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**2024/0218**

Mr M Harrison

Erection of single storey rear extension to rear of the single storey cottage, excavation works to rear to create new levelled out rear garden with paving surface and replacement retaining walls and fences around the perimeter (Listed Building Consent)

Chimney Cottage, The Avenue, Wortley, Sheffield, S35 7DB

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### **Site Description**

The property is located to the west of Wortley Hall and is located within a terrace of single properties on The Avenue, to the east of Liberty Lane and to the north of the walled kitchen garden associated with Wortley Hall. The dwellings that line The Avenue are not listed under their own merit but fall within the curtilage of Wortley Hall and the registered Park itself. Clearly the properties have an historic as well as functional (ancillary) relationship with the hall and as such listed building consent is required for works to them.

The property is of a red brick construction to the northern elevation, with white render to the rear. The dwelling is designed with a mono pitch roof constructed from grey slate. The dwelling currently benefits from a single storey lean to conservatory extension to the rear elevation.

### **Site History**

2015/1314 – Erection of two storey rear workshop/office extension and single storey rear garden room/kitchen and bedroom extension to dwelling including first floor roof terrace – approved January 2016

2015/1356 – Erection of two storey rear workshop/office extension and single storey rear garden room/kitchen and bedroom extension to dwelling including first floor roof terrace (Listed Building Consent) – approved January 2016

Permission was granted in 2004 at Mushroom Cottage for the erection of a rear conservatory extension under applications B/04/0527/WO (householder) and B/04/0533/WO/LBC (listed building consent)

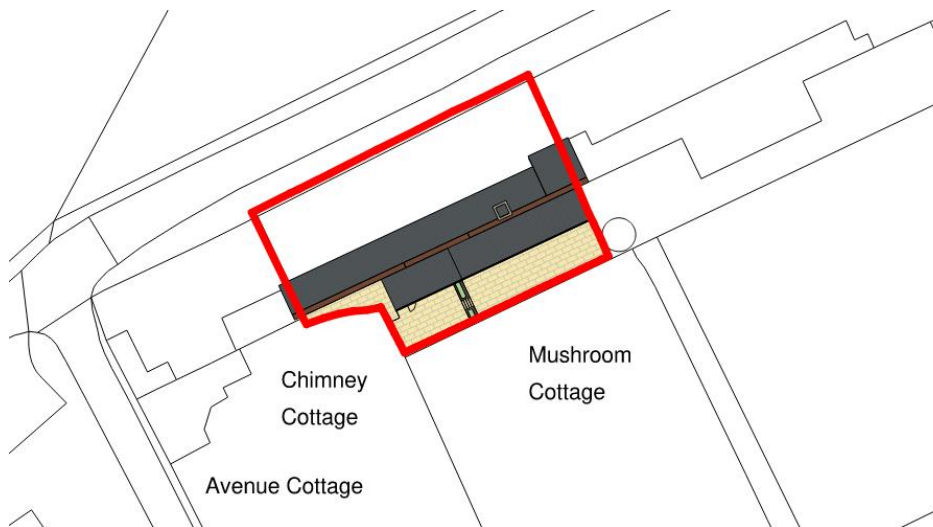
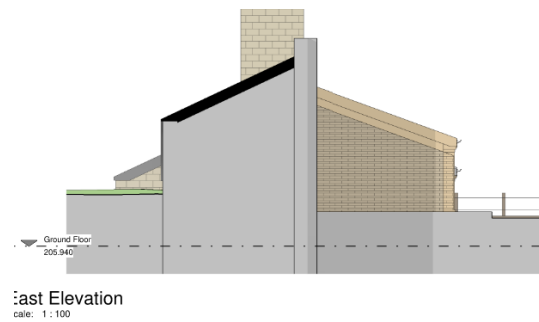
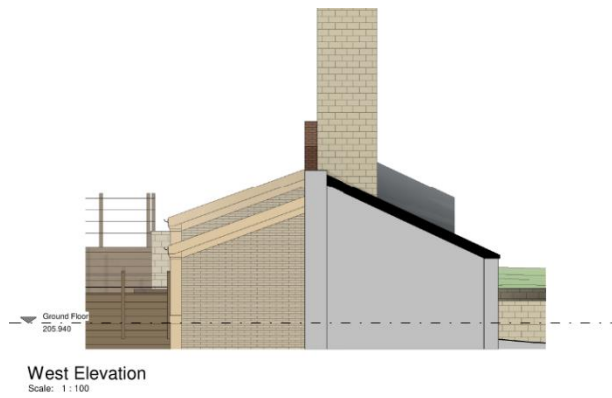
### **Proposed Development**

This report is to cover 2 applications which cover the planning permission and listed building consent:

2023/0783 – Erection of single storey rear extension to rear of the single storey cottage, excavation works to rear to create new levelled out rear garden with paving surface and replacement retaining walls and fences around the perimeter – Householder Application

2024/0218 – Erection of single storey rear extension to rear of the single storey cottage, excavation works to rear to create new levelled out rear garden with paving surface and replacement retaining walls and fences around the perimeter – Listed Building Consent

The applicant seeks permission for the demolition of the existing attached shed and rear conservatory and the erection of a single storey rear extension extending 27.3m along the rear elevation and projecting 4.3m from it. The extension is designed as split level due to the level changes on site across the width of the dwelling, however the height to the eaves and ridge are 2.4m and 4m respectively from the respective land level. The extension is designed with a lean-to roof.

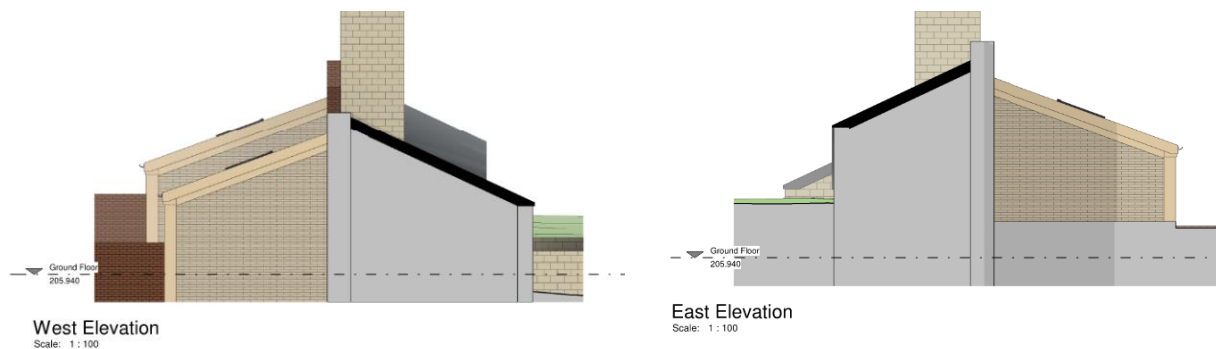


The pictures below show an artist's impression of the dwelling as proposed.



The application has been amended during the application process, which has seen a reduction in the scale and massing of the proposed extension which now follows the step down of the original building, a reduction in the ridge height, a reduction in the amount of glazing and an increase in masonry along the southern elevation, along with the removal of roof lights and the alteration to the southern boundary treatment.





## 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 Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

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 property is located within the Historic Park and Garden of Wortley Hall, a listed building, is located within rural Barnsley and is designated as Green Belt in the adopted Local Plan and therefore the following policies are relevant.

## Local Plan

Policy HE1 The Historic Environment  
 Policy HE2 Heritage Statements and general application procedures  
 Policy HE3 Developments affecting Historic Buildings  
 Policy HE4 Developments affecting Historic Areas or Landscapes  
 Policy GB1 Protection of Green Belt  
 Policy GB2 Replacement, extension, and alteration of existing buildings in the Green Belt  
 Policy D1 High Quality Design and Place Making  
 Policy GD1 General Development  
 Policy T4 New Development and Transport Safety  
 Policy SD1 Presumption in favour of Sustainable Development

## SPDs/SPGs

Supplementary Planning Document - House Extensions sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals for should:

1. be of a scale and design which harmonises with the existing building
2. not adversely affect the amenity of neighbouring properties
3. maintain the character of the street scene and
4. not interfere with highway safety.

## NPPF

The National Planning Policy Framework 2023 (NPPF) 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 there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

### Chapter 13 Protecting Green Belt Land.

Paragraph 152 states that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt however there are exceptions to this, which amongst others include:

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building

### Chapter 16 Conserving and enhancing the historic environment.

Paragraph 195 states that heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

Paragraph 201 states that Local Planning Authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and necessary expertise.

