

Application reference number	2025/0718
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Application Type	Full Planning Application (Householder)
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Proposal Description:	The application proposes to erect a first floor extension above part of the existing ground floor extension.
Location:	43 Victoria Street, Penistone, Barnsley, S36 6EL.

Applicant	Mr Ben Taylor (BMBC)
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Number of Third Party Reps	2 objections have been received.	Parish:	Penistone
		Ward:	Penistone West Ward

SUMMARY

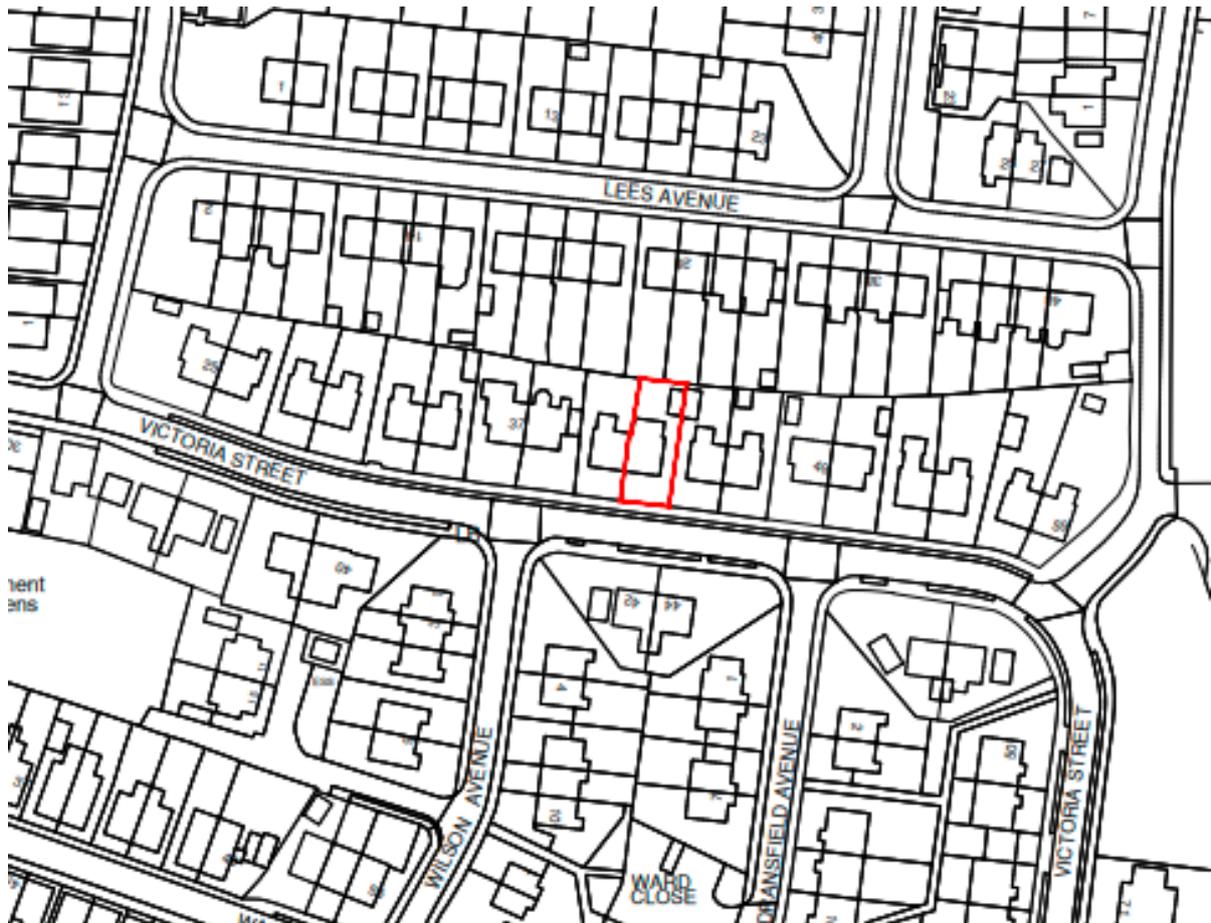
This application is before Members as the Council is the applicant.

The proposal seeks full planning permission for the erection of a first floor extension above an existing single storey rear extension to create an additional bedroom.

The proposal is considered to be acceptable in policy terms as it creates a sympathetic addition to the host dwelling, whilst respecting neighbouring amenity and allowing the home to be adapted for the occupiers needs. The report demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties, the visual amenity of the area or highways safety subject to suitably worded conditions.

