

Application Reference Number:		2024/1040	
Application Type:		Householder	
Proposal Description:		Single storey rear extension with wraparound to side elevations	
Location:		Cherry Tree House, 57 Hay Green Lane, Birdwell, Barnsley, S70 5XA	
Applicant:		Dr Lyn Sutcliffe	
Third-party representations:	Four from 2 no. addresses	Parish:	None
		Ward:	Rockingham

Summary:

This planning application seeks householder planning permission for the erection of a flat roofed single storey rear extension to the dwelling with wraparound to the side elevations. The application was amended from an initially proposed two storey rear extension also coving the full width of the dwelling with a flat roof and proposed terrace.

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising alterations to an existing residential building are considered acceptable in principle if proposals would not significantly adversely affect residential amenity, visual amenity, highway safety, and where satisfactory standards of design are achieved.

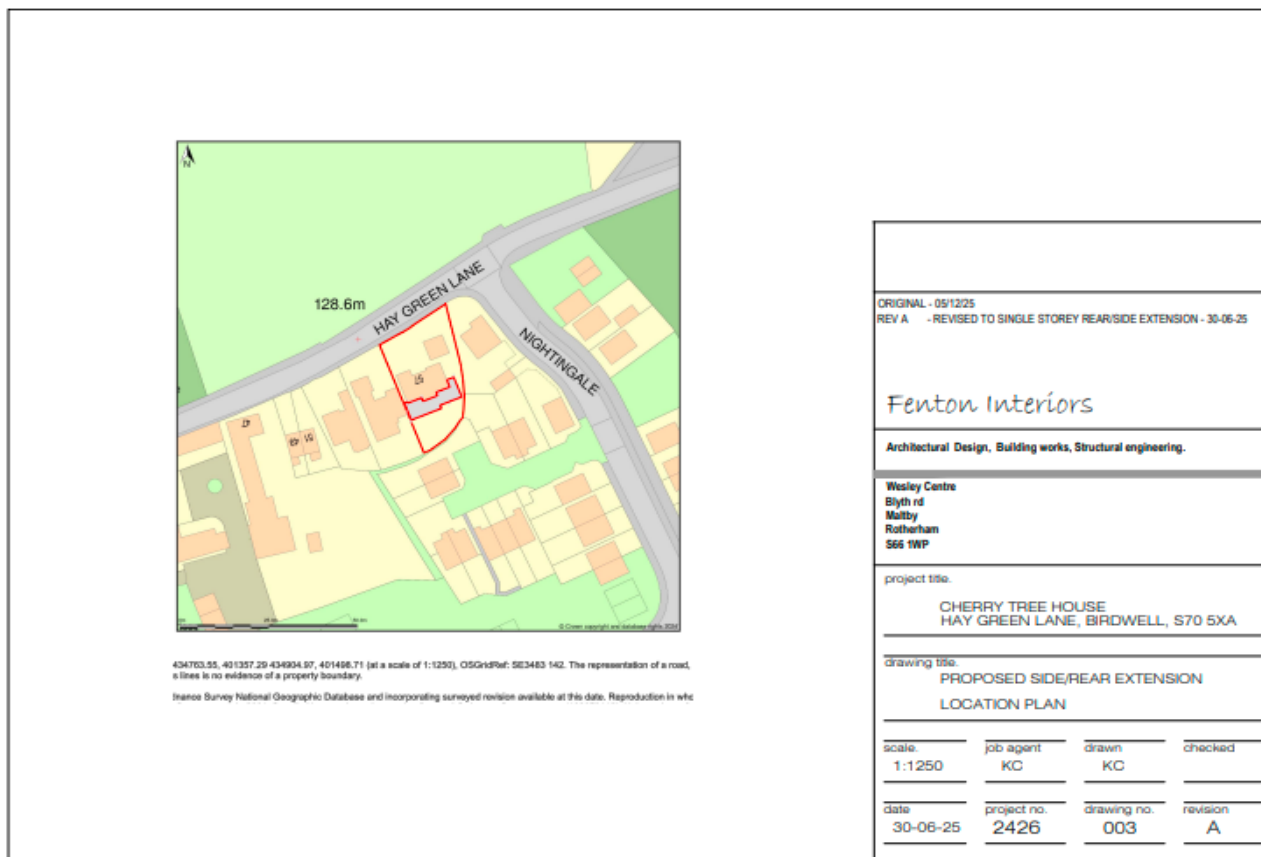
The proposal would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

Recommendation:

Approve subject to conditions

Site Description

The application relates to a large stone built detached dwelling providing accommodation over 3 floors. The property was built as part as an exclusive development of just 3 dwellings circa 2008 on Hay Green Lane, Birdwell. To the front of the property is a parking area which leads to a stone built detached garage. There is a small side garden to the eastern elevation which leads to a rear garden. New residential development (2020/0577 & 2022/0680) lies to the south of the site.



