

**Application Reference:** 2025/0334

**Location:** 21 Tenters Green, Worsbrough, Barnsley, S70 5HG.

## Introduction

This application seeks planning permission for the erection of a single storey extension, replacement of an existing pitched roof with a flat roof and the erection of a raised patio area to the rear.

## Relevant Site Characteristics

This application relates to a modest sized plot located on the south side of Tenters Green and within an area that is principally residential that is characterised by detached bungalows of similar scale and varying appearance. The topography falls north-east to south-west and north-to-south.

The application property is a detached bungalow that is constructed of buff coloured brick and has a pitched concrete tiled roof and front gable projection. The application site is bounded by a low brick wall and hedge to the front. A driveway is located to the side of the property. To the rear is an existing gable roofed extension with an underfloor storage area and external staircase leading onto a raised patio area. Stepped access from the patio leads onto the rear garden which is bounded by concrete post and timber panel fencing. The application property and curtilage are set below 23 Tenters Green and above 19 Tenters Green. The topography within the development site falls north-east to south-west and north-to-south.



## Site History

|           |  |           |
|-----------|--|-----------|
| 2018/1260 | Erection of single storey rear extension with provision of underfloor storage area and external staircase. | Approved. |
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## Detailed Description of Proposed Works

This application seeks planning permission for the erection of a single storey extension, replacement of an existing pitched roof with a flat roof and the erection of a raised patio area to the rear.

The proposed extension would measure approximately 4.1 metres (L) x 5.7 metres (W) x 4 metres (H). The extension would infill the space between the existing rear extension and the western gable elevation of the application property. The existing gable pitched roof to the existing extension would be removed and a new flat roof with roof lanterns would be installed to cover all extensions. It would be constructed of closely matching external materials.

The proposed raised patio area would measure approximately 3.2 metres (L) x 9.6 metres (W) x 1.2 metres (H). The raised patio would project from the rear of the extensions and would be constructed of closely matching external materials.



## 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 GD1: General Development.*
- *Policy D1: High quality design and place making.*
- *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.

## **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).

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 were received.

No statutory or non-statutory consultees were consulted on this application.

## **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 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.

### Impact on Neighbouring Amenity

The House extensions and other domestic alterations SPD establishes that single storey extensions to the rear of detached dwellings will be considered on their design merits if no adjacent properties are affected.

The proposed extension would infill the space between the existing rear extension and the western gable elevation of the application property, maintaining the existing rearward projection. The existing gable pitched roof to the existing extension would be removed and a new flat roof installed. As such, the proposal is unlikely to adversely affect the amenity of 23 Tenters Green and could actually result in a reduced impact overall because of the decrease in roof height and the fact that the application property is set below.

The proposed extension would be erected to the north-east of the side gable elevation of 19 Tenters Green. Whilst some overshadowing could occur, any potential impact would likely be limited to the early morning. Moreover, the proposed extension would be set in from the party boundary and would not extend beyond the external footprint of the original dwelling. This separation, existing topography differences and existing boundary treatments could act to lessen the extent of any potential impact and avoid any significant adverse effects on the amenity of neighbouring occupants.

Regarding overlooking and loss of privacy, the proposed extension would feature glazed doors and sky lanterns which would face away from surrounding neighbouring properties. The proposed raised patio could result in some overlooking and loss of privacy. However, because of existing topography differences, there is a degree of existing impact experienced by the occupants of the application and neighbouring properties. It is not considered that the proposal would significantly exacerbate existing levels of impact. Neighbouring properties benefit from their own raised patio areas. 23 Tenters Green

is set higher than the application property and its rear patio area extends up to the party boundary. As such, there is some overlooking of the application site from the neighbouring curtilage. The raised patio area proposed to the rear of the application property would be built up to the eastern elevation of the existing extension and could increase overlooking of the neighbouring curtilage. However, any potential impact from the utilisation of the proposed patio would not be significantly dissimilar from someone standing on the highest existing ground level adjacent to the party boundary. 19 Tenters Green is set lower than the application property. However, the proposed patio would partially replace an existing raised patio of a similar height and location. Moreover, existing boundary treatments and detached buildings within the neighbouring curtilage could offer some screening to the neighbouring rear garden and maintain privacy to a reasonable degree. In addition, the neighbouring property is set in from the party boundary and separated by a driveway. There is an additional brick wall within the neighbouring curtilage enclosing a rear courtyard area and providing some privacy.

Regarding outlook, it is not considered that the proposal would result in significantly reduced outlook.

Considering the above, on balance, the proposal is not considered to be overbearing and would not contribute to significant overshadowing, overlooking and loss of privacy or reduced outlook. As such, this is considered to weigh significantly in favour of the proposal.

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

#### Scale, Design and Impact on Character

The proposed extension would adopt a sympathetic form and features and would be constructed of closely matching external materials. Whilst a flat roof is not preferred, the extension would be erected to the rear and would not be a prominent feature within the street scene. The proposed raised patio would also not be a prominent feature within the street scene. It would also be constructed of closely matching external materials.

Considering the above, the proposal is not considered to adversely affect the character of the street scene. As such, this is considered to weigh moderately in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding visual amenity.*

#### Impact on Highways

The proposal is not considered to be prejudicial to highway safety because existing off-street parking arrangements within the development site would be retained, and the proposal would not result in a requirement to provide additional spaces.

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 provisions 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 the 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:

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Plans and Elevations Sheet 2 of 2

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.**

3. The external materials shall match those used in the existing building and those specified within the application form.

**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.**

## Informative(s):

4. 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.

5. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation

Authority's website at:[www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)  
What is a permit and how to get one? - GOV.UK ([www.gov.uk](http://www.gov.uk))

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK