
2024/0146

Applicant: J Ward

Address: 59 Cemetery Road, Hemingfield, Barnsley, S73 0QD

Description: Erection of single storey side extension, raising of roof to form front and rear dormers, and installation of rear Juliet balcony to detached single storey dwelling.

One Neighbour Objection

Site & Location Description:

Within reasonable proximity of the application dwelling, this section of Cemetery Road features a varied street scene comprising of blocks of traditional terrace houses, detached and semi-detached houses, bungalows, and dormer bungalows. The application dwelling itself is one of a pair of detached bungalows situated between two larger detached houses and an access road to further dwellings to the side and rear of the application dwelling. Constructed of red brick and stonework, with tiled cross gable roof, the dwelling does have character, and one which whilst sits well within the broad character of the street scene, if a little lost and dwarfed by larger dwellings. The dwelling features off-road parking, an attached garage to the side and modest sized front and rear gardens, with the latter being unusually small for the size of the dwelling.



Planning History: None

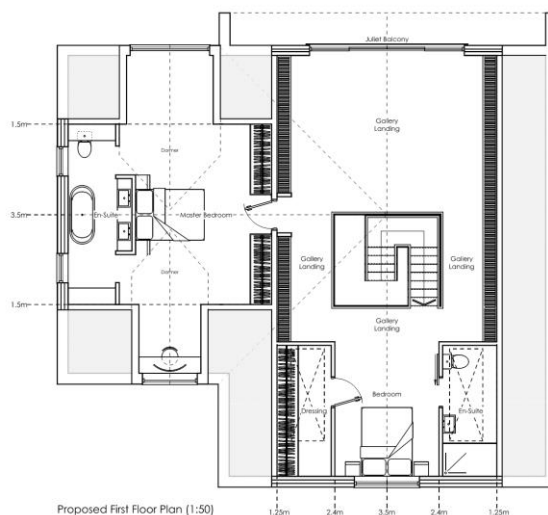
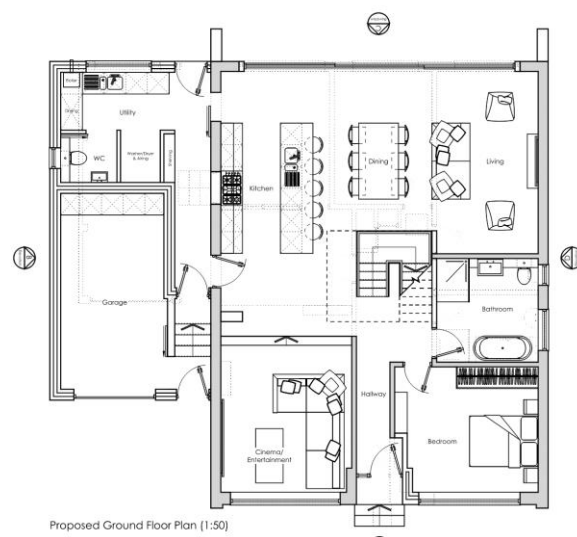
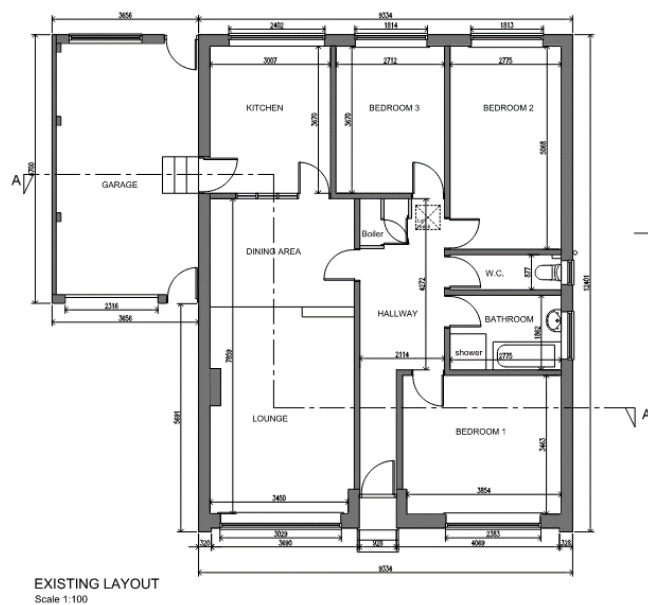
Proposed:

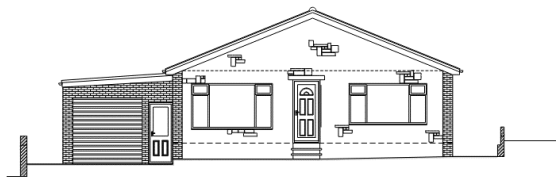
On initial appearance, the proposals appear to comprehensively redesign the whole bungalow, which in part it does achieve, but on consideration, the plans are not as drastic as initially appears. The principal proposal is to raise the height of the roof, to create an area of first floor living accommodation, with substantial new glazing, a dormer window, and a balcony with supporting walls underneath. Secondary works would include the extension of the existing garage, boundary treatment works and redevelopment of the front and rear gardens. In the final amendment to the proposal Render has been reduced to the rear and gable side elevation adjacent to No.57, where it would not be prominent within the street scene. Matching stonework to the original dwelling is proposed and conditioned for the front elevation, and the side elevation adjacent to Brown Square