Recommendation: **GRANT Planning Permission subject to conditions.**

Site Location



Site Description

The application site is within a residential area of Penistone. The area is characterised by two storey red brick semi-detached dwellings. The host dwelling sits on a fairly small plot, to the rear is an existing detached garage with a small paved area and square of grass. To the front is a small garden area which is bounded by a hedgerow along the front boundary. There is vehicular access to the application site with a concrete driveway running down the site of the house providing tandem parking.

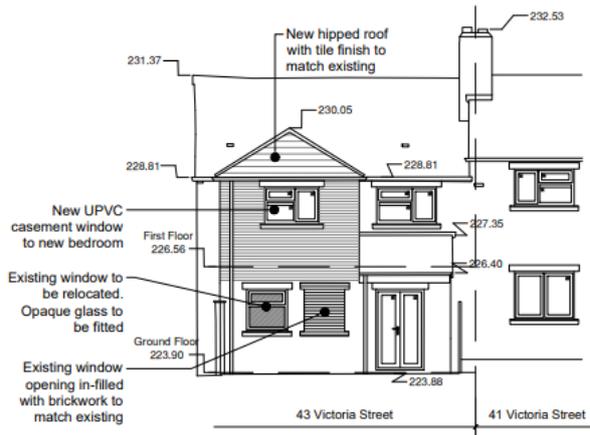
Proposed Development

There is an existing single storey extension to the rear of the property. This application seeks permission to erect a first floor extension above part of the existing ground floor extension.

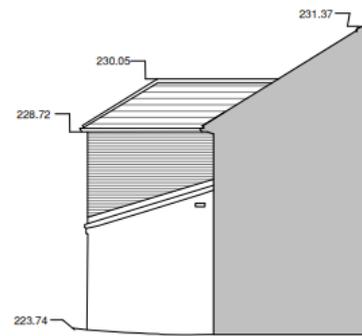
Proposed site Layout:



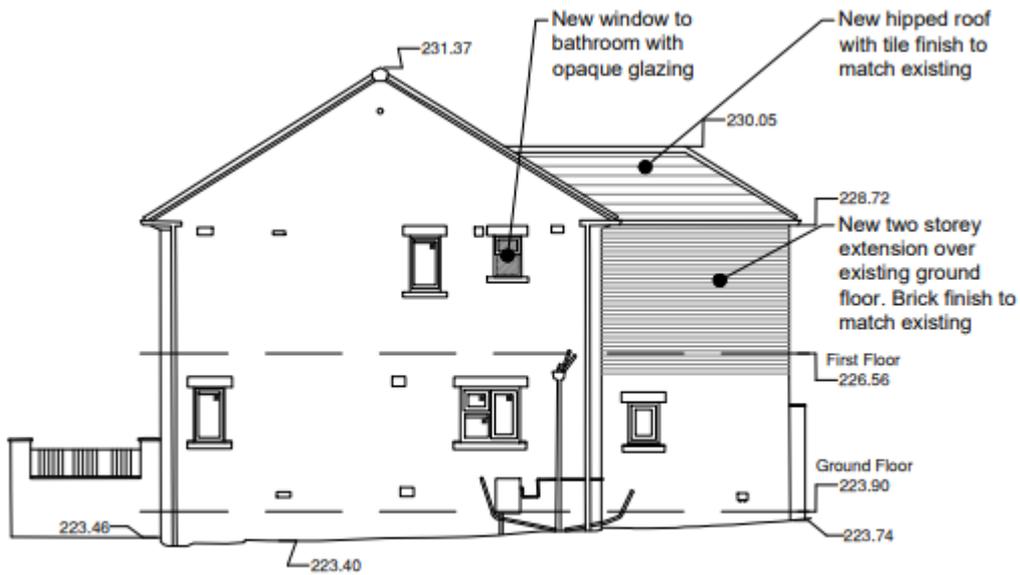
Proposed Elevations:



03 Elevation C (North-East)
1:100



04 Elevation D (North-West)
1:100



02 Elevation B (South-East)
1:100

Relevant Site History

There is no relevant site history.

Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy

Framework (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 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 which are a material consideration in the decision-making process.

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.

Local Plan

The site is identified as Urban Fabric within the Local Plan as such the following policies are considered to be relevant to this application:

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.

Adopted Supplementary Planning Documents relevant to this application:

- House extensions and other domestic alterations

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. NPPF policy of relevance to this application includes:

Paragraph 8 of the NPPF states that:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 39 of the NPPF states that:

Local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 131 of the NPPF states that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.

Paragraph 135 of the NPPF goes on to state that:

Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Relevant Consultations:

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

Penistone Town Council:

No comments have been received.

