

The Development Plan

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

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

The following Local Plan policies are relevant in this case:

Policy SD1: Presumption in favour of Sustainable Development.

Policy D1: High Quality Design and Place Making.

Policy GD1: General Development.

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

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

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent.

The most relevant sections are:

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 12 - Achieving well-designed places

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

Supplementary Planning Guidance

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

- House extensions and other domestic alterations

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

Consultations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015. Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

No representations have been received.

Planning Assessment

The main issues for consideration are as follows:

- The principle of the development
- The impact on visual amenity and character
- The impact on neighbouring residential properties

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

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

Principle

The site falls within Urban Fabric. 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.

Scale, Design and Impact on the Character

The House Extensions and Other Domestic Alterations SPD advises that, wherever possible, extensions should be set back from the principal elevation of the dwelling. It also requires that the roof form and pitch reflect those of the host property and, where achievable, be set down from the main ridge height.

In this instance, the proposed extension would be constructed above the existing ground floor side extension, which is already set back substantially from the front elevation and projects beyond the rear elevation. The proposed height, roof pitch and roof style would replicate those of the main dwelling, ensuring the extension integrates cohesively with the existing built form. The use of matching materials further reinforces this sense of continuity, resulting in a development that is sympathetic to both the host property and the wider street scene.

The minor alterations to the conservatory would not increase the overall scale of the extension and would ensure the materials/design are consistent with the host dwelling as such these alterations would have a limited impact.

Accordingly, the proposal is not expected to give rise to harm to the character of the area or the visual amenities of the street scene, and it complies with Policies GD1 and D1 of the Local Plan. This weighs moderately in favour of the application.

Impact on Neighbouring Amenity

The SPD advises that extensions should be designed to avoid significant overlooking of habitable room windows or private gardens of nearby properties. It also states that extensions should not result in unacceptable overshadowing of neighbouring dwellings or their garden areas.

To safeguard daylight and prevent an overbearing impact on adjacent properties, particularly those directly adjoining the site, the 45degree guideline has been applied to the first floor extension. Although the proposed extension would project approximately 5.3 metres beyond the rear elevation, it is located on the opposite side of the dwelling from the neighbouring property and therefore does not intrude into the 45degree exclusion zone.

The proposed window arrangement has also been carefully considered to avoid any overlooking of neighbouring gardens or habitable room windows. To the rear, the principal windows would face a detached garage, preventing direct views into private amenity space or habitable room windows. To the front, the windows are set back from the principal elevation, increasing separation distances from existing windows and ensuring an acceptable relationship.

The minor alterations to the existing conservatory are not considered to result in any harm to neighbouring residential amenity. While the revised roof form introduces a modest increase in massing, the extension itself could be constructed under permitted development rights. Given its scale and the limited change in overall appearance, any impact on adjoining properties would be negligible.

Overall, the proposal is not considered to cause material harm to neighbouring residential amenity and the proposal would accord with Policies GD1 and D1 of the Local Plan. This carries moderate weight in favour of the proposal.

Planning Balance and Conclusion

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

RECOMMENDATION: Approve subject to conditions

Justification

In dealing with the application, the Local Planning Authority has not needed to make contact with the applicant or agent.

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

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