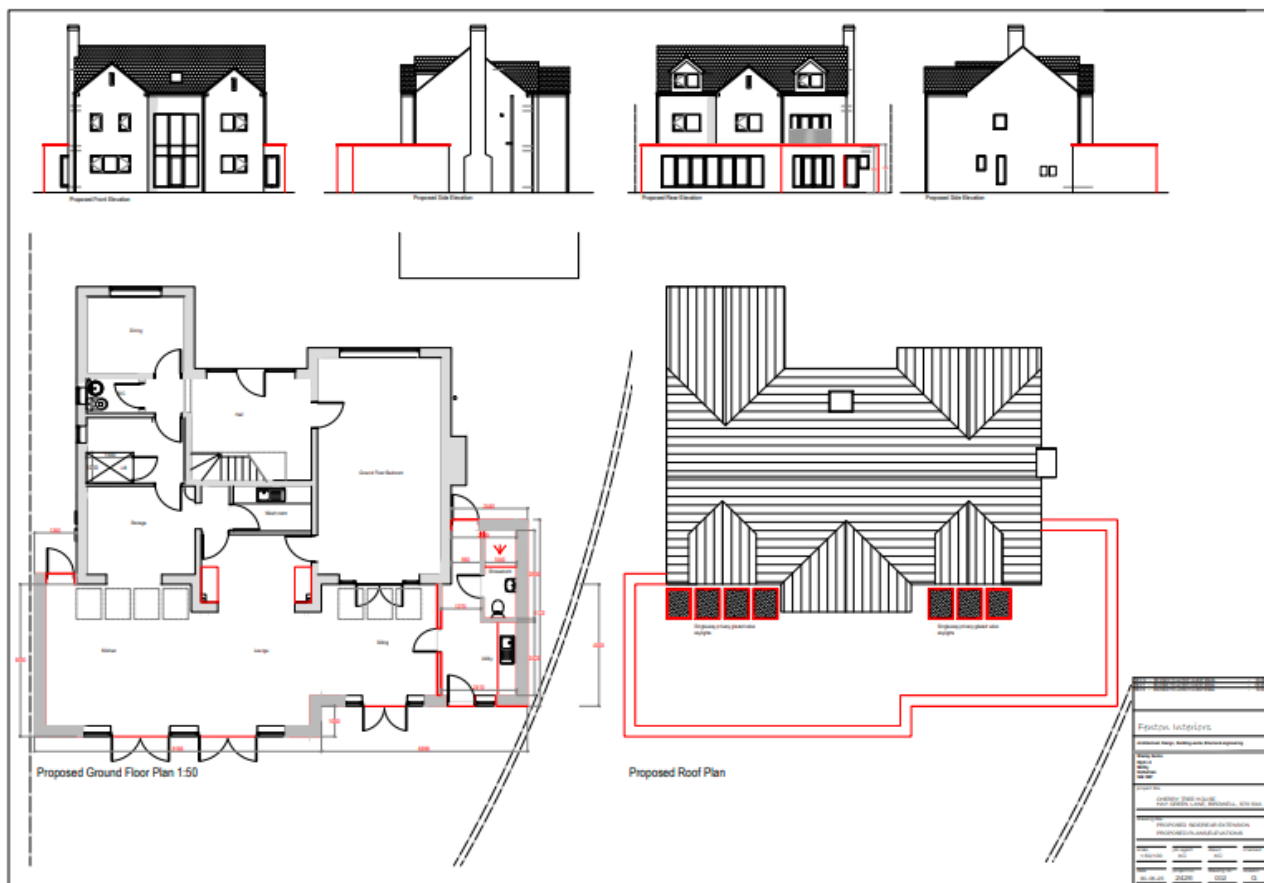
Planning History

There are various planning application associated with the site.

Application Reference	Description	Status
2006/1409	Erection of 4 no detached dwellings with integral garages	Refused
2007/0689	Erection of 3 detached houses with integral garages	Approved with Conditions
2007/1609	Erection of three detached dwellings with garages	Approved with Conditions
2014/0231	Erection of a two storey side/rear extension and erection of a rear conservatory extension to dwelling.	Approved with Conditions
2017/0093	Erection of a single storey rear extension with a maximum rearwards projection of 5m with a height to the eaves of 2.6m and 4m to the highest point (Prior Notification Householder)	Prior Approval - Not Required

Proposed Development

The applicant seeks approval for the erection of a single storey rear extension with modest wraparounds to the side elevations. The proposal has a rear projection of 5.05 from the rear elevation of the dwelling at its furthest point. The side projections project 1.35 metres and 1.55 metres respectively. The extension has a width of 15.6 metres along the rear elevation. The extension will feature a flat roof with a total height of 3.15 metres. The materials used will be matching stone with a GRP roof. The application was amended during the course of the application as it will originally two storey and featured a terrace.



