

Application Reference: 2025/0708

Site Address: 135 Broadwater, Bolton Upon Dearne, Barnsley, S63 8ER

Introduction:

This application seeks full planning permission for the erection of a detached outbuilding in garden of dwelling.

Relevant Site Characteristics

The site is situated within a corner plot on Broadwater in Bolton Upon Dearne. The site is within a densely populated residential area of similar properties. The site consists of a semi-detached dwelling, rendered with a pitched roof design. The dwelling has recently been renovated with a block paved front garden area, and a large fence depicting the side and rear garden. The side/ rear garden is a mix of block paving and artificial grass. The construction of the proposed outbuilding has already started with the floor and block work in situ.

It is noted that the property opposite the site has a large side extension which was constructed in the 80's and a property close to the site has a large brick built double garage within the side garden. This building has been erected without the benefit of planning permission.

A large fence has been erected around the side/rear garden. This will require planning permission however does not form part of this application.



Location Plan
1 : 500



Existing Site Plan
1 : 200



Site History

| Application Reference | Description | Status (Approved/Refused) |
|-----------------------|-------------|---------------------------|
| none | | |
| | | |
| | | |

Detailed description of Proposed Works

The proposal is to erect a single storey outbuilding within the corner of the side garden mirroring the boundary line. The proposal will measure 8m x 7m x 9m and is designed in a triangular shape with a flat roof. The total height of the building will be 3m. The proposal will be constructed in blockwork with a render finish. The colour has not been specified.



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 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 following Local Plan policies are relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy D1: High Quality Design and Place Making.
- Policy GD1: General Development.
- Policy T4: New Development and Transport Safety

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 Guidance

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.

Consultations

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.

No representations have been received.

Planning Assessment

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

The site falls within urban fabric. Extensions and alterations to a domestic property, including outbuildings, are acceptable in principle provided that they remain subsidiary to the host

dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

Scale, Design and Impact on the Character

The property is located on Broadwater which is characterised by similar semi-detached dwellings. Due to the location on the corner of Broadwater the property occupies a large corner plot with a large front/ side garden.

SPD: House Extensions states that detached outbuildings should relate sympathetically to the main dwelling in style, proportions, and external finishes. In most cases it will not be appropriate for an outbuilding to be sited between the house and the road. The proposal is located within the front/side garden of the property, forward of the host property and is sited between the house and the road. The proposal is located along the prominent front boundary of the site. The proposal, due to the siting would be visually intrusive within the street scene. This would result in the proposal appearing as an incongruous and dominant feature within the locality.

The flat roofed design bears no relevance to the pitched roof form of the host property. The block work of the proposal has already been erected on site and is viewable over the existing fence and the fence of the neighbouring property which is in turn causing a negative impact within the Broadwater Street scene. Although I acknowledge that the proposed extension is located behind the existing fence, and the existing fence is acting as a visual barrier along the front elevation, it is noted that the fence does not have the benefit of planning permission and when viewed together appear as incongruous dominant features, harmful to the visual amenities of the locality.

The design of the proposal when viewed in situ is expected to be visually detrimental within the surroundings and as a result the proposal is in conflict with Local Plan Policy GD1 and House Extensions SPD.

Significant weight has been given to the design and impact on the character of the area.

Impact on Neighbouring Amenity

The proposed detached garden room is located along the shared boundary with the neighbouring property and at 3m in height can be viewed from this property. However, due to the position of the proposal in relation to the neighbouring dwelling the proposal is not expected to cause any undue overshadowing.

Due to the size and orientation of the proposals and existing boundary treatment the proposal is not expected to cause any disproportionate injurious impact in terms of residential amenity.

The application is therefore acceptable in terms of residential amenity in compliance with Local Plan Policy GD1 and D1.

Moderate weight has been given to the impact on residential amenity.

Highways

The proposal will not impact the existing parking provision.

The proposal is therefore acceptable from a highways development control perspective in compliance with Local Plan Policy T4 New development and Transport Safety.

Limited weight has been given to highway safety.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal fails to comply with the relevant plan policies and as a result planning permission should be refused. Under the provisions of the NPPF, the application is considered to be contrary to Policy and is therefore recommended for refusal.

RECOMMENDATION: Refusal

Justification

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

In dealing with the application referred to above, due to the proposed/existing works in this instance it has not been possible to seek a solution for the reasons above.

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.