

Application Reference Number:	2026/0222
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Application Type:	Full
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Proposal Description:	Erection of single storey extension to the front of existing shop to be used as additional retail floor space
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Location:	Yogi Convenience Store, 75 Huddersfield Road, Barnsley, S75 1AA
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Applicant:	Mr Ash Patel
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Third-party representations:	Three	Parish:	None
		Ward:	Old Town

Summary:

The applicant is seeking planning permission for the erection of single storey extension to the front of existing shop to be used as additional retail floor space

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising alterations to an existing 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.

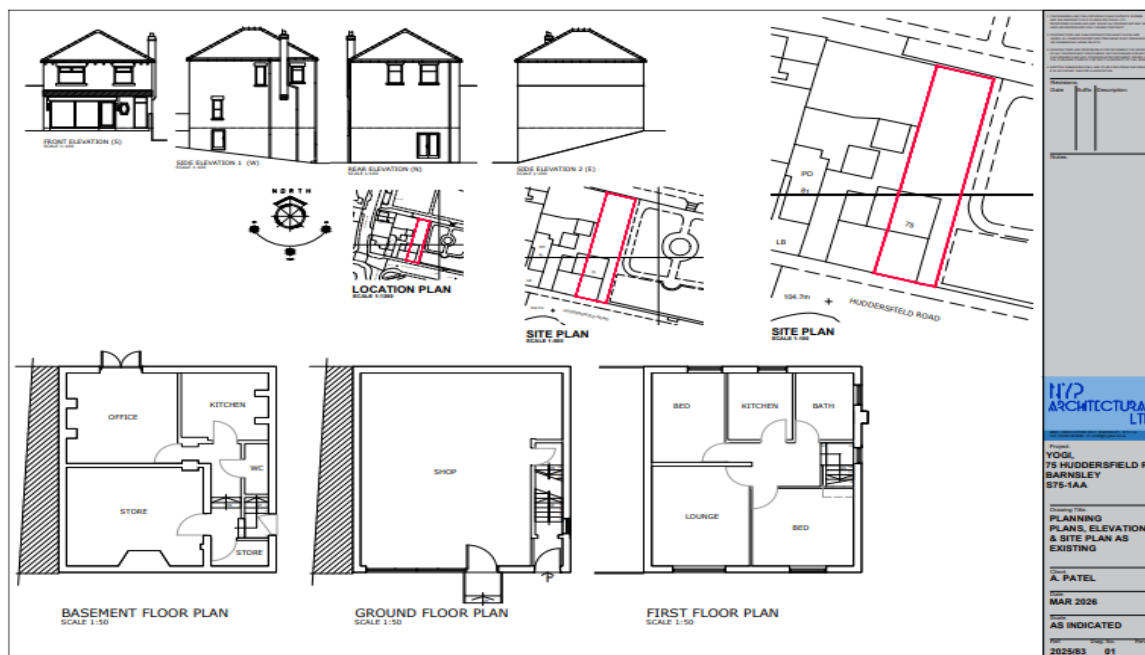
The proposal would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework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

Recommendation:

Approve with Conditions

Site Description

The site is an existing retail unit set on the ground floor of a semi-detached building located on Huddersfield Road. The land slopes to the rear proving basement levels for these buildings. The adjacent 79 Huddersfield Road (2021/0070) and 77 Huddersfield Road (2025/0683) have both received planning permission for front extensions. Parking is provided to the front of units. The street scene consists of other commercial uses in the immediate vicinity with residential uses beyond. The site has had a previous extension approved (2024/0965) however this has not been implemented.