Measurements:

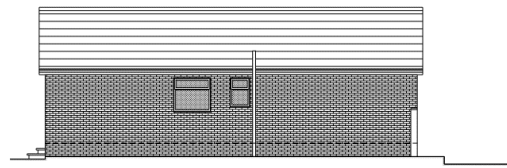
- **Ground Rear Projection Increase: 90cm** (for two supporting/screening walls which create an open outdoor space underneath the proposed balcony).
- **Width: 13.8m** (Original width 12.99m)
- **First Floor Rear Projection: 0.88m** (Balcony)
- **Balcony Size: 7.84 sqm** (0.88m x 7.83m)
- **Increased Side Projection (Beyond Original Garage): 1.86m / Total: 13.8m**
- **Increased Front Projection (Beyond Original Garage): 0.81m / Total: 2.74m**
- **First Floor Width: 13.83m** (maximum inc. 7.83m of balcony)
- **Maximum Eaves Height From Ground Level: 3.35m** (Original 2.8m)
- **Maximum Roof height From Ground Level: 6.38m** (Original 5.06m)

Existing and Proposed Floor Plans and Elevations

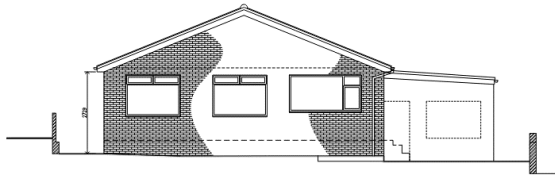




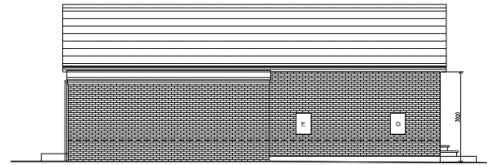
FRONT ELEVATION
Scale 1:100



SIDE ELEVATION (R)
Scale 1:100



REAR ELEVATION
Scale 1:100



SIDE ELEVATION (L)
Scale 1:100



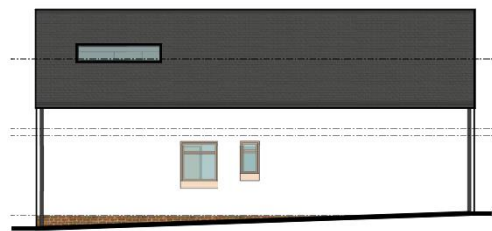
Proposed Elevation A (1:100)



Proposed Elevation B (1:100)



Proposed Elevation C (1:100)



Proposed Elevation D (1:100)

NB: Proposed Elevation D would now be constructed of matching stonework to the original dwelling, like proposed elevation A and as the amended visuals now indicate.





Local Plan Designation: Urban Fabric

Conservation Area: No

Neighbour Representations:

Letters were sent to nearby addresses; One objection (over two emails) was received from a neighbouring dwelling. Concerns related to the design of the proposal and its impact upon the street scene, a potential loss of light into the side bathroom and hallway windows, the impact of light levels on their solar panels, and privacy concerns of overlooking of their rear garden.

Consultees:

Highways DC:

Highways noted that although a reduction in bedrooms is proposed, there remains a possibility of a room within the dwelling being used as a bedroom in the future. However, as there is sufficient parking to accommodate the proposed or potential number of bedrooms, there is no objection nor requirement for conditions to be added to any subsequent approval.

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.

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. Where the development plan is absent, silent, or

relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Section 12: Achieving well-designed and beautiful places -

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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Within section 12, paragraph 139 is the most relevant which indicates:-

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. Conversely, significant weight should be given to:

- a) development which reflects 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; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Local Plan

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

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.

SD1: Presumption in favour of Sustainable Development: When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

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.

T4 – New Development & Highway Safety: New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Supplementary Planning Documents (SPD)

House Extensions and Other Domestic Extensions

Principle of development

The site is located within land designated as Urban Fabric. Extensions to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and on highway safety.

