

<b>Application Reference Number:</b>	2025/0551		
<b>Application Type:</b>	Full.		
<b>Proposal Description:</b>	<i>Erection of a single storey rear extension to existing offices to form new rear entrance, erection of new boundary walls and landscaping to Huddersfield Road frontage.</i>		
<b>Location:</b>	<i>1 - 11 Huddersfield Road, Barnsley, S70 2LP.</i>		
<b>Applicant:</b>	<i>MKB Solicitors.</i>		
<b>Third-party representations:</b>	<i>None.</i>	<b>Parish:</b>	
		<b>Ward:</b>	<i>Central.</i>

**Summary:**

The applicant is seeking planning permission for the erection of a single storey extension to the rear of the existing offices and the erection of new boundary walls and landscaping to the Huddersfield Road frontage. The proposal also shows new signage. However, this is not under consideration and will need to be considered as part of a separate application for advertisement consent.

Extensions and alterations to non-domestic buildings are acceptable in principle if proposals would not adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved that would conserve and enhance the significance and setting of the borough's heritage assets. Proposals will also be expected to demonstrate that they are not likely to result, directly or indirectly, in an increase in pollution which would otherwise unacceptably affect or cause nuisance to the natural and built environment or to people.

The proposed development would have no adverse impact on design, heritage and visual amenity, residential amenity, and highway safety, 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**

This application relates to a row of linked detached and semi-detached properties occupied by MKB Solicitors. The properties are split level, constructed of stone and have slate pitched or hipped roofs with gables fronting Huddersfield Road. The northernmost properties are fronted by low stone walls and hedges whilst the remainder are fronted by raised paving. The development site is located on the east side of Huddersfield Road and adjacent to the crossroads junction of Church Lane, Victoria Road, Huddersfield Road and Old Mill Lane, and is located at the southern boundary of the Victoria Road Conservation Area and is opposite a grade II-listed building. Barnsley College is located to the south. The surrounding area is characterised by a mix of commercial, residential and educational uses. Vehicular access to the development site is to the east off Longman Road and the topography falls west-to-east.



### Planning History

There are several planning applications associated with the development site. However, the most recent and relevant applications are:

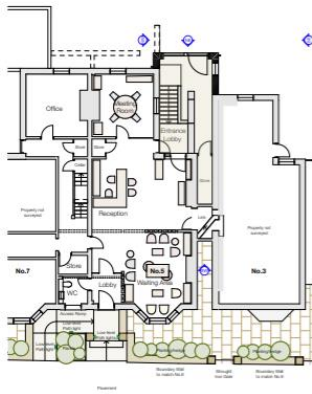
Application Reference	Description	Status
B/95/0475/BA	Formation of link extension between no's 7 and 9.	Approved.
B/03/1533/BA	Installation of roller shutters to ground floor windows.	Refused.

### Proposed Development

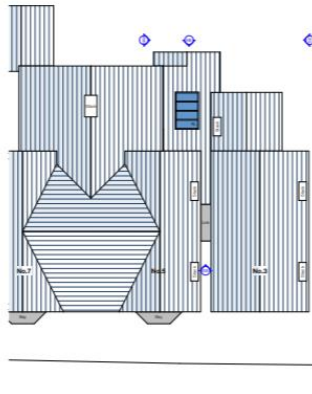
The applicant is seeking planning permission for the erection of a single storey extension to the rear of the existing offices and the erection of new boundary walls and landscaping to the Huddersfield Road frontage. The proposal also shows new signage. However, this is not under consideration and will need to be considered as part of a separate application for advertisement consent.

The proposed extension would measure approximately 2.7 metres (L) x 4.2 metres (W) x 5.4 metres (H). The proposed extension would be constructed of matching stone and slate roof tiles and would feature a run of Standard Patent Glazing Skyline Box rooflights.

The proposed boundary walls would be approximately 0.9-metres-high and would be constructed of matching stone. A new ramp and stepped access would be constructed of paving.



