

2023/0580

Mr David Yates

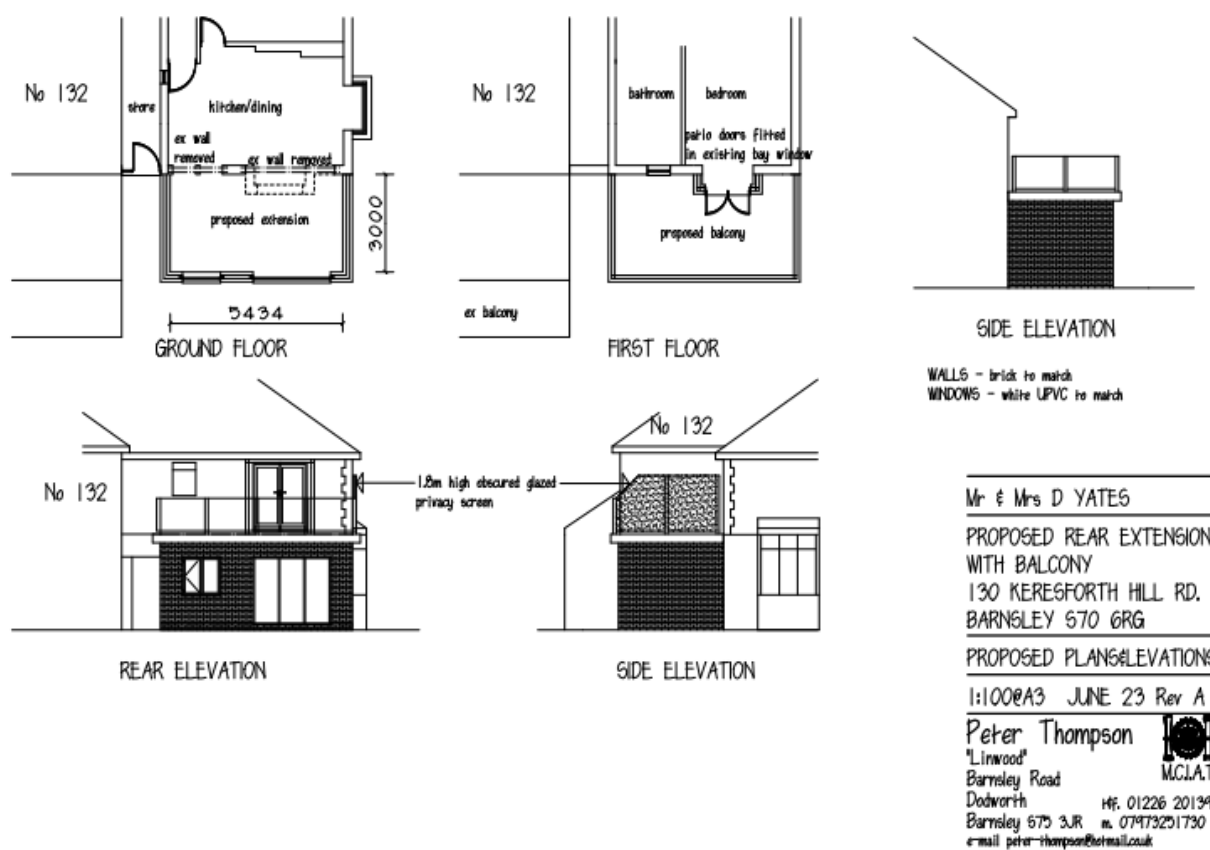
130 Keresforth Hill Road, Kingstone, Barnsley, S70 6RG

Erection of single storey rear extension with balcony above and new patio doors on rear of dwelling at first floor level

## Site Description

The dwelling is a two-storey semi-detached dwelling located in Kingstone. Keresforth Hill Road has a mixed street scene featuring dwellings of different designs and types as well as Greenacre School. The dwelling has a garden to the front and a driveway to the side which leads to a detached garage and garden to the rear.

## Proposed Development



The applicant is seeking approval for the erection of a single storey rear extension. The extension will project 3.3 meters from the rear elevation of the dwelling and has a width of 6.05 meters. The extension will feature a flat roof with a total height of 2.95 meters and an eaves height of 2.7 meters. The materials used will be matching brickwork. The extension features a balcony area above to be situated 2.95 meters above ground level with a width of 6.05 meters and a projection out from the dwelling of 3.4 meters. Patio doors are proposed at first floor level to lead out onto the balcony. The balcony features a 1.8-meter-high obscure glazed privacy screen.

## Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the 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 also 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 and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 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

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

In reference to this application, the following policies are relevant:

***Policy SD1: Presumption in favour of Sustainable Development*** – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

***Policy GD1: General Development*** – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

***Policy D1: High quality design and place making*** – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

## Supplementary Planning Document: House extensions and Other Domestic Alterations

This document establishes the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals should;

- Be of a scale and design which harmonises with the existing building;
- Not adversely affect the amenity of neighbouring properties;
- Maintain the character of the street scene; and
- Not interfere with highway safety

The above principles are to reflect the revised principles in the NPPF, which promote high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

## 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 places** - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 134 states that *"development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes"*.

### **Consultations**

No consultees were consulted for this application.

### **Representations**

Neighbour notification letters were sent to surrounding properties, two comments were received and in summary raised the following points.

- Comment one:
  - Access to two of our three utilities is made via the access to our extension for both electricity and water and therefore this will need to be reviewed and controlled as part of the building, to ensure that the access is maintained.
  - Our soil pipe from our ensuite bathroom returns into the ground on the side of the building as agreed as part of the planning in 2008 and needs not to be disturbed.
  - Our satellite dish is located on that external side wall of our extension as agreed as part of our extension in 2008 and may cause issues/costs to be relocated.
  - The gap between the proposed extension and our existing extended property needs to be sufficient to allow access to gutting, the wall and soil pipe/plumbing for maintenance.
  - The balcony from privacy requirements cannot be in clear proximity to ours or over see any of our windows.
- Comment two:
  - The site plans are out of date and show a building to the rear of 128 adjacent to 130 that is no longer there.
  - If this planning application were to be passed, I feel that our privacy would be compromised. The land to 130 is higher than the land of 128 and anyone sat on a balcony will have full view of our back door and patio area hence we would lose all privacy.
  - We have no objection in principle to a balcony, however, would request that the side elevation of the balcony is brick or screened so that our privacy is protected to 128.

The proposal went out to re-consultation following the addition of the privacy screen and one further comment was received from the author of comment two.

Comment three:

- We no longer have an objection as a result the change of plans to have obscured glass to the side elevation 1.8m high. As long as this is adhered to, we now support this application.

## **Assessment**

### Principle of Development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing. Extensions to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

### Residential Amenity

The SPD states that *“on semi-detached dwellings an extension should not project more than 4m and again, the eaves height should not exceed 2.5m where the extension would project beyond 3m”*. The extension meets the projection set by the SPD at 3.3 meters however the eaves height exceeds 2.5 meters with a proposed eaves height of 2.7 meters however with only an increase over the recommendation by 0.2 meters it is not deemed significantly detrimental to the residential amenity of the neighbouring properties to which the adjoining dwelling (132 Keresforth Hill Road) has an existing single storey rear extension and first floor balcony.

The development includes the addition of a balcony attached to the rear elevation of the extension. Balconies located on domestic properties always have the potential to overlook into neighbouring properties, typically into the garden of the property which it faces onto, to the rear, in this case. However, the balcony will not be an alien feature nor significantly overlooked the adjoining dwelling as that also features a balcony on the rear elevation.

This existing balcony although not supported by the LPA's guidance is established development as although it would have required planning permission it has been in place for over 4 years and is therefore immune from enforcement action. The existing balcony on the adjoining dwelling lacks a privacy screen and projects further from the rear elevation than the proposed balcony therefore the impact will not be greater than the existing.

With regards the neighbouring property without an existing balcony (128 Keresforth Hill Road) the proposed privacy screen will reduce levels of overlooking to this property and it is at a suitable height of 1.8 meters. Additionally, the existing garage will not be demolished as originally proposed and is now to be set slightly further to the rear of the garden in order to facilitate the single storey rear extension, which further reduces the impact.

With regards to overlooking of the private amenity space this will be screened by the garage and only occur towards the bottom of the garden area and not the space adjacent the rear elevation. It must be noted that this level of overlooking is already achieved by the balcony on 132 Keresforth Hill Road but without the provision of a privacy screen.

Although a balcony of this nature would normally not be supported on a semi-detached dwelling given the site factors at play with this application it is deemed that in this circumstance the proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

### Visual Amenity

The SPD states that '*materials should normally be of the same type, colour and texture to the existing house or as close a match as possible*'. In this case, the proposed materials will match the existing dwelling with matching brickwork being used. The extension utilises a flat roof which is not usually a supported roof type however in this circumstance it is acceptable as the roof is not highly visible from public vantage points and won't be visible in the street scene of Keresforth Hill Road.

The proposal partially conforms to the SPD in terms of its external materials and roof type, however it will have little impact upon the character of the street scene due to being set to the rear of the property. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

#### Highway Safety

There will be no impact upon highway safety.

#### **Recommendation**

**Approve with Conditions**