Representations

Neighbour notification letters were sent to the surrounding properties and two representations were received. The representations raised the following issues:

- Overshadowing / Loss of light
- Overlooking / loss of privacy
- Pollution, noise and dust in the construction phase
- Existing surface water issues

Assessment

The main issues for consideration are as follows:

- The acceptability of the proposal in principle
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways safety

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

The site falls within Urban Fabric which has no specific land allocation. Extensions and alterations to a domestic properties 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.

Visual amenity and impact on the character of the area

Policy D1 states that Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

The proposed extension is to the rear of the dwelling. It projects approximately 3.1m from the rear elevation of the dwelling and will become flush with the existing rear wall of the ground floor extension. The extension does not span the full width of the property and is only 3.5m wide, set in over 2.5m from the adjoining boundary.

The proposal is fairly small scale and is a modest extension to the host dwelling. It does not appear overly dominant and the overall design mirrors that of the host dwelling. The materials proposed to be used in the extension would match those of the existing dwelling and therefore it would integrate well with the existing property and would be acceptable in terms of its visual amenity.

The proposal would have little to no impact on the wider street scene / character of the area given it will predominantly be out of view.

Overall, the proposed extension is subservient to the host dwelling and is acceptable in terms of its overall design and visual amenity. This carries moderate weight in favour of the development.

Residential Amenity

Policy GD1 states that proposals for development will be approved if:

- There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;

The House Extensions SPD states that two-storey rear extensions will be considered on the basis of the extent of overshadowing, loss of privacy and outlook. Two-storey extensions to terraces and semi-detached properties which abut a party boundary and adversely affect main windows will not normally be allowed. Two-storey rear extensions to semi-detached houses should, therefore, generally be designed with a rear projection of less than 3.5 metres.

It also states that the 45° test shall be applied to the nearest window of any adjacent residential accommodation which lights a habitable room or kitchen. To comply with the rule any extensions should be designed so as not to cross a 45° line, when drawn from the mid-point of the nearest window opening of the adjacent dwelling.

The proposal here, is set in from the boundary with the adjoining neighbour, enough so that there is no encroachment into the 45 degree zone. The proposed extension also has a lesser projection than 3.5m and therefore is in accordance with the guidelines set out in the SPD.

In addition to this, the roof line of the extension is set down significantly lower than the ridge of the existing house which further mitigates any overshadowing or loss of light.

The proposed extension is essentially set in the centre of the plot, with a distance of at least 2.5m to either side boundary, given this and that the neighbouring gardens are north facing, it is unlikely that harmful overshadowing or loss of light would occur.

The proposal introduces an additional window to the rear elevation this is set over 25m away from the property to the rear which exceeds the minimum separation distance set out in the SYRDG which requires at least 21m between habitable room windows. One new window is proposed to the ground floor rear elevation which will serve the bathroom. Another bathroom window is proposed at first floor in the existing building. This window will also be obscure

glazed as per the proposed plans and this will be secured via condition to maintain privacy and avoid overlooking.

In summary, the proposals are considered to cause limited harm residential amenity and are compliant with Policy GD1 and the House Extension and Other Domestic Alterations SPD. This carries moderate weight in favour of the development.

Highway Safety

Policy T4 of the Local Plan states that new development will be expected to be designed and built to provide all transport users within and surrounding the development safe, secure and convenient access and movement.

The proposal does not have any direct impact on highways safety or the parking provision. The proposal does create an extra bedroom and a property of 3+ bedrooms requires 2 off-street parking spaces, the application site already has provision for two off-street parking spaces and these will be retained.

As such, the proposal meets the requirements set out in policy T4 of the Local Plan and would not cause harm to highways safety. This weighs significantly in favour of the development proposals.

Representations

Two representations have been received from the adjacent neighbours either side of the host dwelling raising concerns with regards to overlooking and overshadowing. These considerations have been addressed above within the residential amenity section and it has been concluded that there would be minimal impact on neighbour amenity by virtue of overlooking or overshadowing.

Additional concerns have been raised with regard to existing surface water drainage issues. Given the proposal is a first floor extension above part of the existing dwelling the addition of this extension is not likely to contribute further to existing drainage issues, particularly in terms of surface water.

Some comments raised concern with regard to the construction phase and potential noise/dust that would be created. These issues are not a material planning consideration for such a small scale development as they relate to temporary impacts associated with the building process rather than the long-term use or operation of the development. Construction related nuisances can managed through separate Environmental Health legislation.

PLANNING BALANCE & CONCLUSION

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

Overall, the development is considered to be in accordance with the relevant policies of the Local Plan. Having balanced all material planning considerations, and noting that the objections have been addressed within this report, the proposal is considered to represent a sustainable form of development and is recommended approval, subject to conditions.

RECCOMENDATION

GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO CONDITIONS

The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.