Proposed Ground Floor



Proposed Roof Plan



View 1



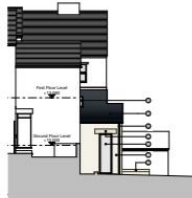
View 2



View 3

Notes

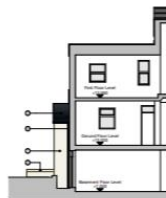
1. All work to be carried out in accordance with the Building Regulations 2010.	
2. The proposed works shall be carried out in accordance with the Building Regulations 2010.	
3. The proposed works shall be carried out in accordance with the Building Regulations 2010.	
4. The proposed works shall be carried out in accordance with the Building Regulations 2010.	
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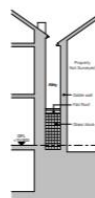
Proposed South East Elevation



Proposed North East Elevation



Proposed North West Elevation



Proposed SW Elevation

Materials Key

- Dark Grey Brickwork
- Light Grey Brickwork
- White Render
- Dark Grey Slate
- Dark Grey Roof Tiles
- Dark Grey Window Frames
- Dark Grey Door Frames
- Dark Grey Staircase
- Dark Grey Balustrade
- Dark Grey Handrails
- Dark Grey Railing
- Dark Grey Fencing
- Dark Grey Paving
- Dark Grey Driveway
- Dark Grey Walling
- Dark Grey Cladding
- Dark Grey Siding
- Dark Grey Cladding
- Dark Grey Siding
- Dark Grey Cladding
- Dark Grey Siding

Client	M&S Solutions LLP
Site Address	15-13 Huddersfield Road, Huddersfield, West Yorkshire, WF1 1JF
Project Name	15-13 Huddersfield Road
Project Description	Proposed works to the existing building
Date	March 2023
Scale	1:100
Author	A
Checker	A



Proposed Street Elevation

Notes

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Street View

## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development 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 a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on 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, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. It is also located within the Victoria Road Conservation Area and is opposite a grade II-listed building. The following Local Plan policies are therefore relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy D1: High quality design and place making.*
- *Policy HE1: The Historic Environment.*
- *Policy HE3: Developments affecting Historic Buildings.*
- *Policy HE4: Developments affecting Historic Areas or Landscapes.*
- *Policy BIO1: Biodiversity and Geodiversity.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *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 NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF 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. The 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 (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 12: Achieving well designed places.*
- *Section 16: Conserving and enhancing the historic environment.*

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 this guidance into account when taking decisions.

### Planning (Listed Buildings and Conservation Areas) Act 1990

- *Section 16: Decision on application.*
- *Section 66: General duty as respects listed buildings in exercise of planning functions.*
- *Section 72: General duty as respects conservation areas in exercise of planning functions.*

## 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 following SPDs are relevant in this case:

- *Residential amenity and the siting of buildings (Adopted May 2019).*
- *Trees and hedgerows (Adopted May 2019).*
- *Walls and fences (Adopted May 2019).*
- *Parking (November 2019).*

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

## Other Material Considerations

- *Victoria Road Conservation Area Appraisal.*

## **Consultations**

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

A site notice was placed nearby, expiring 22<sup>nd</sup> August 2025, and the application has been advertised on the Council website. A press notice was also used, expiring 30<sup>th</sup> August 2025. No representations have been received.

Conservation Officer	<i>No objection.</i>
Highways Development Control	<i>No objection, but as the premises are on the corner, it is advised that the height of the new boundary wall be such that pedestrian visibility is not impaired.</i>

## **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 of Development

Extensions and alterations to non-domestic buildings are acceptable in principle if proposals would not adversely affect residential amenity, highway safety, and where satisfactory standards of design are achieved that would conserve and enhance the significance and setting of the borough's heritage assets. Proposals will also be expected to demonstrate that they are not likely to result, directly or indirectly, in an increase in pollution which would otherwise unacceptably affect or cause nuisance to the natural and built environment or to people.

## Impact on Design, Heritage and Visual Amenity

Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or a conservation area or its setting or any features of special architectural or historic interest which it possesses.

The application buildings are identified within the Conservation Area Appraisal as making a positive contribution to the conservation area group value. A grade II-listed building is located to opposite the development site to the west.

The proposal would see the erection of new boundary walls with associated planting, an integrated planter, and the installation of a stepped and ramp access fronting nos. 1-7. The new boundary walls would match existing boundary walls fronting adjacent properties to the north in terms of height, style and materials. The proposed boundary walls and other external works are a welcome addition that would re-introduce key historical features within the street scene that would have been synonymous with the historic use of the application buildings as townhouses in distinguishing public and private spaces. The proposal would significantly improve the appearance of the Huddersfield Road frontage while incorporating functional elements to improve accessibility. Further details of landscaping (hard and soft) could be secured by condition.

