
2022/0546

Mr and Mrs Cassell

Erection of part two-storey and part single storey rear extension to dwelling

4 Kestrel Avenue, Redbrook, Barnsley, S75 1DF

Site Location & Description

The applicant's property is a detached red brick dwelling located on a fairly new residential estate off Huddersfield Road in Barnsley. The property has a hard surfaced parking area to the front, leading to an integral garage and a grassed garden to the rear. The estate is largely uniform with dwellings of similar appearances to each other with a mix of integral and detached garages, and off-street parking spaces to the front. There is a level difference on this part of the estate with Kestrel Avenue featuring a slight West to East slope. The property to the South/Rear is also at a slightly higher level than the applicant's dwelling.



Proposed Development

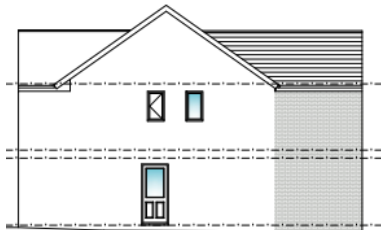
The applicant is seeking approval for the erection of a part two-storey and part-single storey rear extension to the dwelling. The extension has a rearwards projection of 3m, with a width of 8m across the entire rear elevation of the dwelling. The two-storey element has been designed with a pitched roof, with the single storey rear extension having a flat roof with a sun lantern. The application has been amended to effectively reverse the position of the two storey and single storey element of the extension.



LOCATION PLAN



BLOCK PLAN



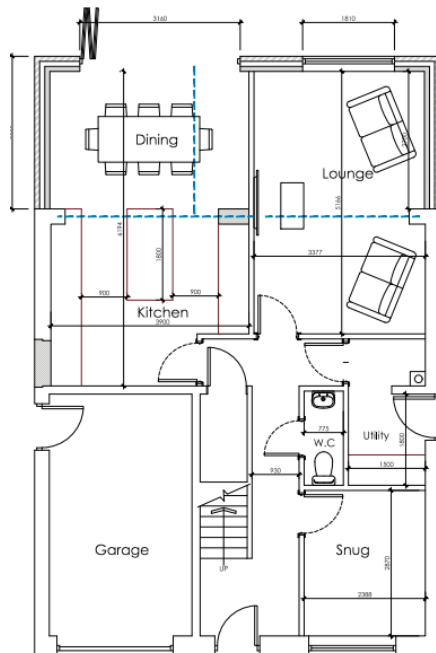
**PROPOSED
SIDE ELEVATION**



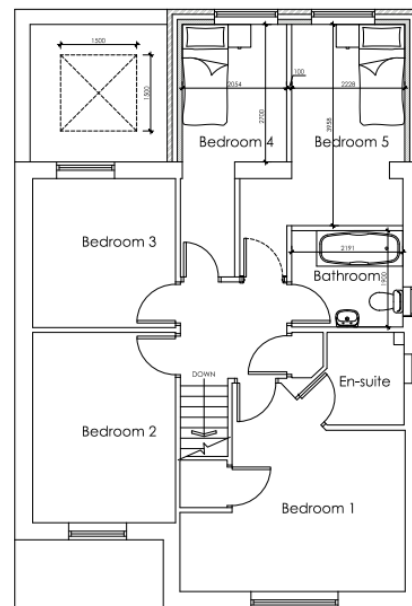
**PROPOSED
REAR ELEVATION**



**PROPOSED
SIDE ELEVATION**



**PROPOSED GROUND
FLOOR PLAN**



**PROPOSED FIRST
FLOOR PLAN**

Relevant Planning History

2014/0474 – Erection of 301 dwellings with associated public open space, landscaping, access, parking and ancillary works (Approved subject to legal agreement)

2016/1228 – Increase total number of dwellings from 302 (Applied under app 2014/0474) to 326, including 14 dwellings on public open space and a net gain of 10 units through plot substitutions (Approved subject to legal agreement)

2017/0656 – non-material amendment of previously approved application 2016/1228
'Increase total number of dwellings from 302 (applied under app 2014/0474) to 326,
including 14 dwellings on public open space and a net gain of 10 units through plot
substitutions (approved)

2017/0754 – Discharge of conditions of 3, 8, 10, 11, 12, 16, 17, 19, 20, 23, 24 of planning
permission 2016/1228 - Extension of development from 302 to 326 dwellings (Approved)

Policy Context

Planning decision should be made in accordance with the local 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 Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

NPPF

The National Planning Policy Framework 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 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.

