

Application Reference: 2025/0673

Site Address: 73 Laithes Lane, Athersley South, Barnsley, S71 3AQ

Introduction: Erection of front porch extension to dwelling (Retrospective)

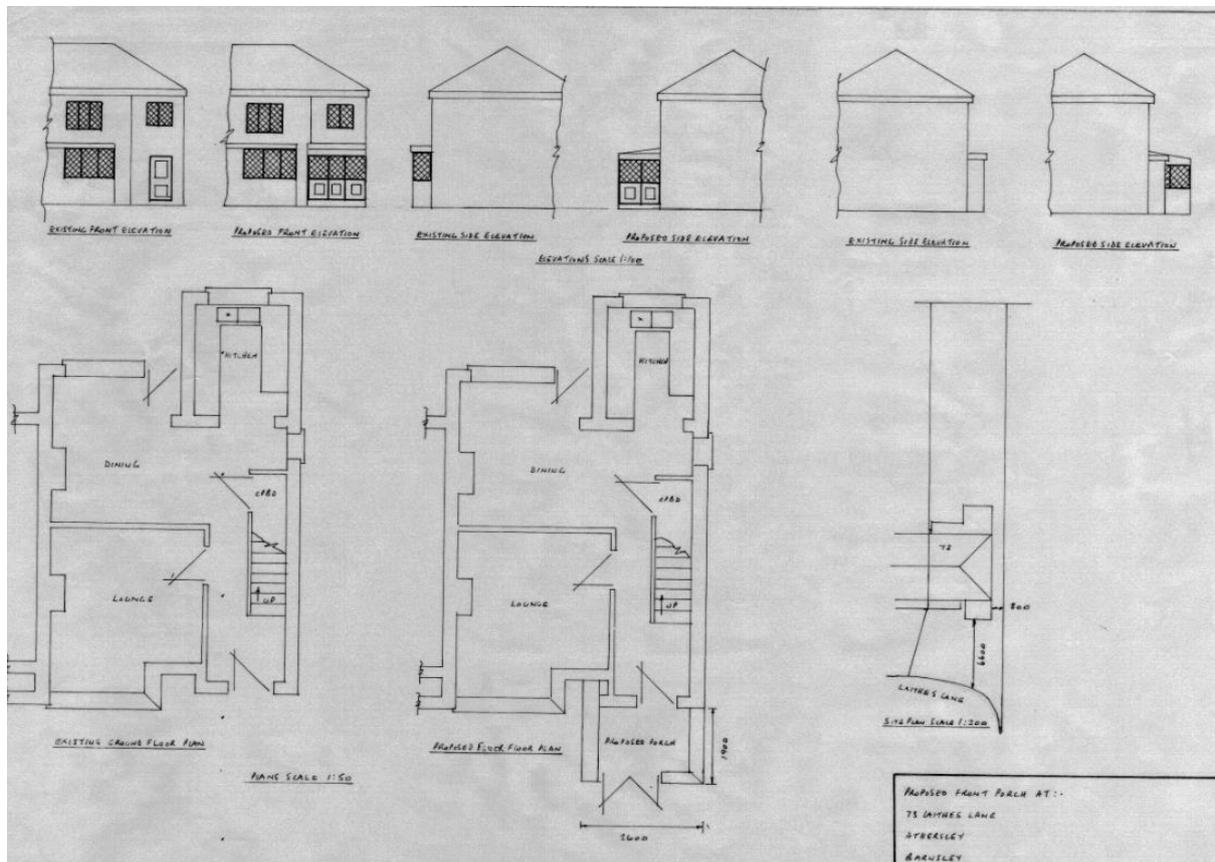
Relevant Site Characteristics

The application relates to a semi-detached dwelling within the Athersley South area. The site provides a front driveway capable of parking two vehicles and a modest rear garden. The dwelling has a hipped roof dressed in tiles and the property is constructed from red brick.

The street scene is characterised by predominantly semi-detached and terraced properties. Red brickwork is predominantly used along with some white rendered features. The site is on Laithes Lane, however is separated and set back from the main highway by an intervening grass verge.

Detailed description of Proposed Works

The applicant is seeking retrospective permission to erect a single storey low-pitched lean-to porch to the front of the dwelling. The proposal has an approximate forward projection of 1.9 metres and an approximate width of 2.6 metres. The front elevation of the porch has an approximate height of 2.6 metres. The porch has an approximate total height of 2.8 metres. The porch is constructed from brown PVC to the bottom half and glazing to the upper half. The roof is constructed from polycarbonate panels.



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.

Enforcement – No Response

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 where extensions and alterations to a domestic property 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 Supplementary Planning Document for House Extensions states 'The front elevation of a building is the most important for its contribution to the street scene. Generally, therefore, such extensions need to be of a high standard of design and will not be considered acceptable where they detract from the quality of the existing dwelling or character of the street scene or cause overshadowing to neighbouring dwellings. Large extensions and conservatories are likely to appear particularly intrusive and will not normally be acceptable.'

The forward projection of 1.9 metres is considered modest in the context of the site. The front elevation also provides a bay window with an approximate 1 metres projection which lessens the impact of the front porch. The use of a low-pitched lean-to roof is tantamount to a flat roof and not normally permitted, however given the dwelling features a flat roofed bay window along with other dwelling on the street scene, the use of a low-pitched lean-to roof is considered acceptable and in keeping with the site and street scene on this occasion.

The use of brown PVC does match the windows on the dwelling, however along with the polycarbonate roof materials, provides a design similar to a conservatory, which would not usually be acceptable.

Given the site is significantly set back from the main highway due to the intervening grass verge, the proposal has a reduced dominance on the street scene.

Additionally, given the application is retrospective and has been in place for over 10 years, the proposal is considered acceptable as there would be no powers to force the removal of the structure.

It is therefore considered that the proposed extension is acceptable in terms of visual amenity and in compliance with Local Plan policy D1: High Quality Design and Place Making and as such carries moderate weight in favour of the application.

Impact on Neighbouring Amenity

The porch is sited to the west of adjoined 75 Laithes Lane. The porch provides a modest projection and is reduced in its impact to 0.9 metres by the projecting bay window. The height of the porch is less than the existing bay window and is therefore not impactful on adjoined 75 Laithes Lane. The site is significantly set back from and also set at a lower floor level than 71 Laithes Lane to the west, removing any impact the porch would have on this neighbour.

It is therefore considered that the proposal would not result in a significant increase in overlooking, overshadowing or reduce levels of outlook to a detrimental level and is in compliance with Local Plan Policy GD1 General Development. This carries substantial weight in favour of the application.

Highways

The proposal would not result in the increase of any bedroom capacity at the site. It is acknowledged the porch takes up some parking facility on the front driveway, however the site maintains parking facility for up to two cars which is sufficient for a dwelling with more than two bedrooms.

As such, the proposal is considered acceptable in terms of its impact on highway safety and in compliance with Local Plan Policy T4 New Development and Transport Safety. This carries considerable weight in favour of the application.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

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 requiring any amendments to the proposal.

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.

Conditions

1. The development hereby approved shall be carried out strictly in accordance with the approved 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 in accordance with Local Plan Policy D1 High Quality Design and Place Making.

Informatives

- 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) This permission shall not be construed as granting rights to carry out works on, under or over land not within the ownership, or control, of the applicant.