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2024/0528

Mr & Mrs Rose

43 Intake Lane, Gawber, Barnsley, S75 2HX

Minor amendments to the elevations of a previously approved planning application 2023/0140 and the addition of an external sunken garden home office.

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### Site Description

The application relates to a plot on the east side of Intake Lane and in an area that is principally residential characterised by detached dwellings of varying scale and appearance.

The property in question is a two-storey detached dwelling with a hipped roof and street-facing gable projections. The property is currently undergoing extensive development works that were approved under planning application 2023/0140. Some works comprising minor amendments to the elevations as approved under the previous planning application have been undertaken.

The application site is relatively level and is set higher than a detached, hipped roof, rendered bungalow to the north, and is set lower than a detached, two-storey, stone-fronted dwelling to the south. The application property is set in a generous plot fronted by a soft landscaped highway verge containing 5no. trees.



## Planning History

There are two previous planning applications associated with this site:

1. 2014/0689 – Erection of side, rear and front extensions, roof alterations and external alterations. – Approved.
2. 2023/0140 – Two storey extensions to the front, side and rear of dwelling including first and second floor balconies to front, extension of roof height and width to create loft conversion, changes to the external facing materials, and new 1.2m high wall and electric gate on front boundary. – Approved.

## Proposed Development

The applicant is seeking permission for minor amendments to the elevations as previously approved under planning application 2023/0140, and the addition of a subterranean building to be used as a home office.

The subterranean building would be located to the front of the application property and would have an internal floor space of approximately 34.1sqm with an overall footprint of approximately 48.7 sqm. The building would have a depth below ground level of approximately 1.7 metres with a height above ground level of approximately 1.2 metres.

The minor amendments to the elevations would comprise window and door alterations and changes to some external materials.







## Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (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 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 which 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.

### Local Plan Allocation – Urban Fabric

The site is allocated as urban fabric in the adopted Local Plan which has no specific land allocation. Therefore, the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy GD1: General Development.***
- ***Policy D1: High quality design and place making.***
- ***Policy T4: New Development and Transport Safety.***

### Supplementary Planning Document(s)

- ***House Extensions and Other Domestic Alterations.***
- ***Parking.***

### National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

- ***Section 12: Achieving well-designed and beautiful places.***

### Other Material Considerations

- ***South Yorkshire Residential Design Guide 2011.***

## Consultations

Highways DC – No objection subject to condition.  
Forestry Officer – No objection subject to condition.

## Representations

Neighbour notification letters were sent to surrounding properties and one objection was received from one address. A response was issued to the objector with further correspondence received. All comments received are summarised as follows.

The following objections which are a material planning consideration were raised:

- The subterranean home office could cause overshadowing, including to bedroom and bathroom windows which area already dark rooms with insufficient daylight.
- The subterranean home office will be used as a gym.
- All that will be seen is the wall of the sunken structure.

The following objections which are not a material planning consideration were raised:

- Overshadowing could cause damp and algae to form on paths which could pose a potentially dangerous trip hazard.
- Potential expenses in relation to algae removal.
- Potential detrimental impact on the foundations of the adjacent garage.
- Potential impact on drainage.

While all concerns raised are acknowledged, only those which are material planning considerations can be taken into account.

## **Assessment**

### Principle of Development

Extensions and alterations to a domestic property and the erection of a detached outbuilding in a domestic curtilage are acceptable in principle if they would remain subservient to and are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety.

### Residential Amenity

Extensions and alterations to a domestic property and the erection of a detached outbuilding in a domestic curtilage are considered to be acceptable if they would not adversely affect the amenity of neighbouring properties.

During the application process, concerns were raised in relation to overshadowing from and the use of the proposed subterranean building, and that the sunken structure would be all that could be seen.

The proposed subterranean building would be located to the south of 41 Intake Lane and would be set higher due to existing level differences. While the building would be positioned opposite some windows located on the south side elevation of the neighbouring property, the building would be set in from the party boundary by approximately 1.1 metres and would have a height above ground level of approximately 1.2 metres. The height of the building above ground level would be less than the height of the 1.5-metre-high boundary fence atop an existing retaining wall that was approved under application 2023/0140. The approved boundary treatment remains unchanged under this current application. The boundary treatment could also be erected under permitted development which allows a boundary fence of up to 2-metres-high to be erected without a requirement for planning permission. In addition, the approved boundary fence would screen the building and would lessen any views of it.

The proposed subterranean building would adopt a flat roof with 2no. roof lights and would be located to the front of the application property. The building is also shown to be outside of the existing tree canopy areas. The building would therefore likely benefit from reasonable access to natural light.

