

Application Reference: 2026/0451.

Location: 531 Rotherham Road, Smithies, Barnsley, S71 1XG.

Introduction

This application seeks retrospective planning permission for the erection of a replacement detached outbuilding.

Relevant Site Characteristics

This application relates to a modest sized corner plot located at the junction of Rotherham Road with Ledbury Road and in an area which is principally residential and characterised by two-storey semi-detached dwellinghouses of a similar scale and appearance. There are existing prominent detached outbuildings and/ or garages located at the end of Ledbury Road which are not generally sympathetic to the character of the street scene. The topography of the area is relatively level.

The application dwellinghouse is a two-storey semi-detached property constructed of red brickwork with a rosemary tiled hipped roof. The application dwellinghouse is fronted by a garden that extends along the side and rear. However, the areas to the side and rear appear largely hard surfaced. There is a vehicular access gate on the east boundary. The detached outbuilding accommodates a garage that is accessed off a residential cul-de-sac to the north. The detached building is constructed of red brickwork with a rendered finish to its north elevation and a rosemary tiled hipped roof. The boundary treatments comprise brick walls with timber infill panels.



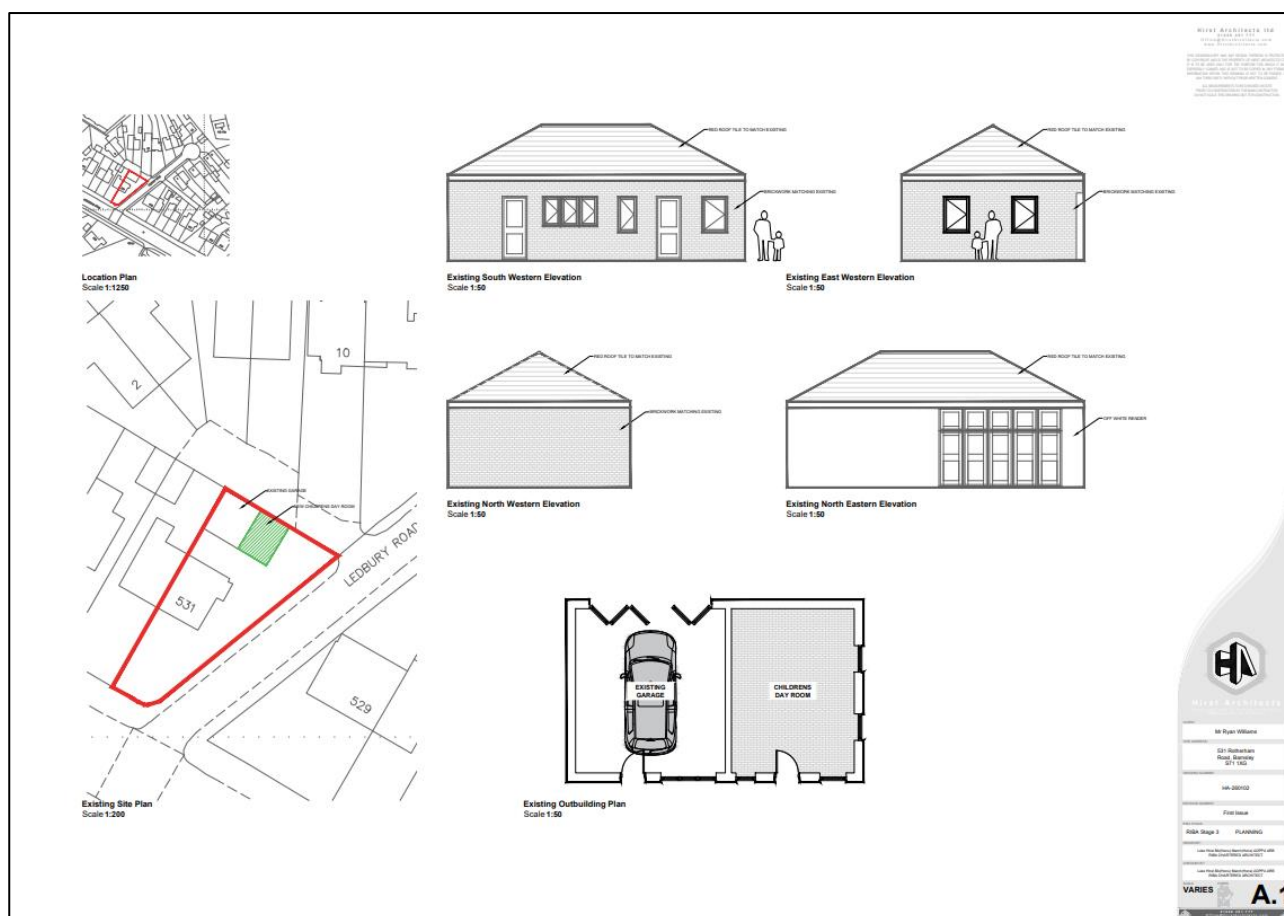
Site History

B/75/0984/BA	Erection of double garage.	Historic.
B/77/1165/BA	Erection of greenhouse and boundary wall.	Historic.
B/77/1815/BA	Retention of garage doors opening outwards.	Historic.
B/78/0056/BA	To provide a site in the existing garden for a touring caravan (When not in use) Permitted development.	Historic.

Detailed Description of Proposed Works

This application seeks retrospective planning permission for the erection of a replacement detached outbuilding.

The retrospective replacement detached outbuilding comprises a garage and a children's day room and measures approximately 9.7 metres (W) x 6 metres (D) x 4.5 metres (H). It is constructed of red brickwork with a rendered finish to its north elevation and a rosemary tiled hipped roof with an eaves' height of approximately 2.8 metres. The children's day room will be for ancillary domestic purposes only.



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. 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 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.*

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.

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:

- *House extensions and other domestic alterations (Adopted March 2024).*
- *Parking (Adopted November 2019).*

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

Other Material Considerations