Paragraph 203 states that in determining applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

## **Consultations**

### 2023/0783 – Planning Application

Conservation Officer – initial objections were raised in relation to the design of the proposed extension, however following discussions and the submission of amended plans the scheme is considered acceptable subject to conditions.

Forestry Officer – no objections

Historic England – No comments received. Historic England provides advice when their engagement can add most value. In this case they do not offer advice. This should not be interpreted as comment on the merits of the application. They suggest that the views of the council's specialist conservation and archaeological advisers are sought.

Pollution Control – No objections subject to the inclusion of construction hours condition.

Public Rights of Way – comments have been made in relation to a public footpath running adjacent to the site, along Liberty Lane and that it should remain safely open and available for the public to use at all times. It is requested that an informative should be added to any decision notice.

The Gardens Trust – concerns were raised initially, however following amendments to the scheme; no objections are raised.

Parish Council – no objections received

Ward Councillors – no comments received.

### 2024/0218 – Listed Building Consent

Historic Buildings and Places – were not formally consulted as the development did not meet the criteria for consultation, however, they did provide comments on the application. - The information and justification contained in the Design, Access and Heritage Statement is extremely limited and does not acknowledge that the site is with the designated grade II Wortley Hall Park and Garden, which included descriptions of the kitchen garden and associated walls and the former bothy. It is also within the curtilage of the grade II listed stable blocks and outbuildings at the eastern end of the kitchen garden and also within the curtilage of Wortley Hall itself.

While historic mapping suggests that glass house structures were located along the inner wall, the documentation provides no assessment of the impact on the significance of the kitchen garden and the sense of enclosure created by the garden walls. The creation of retaining walls and boundary fence potentially harm the character and appearance of the kitchen garden, as well as undermining the historic form and use of the gardens and understanding how they relate to the listed buildings and parkland. HB&P suggest that a detailed heritage impact assessment is required in this instance to meet the requirements of para. 200 of the NPPF.

South Yorkshire Archaeology Service (SYAS) – No objection subject to conditions

### **Representations**

The application was advertised by way of neighbour notification letters, a site notice, and a press advert was published in the Barnsley Chronicle. Two letters of objection have been received in relation to:

- No contact has been made to Wortley Hall regarding the construction of the extension and retaining wall.
- The extension will back onto a working walled kitchen garden
- Large development for the site
- The development will alter the visual appearance from the walled garden.
- The profile of the roof

- Access to the site for construction.

One letter has been received from the neighbouring residential property raising no objection to the development.

Following the submission of amended plans, all neighbours were reconsulted on the amended scheme, no further comments were made in relation to the applications.

## **Assessment**

### Principle of development

Proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that buildings significance are considered acceptable provided that such works are carried out in a sensitive manner which is respectful of historic precedents of scale, form, massing, architectural detail and the use of appropriate materials.

Extensions to residential properties are considered acceptable in principle where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and on highway safety and where they comply with other Local Plan policies.

The property lies within Green Belt where proposals to extend dwellings (domestic outbuildings within the curtilage of the dwelling will be treated as part of the dwelling or an extension to it) are acceptable in principle provided that, the total size of the proposed and previous extensions does not exceed the size of the original dwelling and the original dwelling forms the dominant visual feature. In addition, the construction of the extension should be of a high standard of design and reflect the architecture of the building.

Extensions will only be allowed where they do not exceed 100% above the size of the original dwelling.

### Floor Space Calculations

Original Dwelling single storey dwelling total floor space = 191.67m<sup>2</sup>

NB outbuildings which form part of the original building as built in 1948 are not taken as part of it when calculating original floor area.

The existing extension and attached shed are to be demolished to allow for the proposed extension and have not been included.

Proposed Extension = 116.74m<sup>2</sup>

Difference = 191.67m<sup>2</sup> – 116.74m<sup>2</sup>  
= 74.93m<sup>2</sup> under

Therefore, the proposal falls within 100% and complies with the initial element of GB2 and the guidance within the NPPF and therefore it is considered that the proposal will not have a detrimental impact on the openness of the Green Belt. Taking this into account and the proposed size of the extension it is considered to be acceptable when considered against Local Plan Policy GB2 Replacement, extension, and alteration of existing buildings in the Green Belt.

### Visual Amenity and Impact on Listed Buildings

The principle of the development on this property has been previously accepted with the granting of permission for a similar single storey conservatory extension.