Relevant Policies

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 on 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.

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy 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.

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 Documents

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
- Parking

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

Representations

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;

Four objections have been received from two addresses in total during two periods of consultation.

Two objections were received the first consultation which raised the following points which are addressed in the report below:

- Character of the area is undermined
- Design is overly large and bulky, and out of character with the original structure
- Existing dwelling is large enough to accommodate proposed arrangements
- Extension is disproportionate to the existing house
- Extension will be visible in the street scene disrupting the visual harmony of the area
- Imbalance of host dwelling
- Impact on neighbouring amenity space
- Increased noise and disturbance from rooftop garden
- Increased overlooking
- Loss of outlook, sunlight, loss of privacy
- Overbearing, overshadowing
- Plans do not align with Local Plan policies
- Plans do not align with the principles set out in the householder SPD
- Proposed flat roof design clashes with the pitched roof of the main dwelling
- Rooftop garden would allow direct views into neighbouring properties
- Scale and massing dominate both the site and neighbouring properties
- Separation distances not maintained to neighbouring properties
- Separation distances not maintained to neighbouring properties

The following non material objections were raised which, whilst noted, cannot be taken into account in the determination of the application and carry no weight.

- Damage during construction
- Encroachment onto neighbouring land
- Diminished quality of life
- Proximity of extension to boundary wall
- Security concerns

Following significant amendments to the proposal which reduced it from 2 stories to one storey and omitted the terrace, a further round of consultation was undertaken.

Two further objections were received from 2 no addresses, which raised the same objections as previously, but did not add any additional issues.

Consultations

None

Assessment

The main issues for consideration are as follows:

- The acceptability of the principle of the development
- The impact on the character of the area
- The impact on the character of the host dwelling
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards

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

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

Principle of Development

The site falls within Urban Fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing. Extensions to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

Impact on Neighbouring Residential Amenity

The SPD states that *“extensions to the rear of detached houses will be considered on their design merits and where no adjacent properties are affected”*. The design is relatively in keeping with the existing dwelling and the extension has a maximum rear projection of 5.05 metres. The side projections are modest and significantly less than two thirds the width of the existing dwelling.

Whilst objections were raised in relation to overlooking, overbearing and loss of sunlight and privacy, the proposed extension would not have a significant detrimental impact on any neighbouring property due to its appropriate proportions and modest projections which are deemed acceptable for this large, detached dwelling which is compliant with the adopted spd. The extension is not considered to be of an excessive size or scale and is an extension of the existing building form rather than a separate, stand-alone addition and is therefore subservient to the existing dwelling. Equally, it is not considered overbearing due to its restrained size and massing especially in relation to the initial proposal which was of two storeys. This weighs significantly in favour of the proposal.

As the extension is only of single storey, overlooking will be limited even with the addition of patio doors to the rear elevation, as they predominantly look onto the host dwelling's garden area. It is acknowledged that introduction of these could potentially increase levels of overlooking over the existing of the neighbouring dwellings, however with the existing tall fence providing adequate boundary treatment it is considered that the levels would not be harmful. This weighs modestly in favour of the proposal. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Scale, Design and Impact on the Character of the Dwelling

The SPD states that *‘materials should normally be of the same type, colour and texture to the existing house or as close a match as possible’*. In this case, the proposed materials will match the existing dwelling with matching stonework to be used. The proposed roofing materials whilst not matching

are not deemed harmful and are consistent with the roof type used which also limits visibility of the materials. This weighs significantly in favour of the proposal.

The extension utilises a flat roof which is normally accepted as it can be an inferior form of construction. However, the extension is of a modern orangery style and is set to the rear of the property. A flat roof rear extension is already present to the rear of a neighbouring property (55 Hay Green Lane) which is also visible from the properties to the south and would therefore not impact additionally to a significant degree on the character of the area. As the extensions would only very slightly extend beyond the side elevations its impact on the existing streetscene would be very minor. This weighs moderately in favour of the proposal.

The proposed extension partially conforms to the SPD in terms of the external materials and roof type; however, it will have little impact upon the character of the street scene due to its restrained height and positioning to the rear of the dwelling. The roof type is typical of this style of extension, and it will not be an anomalous feature nor significantly impact the character of the host dwelling which is large and able to support the extension which is still subservient. This weighs moderately in favour of the proposal. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

Highway Safety

There will be no impact upon highway safety. The area for the proposed extension is not currently used for parking therefore there is no change to the existing parking arrangements which are to the front of the dwelling. This weighs significantly 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

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

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Alterations to extension reducing height by reducing the proposal from two stories to a single storey and omitting the terrace

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.