The proposed extension to the rear would act as an infill between nos. 3-5 adjoining an existing link between these properties. The extension would adopt a relatively modest scale, including rearward projection and height, and would adopt a sympathetic design and features, including a part lean to and part gable pitched roof and closely matching external materials. The proposed extension would be a significant improvement upon the existing rear canopy and would better reflect the architectural style and features of the existing buildings when compared to existing extensions to the rear. During the application process, the Council's Conservation Officer was consulted, and no objections raised.

The proposal also shows new signage. However, this is not under consideration and will need to be considered as part of a separate application for advertisement consent.

Considering the above, this is considered to weigh significantly in favour of the proposal.

*The proposal is therefore considered to conserve or enhance the character and appearance of the Victoria Road Conservation Area and nearby listed buildings in accordance with Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would comply with Local Plan Policies D1: High Quality Design and Placemaking, HE1: The Historic Environment, HE3: Developments affecting historic buildings, and HE4: Developments affecting Historic Areas or Landscapes, and is considered acceptable regarding visual amenity.*

#### Impact on Residential Amenity

The proposed extension would be erected to the rear within an associated car park and to the west of nearby residential properties with approximately 39 metres maintained to neighbouring habitable room windows. As such, it is not considered that the proposal would result in significantly increased overshadowing, overlooking and loss of privacy, or reduced outlook.

Whilst the proposal is unlikely to contribute to a significant detrimental impact on the existing amenity levels of people living and/or working in the locality, there could be some temporary disruption and nuisance caused during the works. As such, a condition could be used to control construction hours.

Considering the above, this is considered to weigh modestly in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.*

#### Impact on Highways

The proposed development is not considered to be prejudicial to highway safety as existing parking arrangements within the development site would not be affected. The proposed boundary treatments on the Huddersfield Road frontage would provide an entirely pedestrian access.

Highways Development Control were consulted, and whilst no objections were raised, it was advised that the height of the proposed boundary treatments should not affect pedestrian visibility, especially at the corner where Huddersfield Road becomes Old Mill Lane.

Considering the above, this is considered to weigh modestly in favour of the proposal.

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

### Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development and therefore, for the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant local and national planning policies and guidance and planning permission should be granted subject to necessary conditions.

**RECOMMENDATION: Approve subject to conditions.**

### **Justification**

#### **Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.**

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of this application, as it was deemed acceptable.

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 representations, 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:**

1. 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.**

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

Location Plan 3612 (LP) 01 Rev. A  
Proposed Plans 3612 (0-) 04 Rev. A  
External Works 3612 (0-) 05 Rev. A

and specifications as approved unless required by any other conditions in this permission.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making and HE1 The Historic Environment.**

3. The external materials shall match those used in the existing buildings and specified by the approved documents listed above. The stone shall match the existing in terms of type, colour, and face dressing (for the stone) and method of coursing and pointing. The quoining shall also match the existing.

The rooflights hereby permitted shall be Standard Patent Glazing Skyline Box.

The boundary walls hereby permitted shall match those to the front of no. 9 in terms of height, style and materials.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making and HE1 The Historic Environment.**

4. Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the first use of the extension hereby permitted.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making and HE1 The Historic Environment and BIO1 Biodiversity and Geodiversity.**

5. All in curtilage planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the first use of the extension hereby permitted; and any trees or plants which die within a period of 5 years from first being planted, or removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policies D1 High Quality Design and Place Making and HE1 The Historic Environment.**

6. Prior to the development being brought into use, pedestrian visibility splays of 2m x 2m to the back edge of the footway shall be provided. The visibility splays shall be always maintained free of obstruction and retained thereafter.

**Reason: To ensure the safe and unobstructed use of the adopted highway is maintained in accordance with Local Plan Policy T4 New Development and Transport Safety.**

7. Construction or demolition-related activity shall only take place between the hours of 08:00am – 18:00pm Monday to Fridays, 09:00am – 14:00pm Saturdays and at no time on Sundays and 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 Pollution Control and Protection.**

**Informative(s):**

1. 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.

2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. 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

3. It is recommended that measures are taken to prevent a nuisance/ or effect 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 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, dust or smoke nuisance from being created.
4. Should the applicant pursue the installation of signage to identify the premises, they are advised that an application for advertisement consent may need to be submitted to the LPA for consideration.