Whilst the proposed extension is to be located on the rear elevation of the dwelling; it would be visible from the walled kitchen garden associated with Wortley Hall. This area is open to the public but is not a thoroughfare and would only be visible to visitors to the walled garden.

As mentioned previously the proposal has been amended during the application process which has resulted in a reduction in the scale and massing of the proposed extension which now follows the step down of the original building, a reduction in the ridge height, a reduction in the amount of glazing and an increase in the masonry along the southern elevation, along with the removal of roof lights and the alteration to the southern boundary treatment.

Comments have been made by the Yorkshire Garden Trust and the Historic Buildings and Place in relation to the Heritage Impact Assessment (HIA being severely lacking, which are noted. In that it both fails to identify what is historically significant (this is a registered Park and Garden and curtilage listed building) or explain the impacts and how the design mitigates this. A meeting was held with the applicant along with the Conservation Officer to explain the significance and negotiate changes. In terms of the design, the relative reduction in the footprint, the lowering of the roof of the roof, the use of some stone, the removal of all the rooflights and a sensitive approach to the boundary makes a significant difference. Given the precedents and amendments, the scheme is much more sympathetic overall and is considered to be less visible and not unduly harmful to the setting of the listed building.

The plans refer to the inclusion of a retaining wall, due to the level changes within the site and with the walled garden to the rear, a retaining structure is required. The inclusion of the retaining wall is considered acceptable and is not considered to impact on the setting of the listed building. The original plans included a solid timber fence along the rear boundary; it was considered that this was too stark and domesticated for the setting and amendments were subsequently proposed. The amendments included a post and rail fence with hedge to provide privacy of the property from the walled garden, details of which are to be agreed via condition.

It is therefore considered that the extension would not have a detrimental impact on the character of the area, the openness of the green belt or upon the listed building and as such is considered acceptable and in compliance with Local Plan Policy HE1, D1, GB1 and GD1.

### Residential Amenity

The proposed extension is to be located on the south-eastern rear elevation of the dwelling, to the west of the adjoining property. Due to the topography of the area, the application property is set at a stepped higher level than the neighbouring property, Mushroom Cottage. Whilst located to the south-west, it is not considered that the proposed extension would lead to an increase in overshadowing, overlooking or loss of outlook to an unreasonable level of this property, given the modest projection of the extension and the relatively low eaves and ridge heights. In addition, the proposed extension would replace the existing attached shed which has a projection of 3.8m and is located adjacent to the party boundary.

The extension would be located to the north of Avenue Cottage, at a lower level and separated from party boundary by approximately 11m, albeit within closer proximity to the boundary given the shape of the plot. Nevertheless, it is not considered that the proposed extension would lead to an increase in overlooking, overshadowing or loss of outlook from this property to a detrimental level.

Whilst the proposed extension would be located within close proximity to the rear boundary, there are no residential properties located beyond it, with the proposed boundary treatment providing adequate screening of the property from the users of the walled garden beyond.

It is therefore considered that the proposed works would not have a detrimental impact on the amenity of existing and future residents and is acceptable and in compliance with Local Plan Policy GD1 General Development.

### Highway safety



The proposal does not result in the loss of off-street parking provision nor a requirement for additional provision and as such the proposed extension is considered acceptable and in compliance with Local Plan Policy T4.

### Other Issues

#### Public Rights of Way

The comments made by Public Rights of Way are noted, however the site is separated from public right of way to the south-west by Avenue Cottage, nevertheless the informative requested will be included within the decision notice.

#### Historic Buildings and Places

It is unclear the reason Historic Buildings and Places have commented on the application as there is no relevant works as per the Arrangements for Handling Heritage Applications, nevertheless their comments have been noted above.

#### Access

Comments have been received in relation to access for construction of the extension. It is the responsibility of the applicant to ensure that all necessary permissions are in place, this includes the permission of adjacent landowners to gain access to the site.

### Conclusion

Based on the assessment above it is considered that the proposed development would not have a significant adverse impact on the amenity of neighbouring residents by means of overshadowing, overlooking or loss of outlook, nor would it have a detrimental impact on highway safety, the character of the street scene, the openness of the green belt or and the setting of the listed building, and as such is in compliance with Local Plan Policies HE1, GB1, GD1, D1, and T4 and is acceptable.

### **Recommendation**

**Approve subject to conditions**