The proposed subterranean building could experience limited outlook. However, it is intended to be used as an ancillary space and not residential accommodation. It is stated that the proposed building would be used as a home office, and whilst concerns have been raised that it could be used as a

gym, a domestic gym to for the sole use of it by the occupant(s) of the application property would be acceptable. Nevertheless, the building will be conditioned for ancillary domestic purposes only.

The proposed minor window and door alterations are largely cosmetic in nature and would not affect approved separation distances. The approved windows on the north and south side elevations of the application property would be removed.

The proposal is therefore not considered to result in significantly increased levels of overshadowing, overlooking or reduced levels of outlook and would not have an overbearing impact.

The proposal is considered to comply with *Local Plan Policy GD1: General Development* and would be acceptable regarding residential amenity.

### Visual Amenity

Extensions and alterations to a domestic property and the erection of a detached outbuilding in a domestic curtilage are considered acceptable if they would not significantly alter or detract from the character of the street scene. They should also sympathetically reflect the style and proportions of the existing dwelling.

A detached garage was originally proposed under application 2023/0140. However, the garage was subsequently removed following comments from the Case Officer. The Case Officer acknowledged existing examples of garages located between the front elevation and the highway on Intake Lane, including an adjacent garage at 41 Intake Lane which was allowed on appeal, but noted the higher ground level of the application site and the positioning of the garage to the front boundary which would have likely resulted in the garage appearing very prominent in addition to impacts on existing highways trees which are outside of the applicants ownership.

The current proposal is considered to address those previous concerns in that the building has been relocated and is now shown to be set back from the highway and outside of the root protection and canopy areas of the existing highways trees. The building has also been sunken below ground level with a minimal above ground presence. The building would also be set below the ridge of the adjacent garage at 41 Intake Lane by approximately 1.3 metres. The building would also adopt sympathetic external materials and a flat green roof that would help to soften the development and disguise it within the proposed soft landscaping. Screening by the existing highways trees and the approved 1.2-metre-high boundary wall to the front of the application property would further reduce visibility of the building from the surrounding public realm.

The proposed minor materials changes would reduce the amount of slate stone walling and would increase the amount of white render to the front elevation of the application property. The render would be broken up by the introduction of millboard golden oak timber effect composite cladding. The cladding would also be introduced to sections of the rear elevation of the application property and the north side elevation of the existing rear extension. The slate effect cladding would be black slate Z-stone cladding with other materials comprising grey brickwork and roof tiles and black aluminium frames. It is acknowledged that the black slate Z-stone cladding would not necessarily reflect the existing material palette of the street scene by way of colour. However, the cladding would add interest to the application property by way of texture and colour and would generally harmonize with other proposed materials, which together, would contribute to a strong individualised character in a significantly varying street scene. The proposal is therefore not considered to significantly alter or detract from the character of the street scene.

The proposal is therefore considered to comply with *Local Plan Policy D1: High Quality Design and Placemaking* and would be acceptable regarding visual amenity.

## Highway Safety

The proposed subterranean building which would be used as a home office would reduce the size of the driveway as approved under application 2023/0140. However, despite the reduction to the size of the driveway, the proposal would provide ample off-street parking and turning provision. The Council's Highways Development Control team were consulted on the application and no objections were received.

The proposal is therefore considered to comply with *Local Plan Policy T4: New Development and Transport Safety* and would be acceptable regarding highway safety.

## Trees

There are 5no. trees adjacent to the front boundary of the application site which are outside of the applicant's control. A retaining wall between 41 Intake Lane and 43 Intake Lane has already been constructed and was completed at the time that application 2023/0140 was under consideration. The proposed areas of hardstanding and the front 1.2-metre-high boundary wall were approved under application 2023/0140. There are no changes to these elements within the current application other than a reduction to the amount of hardstanding.

A detached garage was originally proposed under planning application 2023/0140. However, the garage was subsequently removed following comments from the Case Officer in relation to visual amenity and the potential impact upon the trees.

The proposed subterranean building is shown to be located outside of the root protection and canopy areas of the trees. However, further details provided identified that some encroachment would occur. The encroachment into the rooting area of the trees to allow for excavations for the proposed home office would be very slight, and it is proposed that mycorrhizal fungi would be used to aid the tree in compensating for the loss of this. The impacts on the impacts on trees are therefore considered to be minimal and can be adequately mitigated. The Council's Forestry Officer was consulted, and no objections were raised.

**Recommendation -  
Approve with Conditions**