- *South Yorkshire Residential Design Guide 2011 (SYRDG).*

Representations

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).

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.

Consultations

Planning Enforcement	<i>No comment(s) received.</i>
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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 unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

Extensions and alterations to a dwelling are acceptable in principle if the development would remain subservient and would be of a scale and design which would be appropriate to the host property and would not be detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety.

Scale, Design and Impact on Character

This application seeks retrospective planning permission for the erection of a replacement detached outbuilding.

The pre-existing detached building is shown on Google Street View imagery dated August 2024 and shows a red brickwork construction with a rendered finish on its east elevation and a flat roof. Access to the garage is off a residential cul-de-sac to the north of the development site. This garage appears to have been in situ since at least March 2011 where it is shown alongside other detached buildings before their removal between 2012 – 2023.

The retrospective detached outbuilding appears to maintain the footprint of the pre-existing detached garage albeit with a modest extension from its east elevation which now accommodates a children's day room within. A new hipped roof has been erected over the entire structure.

The retrospective detached outbuilding is constructed of red brickwork with an off-white render finish on its north elevation and a rosemary tiled hipped roof.

The Council's adopted House extensions and other domestic alterations SPD details specific design guidance for garages, outbuildings and annexes.

Paragraph 7.27 states detached garages and outbuildings should relate sympathetically to the main dwellinghouse in style, proportions and external finishes. In most cases, it will not be appropriate for a garage to be sited between the house and the road.

Paragraph 7.28 states detached garages and outbuildings should adopt a single storey with a height to eaves that should not normally exceed 2.5 metres from ground level, whilst the ridge height should not exceed 4 metres. Proposals for garages will be assessed using the reference of a standard size for a single garage as detailed in the South Yorkshire Residential Design Guide which states internal floor areas for garages should measure 3 metres x 6.5 metres, or 6.5 metres x 6.5 metres in respect of a double garage.

In this instance, the retrospective detached outbuilding measures approximately 9.7 metres (W) x 6 metres (D) x 4.5 metres (H) and has an eaves' height of approximately 2.8 metres from ground level.