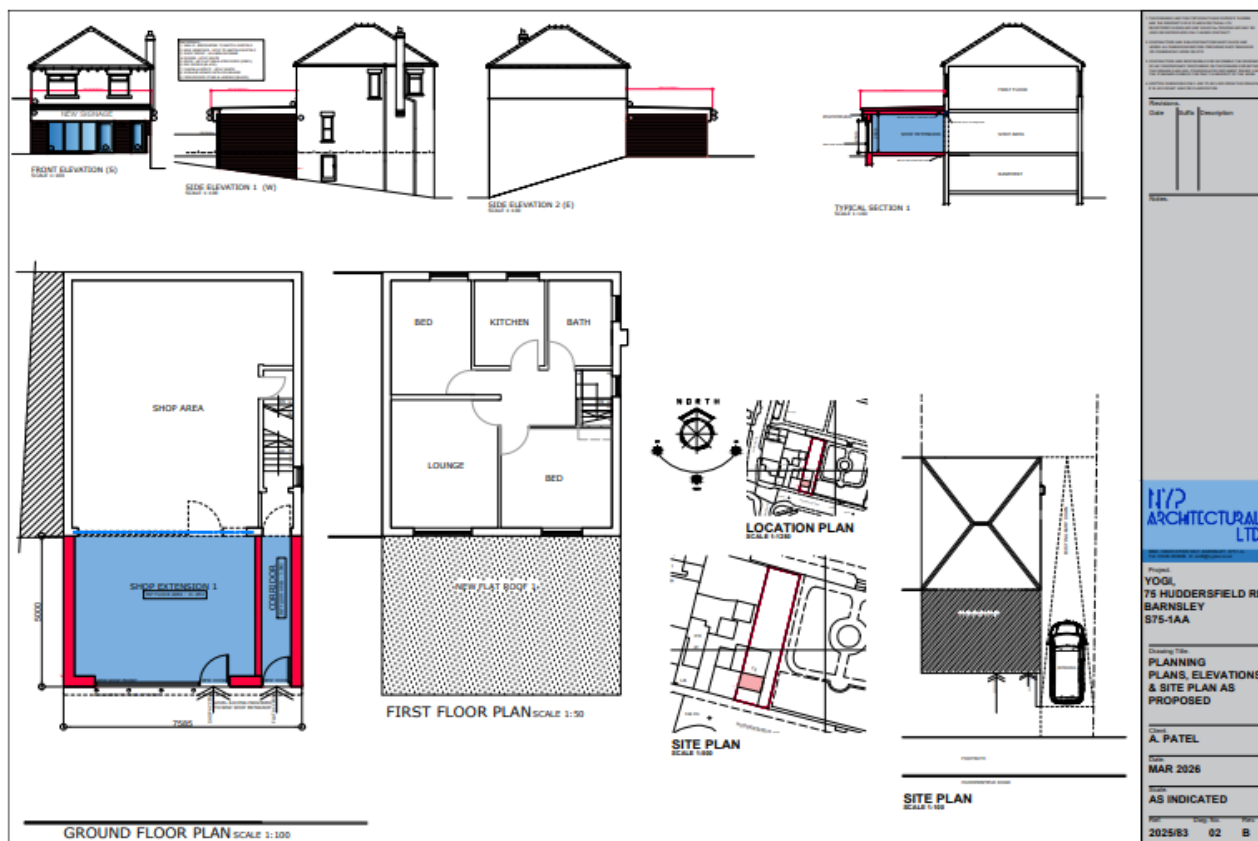
Planning History

There are various previous applications for the site.

Application Reference	Description	Status
B/82/0293/BA	Erection of shop extension	Approved with Conditions
B/92/1328/BA	Installation of new shop front and security roller shutters	Approved with Conditions
B/00/0776/BA/AD	Display of illuminated double-sided free-standing advert display unit	Approved
2009/1500	Display of externally illuminated fascia sign and window graphics to convenience store	Approved with Conditions
2011/0659	Erection of side and rear extension to commercial/residential premises	Withdrawn
2012/0082	Erection of 3 storey rear extension accommodating basement flat, shop extension and first floor office, single storey front extension and detached double garage at rear	Approved with Conditions
2016/0195	Installation of new shopfront including access ramp	Approved with Conditions
2016/0475	Display of 1 no. externally illuminated fascia sign and 1 no. non illuminated sign to shop	Approved with Conditions
2024/0965	Erection of single storey front extension to existing shop	Approved with Conditions

Proposed Development

The applicant is seeking approval for a single storey front extension to the existing retail unit. The extension will project 7 metres from the existing front elevation of the shop. The extension has a width of 7.6 metres. The extension will feature a flat roof with a total height of 3.15 metres when measured from the front elevation. The materials will be matching brickwork to the existing building. During the course of the application the forwards projection was reduced to 5 metres.



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 TC5: Small Local Shops – Outside existing centres small shops that meet the daily shopping needs of a local community will be permitted where:

- The shops are of a type and in a place that would meet daily shopping needs and this need is not already met by existing shops; and
- The shops are located and designed to encourage trips by pedestrians and cyclists and would not encourage car trips.

Policy Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

Policy T3: New Development and Sustainable Travel – New development will be expected to: Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

PolicyT4: 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

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:

- Parking
- Residential amenity and the siting of buildings
- Shop front designs

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

Consultations

Highways Development Control – No objections

Mining Remediation Authority – No objections subject to informative

Old Town Ward Councillors – No objections

South Yorkshire Mining Advisory Service – No objections subject to conditions

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Neighbour notification letters were sent to surrounding properties; three objections were received and in summary raised the following points that are material planning considerations.

- Break in established building line and conflict with established layout
- Conflict with neighbouring vehicular and pedestrian access
- Contrary to Local Plan policies
- Harmful and uncoordinated relationship between the two adjoining commercial units
- Highway safety and loss of visibility
- Impact from deliveries
- Impact on character of the area
- Inadequate servicing, bin storage and loading arrangements
- Lack of parking
- Obstruction of the highway and/or footpath by bins and delivery vehicles
- Overdevelopment of the frontage
- Proximity to footpath
- Reduction in sightlines
- Visually discordant with character of the frontage
- Visually intrusive, and out of keeping with the scale and pattern of development

It must be noted that the proposal was amended with a reduction in forwards projection and the application re-consulted on. One further comment was received in relation to the re-consultation stating the projection should match the adjacent extensions and questioning bin storage.

