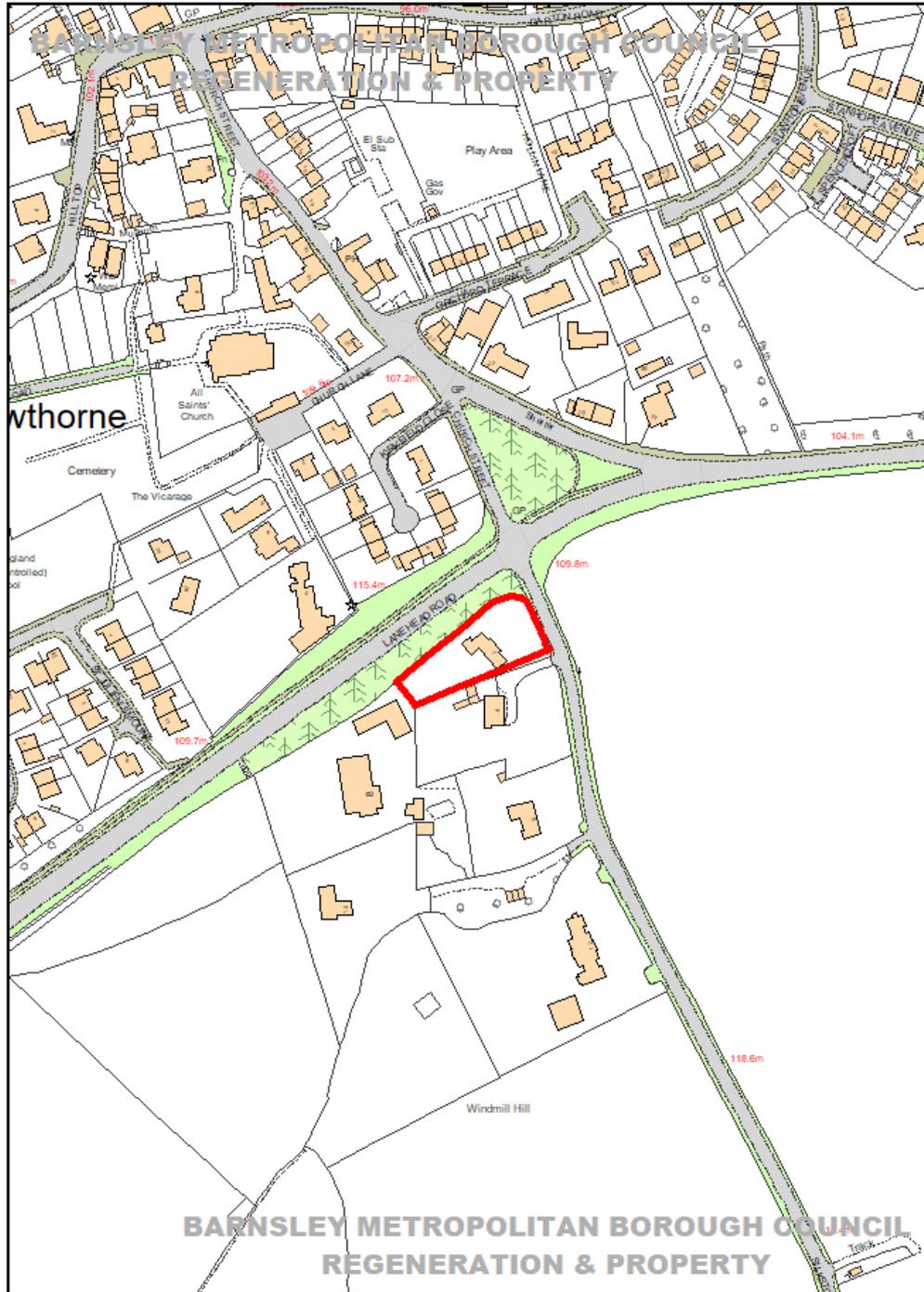
### **Recommendation**

**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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