It is acknowledged that this retrospective proposal does not accord with the Council's adopted SPD design guidance in respect of general scale and height. However, this retrospective proposal adopts a footprint comparable to the collective footprint of previous detached structures which occupied the same location within the development site. The use of sympathetic materials and the introduction of a hipped roof are welcome elements that are considered vast improvements upon previous design choices which comprised flat roofs and a corrugated metal construction. The design and appearance of the retrospective detached outbuilding is considered to be a much better reflection of the character of the surrounding street scenes. It sits comfortably within the surrounding context and while it does appear as a prominent feature within the street scene, it is not considered to be an overtly dominant structure that could have otherwise significantly altered and detracted from the character of the street scene. This retrospective proposal is therefore considered acceptable, on balance.

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

This proposal is therefore considered to comply with Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding its impact on visual amenity.

Impact on Neighbouring Amenity

This retrospective detached outbuilding is located to the south-east of the rear curtilage of adjoining neighbouring property 533 Rotherham Road and to the south-west of a private road which serves a small residential cul-de-sac.

While some overshadowing could occur to the northeast of the development site any potential impact is likely to be limited to the private road and not the adjacent neighbouring curtilages and while some overshadowing could occur to the northwest of the development site any potential impact is likely to be limited to the evening and not at peak times for use of a rear garden. This retrospective detached outbuilding also appears to maintain the footprint of the pre-existing detached garage along the west party boundary shared with 533 Rotherham Road which was in situ since at least March 2011. Whilst the increased roof height could contribute to additional overshadowing impact beyond those existing long-term impacts that were likely experienced and tolerated, they are not considered detrimental to the amenity of the neighbouring occupants. The occupants of 533 Rotherham Road and surrounding properties were notified of this application and no objections were received.

Windows are located on the east and south elevations of the retrospective detached outbuilding and face into the development site and are well-screened by existing boundary treatments. As such, it is

not considered that this retrospective proposal results in significant increased overlooking or loss of privacy impacts.

It is not considered that this retrospective proposal results in significant reduced levels of outlook as a result of its positioning within the development site and distance from neighbouring habitable room windows. This retrospective proposal is therefore considered acceptable, on balance.

Considering the above, on balance, this is considered to weigh significantly in favour of this 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 its impact on residential amenity.

Impact on Highways

The proposed development is not considered to be prejudicial to highway safety as existing off-street parking arrangements is not significantly impacted.

While the retrospective detached outbuilding does not conform to the internal space standards which are set out by the SYRDG and cannot therefore be counted toward the off-street parking provision of the development site, it is acknowledged that this proposal does maintain a garage space that is similar in size to the garage that pre-existed within the development site and that can accommodate a standard sized off-street parking space. Other existing off-street parking arrangements and access is not significantly impacted.

This retrospective proposal is therefore considered acceptable, on balance.

Considering the above, on balance, this is considered to weigh moderately in favour of this proposal.

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

Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), this proposal is considered in the context of the presumption in favour of sustainable development.

For the reasons outlined above, and taking all other relevant material matters into consideration, this retrospective proposal is considered acceptable, on balance, in respect of its impacts on visual and residential amenity and highway safety and as such, 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.

In dealing with the application, the Local Planning Authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Confirm the intended use of the children's play room.
- Amend the plans to show render to the north elevation to reflect what exists on-site.

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

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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 Policy D1: High Quality Design and Place Making.

2. The external materials shall match those used in the external construction of the application dwellinghouse (531 Rotherham Road, Smithies, Barnsley, S71 1XG) and specified by the approved documents listed above.

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.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order), the retrospective detached outbuilding hereby permitted shall always be retained and kept available for the parking of private motor vehicles associated with the residential occupation of the application dwellinghouse (531 Rotherham Road, Smithies, Barnsley, S71 1XG). It shall not be used for any purpose other than the parking of motor vehicles and/or for ancillary domestic storage or a domestic children's day room associated with the residential occupation of the application dwellinghouse (531 Rotherham Road, Smithies, Barnsley, S71 1XG). It shall not be converted into living accommodation or habitable space or used for any trade or business purposes.

Reason: To ensure that the use of the existing access is not intensified to the detriment of road safety in accordance with Local Plan Policy T4: New Development and Transport Safety, and to ensure that the residential use of the site is not intensified, contrary to sustainable development and Local Plan Policy T3: New Development and Sustainable Travel.

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. 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.
3. The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.