Assessment

The main issues for consideration are as follows:

- The acceptability of the principle of commercial development
- The impact on the character of the area and visual amenity
- The impact on neighbouring residential properties and other commercial uses
- 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 nearby area is made up principally of housing with the addition of existing retail units on Huddersfield Road including a hot food takeaway. The use of the building as a shop is not anomalous and this is a longstanding use, and the proposed extension is to support the current use. This weighs significantly in favour of the proposal. The proposed extension is acceptable in principle where it will not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

It must be noted that application 2024/0965 was approved for the same extension but with a 4 metre forwards projection instead of the proposed 5 metre forwards projection. Therefore, this presents a fallback position that could be implemented.

Visual Amenity

The proposed extension would be to the front of the unit and would be in a relatively prominent position when viewed from Huddersfield Road as well as the area of Green Space and Green Foot Lane directly opposite the site. However, it should be noted that the extension would still sit approximately 5 metres from the back edge of the footpath serving Huddersfield Road and is a relatively modest addition to the building when viewed as a whole. This weighs significantly in favour of the proposal.

It should also be noted that the Post Office and Dentists to the west of the site have both had front extensions, albeit with a slightly smaller projection. Then there is the case of the adjacent 79 Huddersfield Road (2021/0070) and 77 Huddersfield Road (2025/0683) which have both received planning permission for front extensions. The extension at 77 Huddersfield Road was approved after the previous application on this site was approved therefore the impact of the proposed extension on the adjacent property as greatly reduced from the previous application. This weighs significantly in favour of the proposal.

The proposed extension would simply move the shop front of the existing building forward 5 metres and only 1 metre from the previous approval and reflect the design of the existing shopfront. The elevations of the extension would be matching brickwork to the existing building. This weighs significantly in favour of the proposal.

Furthermore, views of the extension would be partially obscured while traveling East on Huddersfield Road by the front extensions of neighbouring properties. While travelling West on Huddersfield Road views would be obscured by the mature trees and planting within Wilthorpe Park. When viewing the extension from the front of the site, it would be seen against the backdrop of the existing buildings and existing front extensions. This weighs significantly 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.

Residential Amenity and Impact on adjacent buildings

The proposed extension would be to the front of the existing unit. The extension would not be immediately adjacent to habitable room windows associated with residential properties therefore in regard to purely residential properties there is no impact to amenity; however, it would be immediately adjacent to the adjoining unit which also has a front extension. It would sit to the east and not to the south where overshadowing and loss of light could be increased or be an overbearing feature given the adjacent already approved extension. Furthermore, given the previously approved extensions a precedent has been set which also matches the wider street scene for this type of extension which weighs significantly in favour of the proposal.

The unit sits within a parade of commercial uses and is not deemed to have a detrimental effect on the character of the area. The proposed extension would not significantly increase noise and disturbance beyond previous levels. This weighs significantly 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.

Highway Safety

There will be no significant detrimental impact on highway safety. Highways Development Control raised no objection to the proposal. There is a history of applications relating to this site where previous permission has been granted for a similar front extension. This application seeks permission for a slightly extended floor space. The local area benefits from sheltered parking on street and there will be no loss of parking as a result of the extension.

From a highway safety perspective, the proposed extension represents an improvement to the current arrangement rather than a detriment. The premises currently operate with insufficient off-carriageway servicing provision, delivery vehicles obstruct the footway for extended periods, preventing the safe passage of pedestrians and forcing footway users into the carriageway.

The proposed extension reduces the available forecourt to a degree that prevents this unsafe practice from occurring, whilst still retaining sufficient space to allow for occasional access for maintenance to the shop frontage without necessitating obstruction of the footway. In highway terms, this constitutes a clear betterment when compared with the current operation. Additionally, a condition has been added so that no delivery vehicles or other associated vehicles should attempt to load/unload or park on the forecourt of the retail shop and the abutting footway should remain free from obstruction at all times. 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 with 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:

- Size of extension and forwards projection
- Bin store

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.

Conditions

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.

The development hereby approved shall be carried out strictly in accordance with the amended plans:

2025/83 Dwg No. 02 Rev. B
Bin Storage Plan received 17/07/2026

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.

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.

No delivery vehicles or other associated vehicles should attempt to load/unload or park on the forecourt of the retail shop and the abutting footway should remain free from obstruction at all times.

Reason: In the interests of highway safety.

The front projection shall match the existing front extensions on adjacent properties and shall not extend beyond this point.

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.

The site has been identified to be at risk from potential coal mining legacy issues. The foundations of the proposed development must therefore be designed in accordance with the recommendations of the Coal Mining Risk assessment by Concept Structural design ref 24-CS-072 – Rev 0 dated November 2024. Further advice should be sought from a suitably qualified structural engineer to finalise the raft foundation design. Responsibility for securing a safe and sustainable development rests with the developer and/or landowner.

Reason: Land stability NPPF sections 196 a,b,c. 197 and 187 e & f.

During works, construction or demolition related activity shall only take place onsite 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: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1.

Informatives

The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

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If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK.

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It is recommended that measures are taken to prevent a nuisance/or affect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke, odour, light or dust. No waste should be burnt. If a Statutory Nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, light, odour, dust or smoke nuisance from being created.