In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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 (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – sets out principles when considering development proposals.

Policy GD1: General Development – sets out appropriate proposals for development.

Policy D1: High quality design and place making – sets overarching design principles for the borough to ensure that development is appropriate to its context, and improves what needs improving, whilst protecting what is good about what we have.

Policy T4: New Development and Highway Improvement - 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.

SPD: House extensions and Other Domestic Alterations

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 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.

These policies are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

Consultations

None

Representations

Neighbouring properties were consulted on two separate occasions. First for the original application (May 2022) and second for the amended application (July 2022).

Original

Two comments were received objecting to the proposal, raising the following points:

- Overshadowing and loss of outlook – The extension has a rearwards projection of 3m and is situated on the boundary line between the applicant's property and the neighbouring dwelling to the East. The layout of the dwellings is staggered with the property to the East being further forward than the applicants. The two-storey extension would fall well within the 45-degree angle (by over 1m) and would have a significant overbearing and overshadowing impact over the neighbouring properties. There is also a level difference between the two properties.
- Loss of privacy – the separation distance from the proposed extension to the rear boundary line and the garden area for the property to the South is insufficient and would result in a loss of privacy to the rear garden area.

- The extension would take up a disproportionate amount of rear garden space, leading to an irregular shaped garden for a 5-bedroom property.

Amended proposal:

Two comments were received objecting to the proposal, raising the following points:

- Loss of light – the amended plans are appreciated as this would see an improvement to the loss of light and overbearing impact of the proposal. However, there is still concern that the amended plans would result in loss of light to neighbouring properties. Particularly at later periods in the day.
- Previous concerns regarding the impact on privacy to the neighbouring property to the South remain and the lack of appropriately sized garden space which is not in compliance with the Council's Supplementary Planning Document (SPD).

Assessment

Principle of Development

The site falls within the urban fabric which has no specific land allocation; however the site and immediate surrounding area is made up principally of housing. Extensions, alterations to residential properties and the erection of domestic outbuildings are considered acceptable in these areas where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety.

Residential Amenity

Neighbouring properties have been consulted on the proposed development with concerns raised to both the original proposal and amended scheme. The concerns are largely in relation to overshadowing, loss of outlook and loss privacy to neighbouring properties. The above concerns have been acknowledged and can be understood, with the agent working with the LPA to somewhat alleviate the concerns with the amended proposal. The proposed extension is to the rear of a detached property on a fairly new build residential estate. The extension is part two-storey and part single-storey, with the two- and single-storey elements effectively being mirrored through the amended proposed development.

The extension projects 3m from the rear elevation and there is no specific policy restriction within the SPD for House Extensions relating to two storey rear extensions on detached properties. However, the SPD states that two storey rear extensions on semi-detached properties should feature a maximum rearwards projection of 3.5m. Within this context, the rearwards projection of 3m is therefore not considered to be excessive and in line with what is generally considered acceptable in the borough. There is a South-to-North and West-to-East slope in the area, which therefore means the two properties to the West and South (nos. 2 and 20 Kestrel Road), respectively, are on a higher ground level than the site, with the property to the East (no. 6) being on a lower ground level. Mirroring the proposed development alleviates the overshadowing and overbearing impact over no. 6 whilst simultaneously increasing such impact over no. 2. Part of the single storey extension falls within the 45-degree angle when drawn from no. 6 and this would typically indicate the extension has an overbearing impact over this neighbouring property. However, it is also acknowledged that permitted development rights have not been removed from the dwelling and the single storey rear extension could be erected under permitted development. Indeed, no. 6 has a similar sized extension, and the LPA cannot reasonably refuse the single storey element given the permitted development backdrop. No part of the two-storey extension falls within the 45-degree angle when drawn from the nearest habitable room window of no. 2. As such, the extension is not considered to have an overbearing impact on no.2.

The concerns regarding the extensions' overshadowing impact over neighbouring properties and their gardens can be understood. However, the SPD states that extensions and outbuildings situated directly to the South of neighbouring properties, especially habitable room window and rear garden areas immediately adjacent to elevations. The extension is situated to the East of no. 6, but again does not fall within the 45-degree angle with the single storey element situated to the South-West of no. 6. But again, this is permitted development with the Council unable to reasonably refuse.

The proposed development will introduce 2 x habitable room windows on the first floor of the rear elevation. However, these are located on the Western side of the rear elevation, facing primarily onto the applicant's rear garden and the side elevation of the single storey outbuilding owned by no. 20 Kestrel Road. The applicant's property is stepped which therefore means that the first-floor windows are a separation distance of 6m and 9m to the rear boundary line and is 10m from the side elevation of no. 20 itself. This is less than the minimum separation distance expected of 10m to the rear boundary line and 12m to a blank gable wall. However, it is also appreciated that there is a level distance to the West and South properties which are on a c.0.5m higher ground level, respectively. The expected 10m separation distance to the rear boundary is primarily to ensure that reasonable privacy levels are maintained in the rear gardens where the rear of properties face onto one another. The existing arrangement is that the rear of no. 20 faces East and not onto the applicant's property. As such, the proposed first floor window would primarily onto the applicant's rear garden area and the neighbouring garage, rather than the rear garden area which is at a slight angle (c. 25 degrees) and at a distance of c11m. This is felt to be a reasonable separation to ensure that privacy levels are retained in the rear garden of no. 20 Kestrel Road. Equally, the proposed first floor windows on the extension face onto the North elevation of no. 20 Kestrel Road which only contains a secondary window serving the landing – as shown on the approved drawings for the most recent application 2017/0656. Further, there is strong boundary treatment with 2m high fencing and also the single storey garage between the two properties providing adequate screening and a physical buffer. All in all, it is considered that reasonable privacy levels are retained for neighbouring properties in this case.

The SPD for House Extensions and Other Domestic Alterations states that extensions and outbuildings should not take up a disproportionate amount of private rear garden space and should allow the retention of at least half the garden area. The existing garden area is 108.5sqm with the extension having a footprint of 24sqm, therefore retaining over half the garden space (84.5sqm) to comply with the SPD. However, to ensure that sufficient garden space is retained for the occupants, permitted development rights will be removed from the property.

All things considered, it is acknowledged that concerns have been received from neighbours and these comments can be understood but the application has been amended to reduce the impact on neighbouring properties. Whilst some separation distance is not fully in compliance with the recommended levels in the SPD, the proposed development, for the above reasons, is considered to be acceptable in terms of residential amenity.

Visual Amenity

The extension is located to the rear of the property but is located close to a junction/corner and therefore the extension would be visible from public areas – such as from Kestrel Road to the East and South-East. However, the general design principles of the extension relate well to the existing dwelling with the two-storey part of the extension featuring a pitched roof which is similar to the existing.

The SPD does state that extensions should feature a matching roof style/pitch to the existing with the single storey extension containing a flat roof, which is therefore not fully in compliance with the SPD. However, single storey rear extensions featuring flat roofs are much more common given that they could be completed under permitted development. Indeed, the extension proposed would be possible under permitted development. A flat roof also has benefits as it will largely be screened from Kestrel Road and the neighbouring properties by the existing dwelling, the proposed two storey extensions and also strong boundary treatment. Further, the applicant's land is on a slightly lower ground level than the road which would further screen it.

All of the materials are to match the existing and the proposed development is considered to be in compliance with Local Plan Policy D1 and SPD for House Extensions and Other Domestic Alterations and is acceptable in terms of visual amenity.

Highway safety

The proposed extension does not directly impact on the parking provision on site and there is sufficient parking space for 2 vehicles retained to the front of the property, in line with the Council's SPD for parking. There are no concerns raised regarding parking provision or how the development impacts on highways safety.

Recommendation

Approve with conditions