Residential Amenity

Due to additional dwellings being created or significantly altered since this bungalow was constructed, although not overtly or exceptionally, the dwelling itself is indirectly overlooked and consequently indirectly overlooks a dwelling to the rear and dwellings to the side on Brown Square. During a site visit I was witness to such overlooking from both the rear kitchen and bedroom windows. The adjacent dwelling itself at No.57 is not overlooked but unavoidably due to the unique extent of the dwellings garden layout, which wraps around and encloses the rear garden of the application dwelling in an inverted L shape, the application dwelling does already overlook an extent of the rear garden of No.57. In mitigation of the unavoidable overlooking, the section which is overlooked is a considerable distance and location from the dwelling of No.57 and overlooked by not only the application dwelling but dwellings on and the access road for Brown Square. In further mitigation, that overlooked section of garden would be unlikely to be used for recreational purposes which required privacy, for instance the positioning of seating or outdoor dining areas, or an area used for sunbathing. Currently without the section of garden appears to be used for storage, parking and retained vehicle access to the access road between No.59 and Brown Square. The objection also mentions the loss of a boundary treatment between No.57 and No.59, and the potential for further overlooking. Whilst the boundary treatment is of a reasonable size, it is a horticultural boundary which is not under any specific protection, such as a Tree Protection Order, and not a structural boundary such as a wall or fence. Whilst its removal may cause the potential for overlooking of the more private area of garden of No.57, either party have the right to install a replacement boundary treatment of up to 2m high within their rear garden, although this height restriction does not apply to horticultural boundaries in planning legislation.

Despite the openness of the proposed rear elevation, due to the quantity of glazing within the ground floor, dormer window, and dormer roof extension, with the exception of the balcony and supporting walls, which project out 0.9m, the actual internal footprint of the dwelling or the proposed new glazing aspects do not project further out than the original footprint of the house, although the dwelling is slightly extended to the side and towards the front elevation. Because of the way the balcony and supporting walls underneath are designed, sideward views of the more private garden area of No.57, from the ground floor are broadly protected. For the first-floor windows, including those within the roof dormer, dormer window and the balcony. As can be seen on the visual depictions, the window with the smaller dormer window is slightly recessed, restricting sideways views. A similar but large recession is more prominent within the setting of the balcony, which has side walls projecting the 0.88cm projection of the balcony. In addition to these measures which prevent sideward viewing of neighbouring dwellings, the balcony is of such a narrow size, that

multi-personal recreational use, such as large groups of people socialising would be both unlikely and impractical.

In regard to overlooking of the current overlooked section neighbouring garden, overlooking would be slightly increased but would be impossible to avoid and as detailed above would not affect the most significant, private part of the neighbour's garden or their dwelling. With the dwelling directly to the rear of the neighbouring garden, increased overlooking of the roof and blank rear elevation may occur. For the indirectly overlooked dwellings on Brown Square, which are to the rear-side of the application dwelling, overlooking may be increased by the dormer roof extension, but the principle of mutual overlooking from and into the application dwelling and garden has already been established and would not significantly be increased, although any increase would proportionately affect the application dwelling more, due to the openness of their proposed rear elevation.

With the amendments to the front elevation, minimal overlooking may occur to the dwelling on the opposite side of the Cemetery Road, but these dwellings are already overlooked by the ground floor elevation and by the numerous dormers or two storey dwellings surrounding the application dwelling. As such while there may be a small increase in harm to the residential amenity of those neighbours, the harm would not be significant.

Within the objection received, concern was raised over roof access and damaged caused by a neighbouring dwelling being built up to the boundary wall, and for the potential loss of light affecting their bathroom and hallway by the proposal. Planning legislation does allow for structures to be built up to the boundary treatment but any access requirements to construct or maintain such extensions, where not accessible from within the dwelling's curtilage subsequent, and reparation for any damage caused would both be a civil issue between the respective landowners, e.g. the householders. In this instance, consideration has been given for the potential to loss of light caused but as the rooms are not considered as habitable rooms, policy guidance would permit such an extension to be constructed. If the potential loss of light had impacted upon a current bedroom, dining room or lounge etc., then more weight would have been given to the potential impact and an amendment may have been required.

Also raised within the objection was the potential loss of sunlight on the existing solar panels located on the neighbouring dwelling's roof, which may be impacted by the proposed increase in roof height. Whilst I believe there is no specific legislation covering loss of sunlight to solar panels, the potential impact has been considered as a potential impact on residential amenity. Having reviewed the plans and location visually, and without any supporting technical evidence being provided, it would appear there would be some impact caused by the increase in roof height, but that the impact could not be deemed significant enough to warrant amendments, or refusal of the application. This has been working out by accepting the roof may restrict some sunlight reaching the panels, but that the proposed roof would not entirely block out all sunlight. Additionally, with there being so many further variables, such as the time of day, the season and the weather to consider, it would be unfair to make a definitive determination on the level of impact, but to note that there would likely to be some impact caused.

Visual Amenity

Significant changes are proposed to the whole dwelling, which would affect the character of the dwelling, including the prominent front elevation. Usually such a change would be of significant concern due to the redesigned dwelling becoming too distinctive within the broader street scene. In regard to this application, the street scene is already inconsistent with a mixture of styles, sizes and ages of dwellings, providing a very fractured street scene. Currently the bungalow is one of pair which were built at the same time and remain broadly similar, although the neighbouring bungalow is set at a lower level and has been more significantly modified. As the proposal would change the existing bungalow into a dormer styled two-story sized dwelling, whilst it would lose the connection with its neighbouring dwelling it would equally contrast well with the adjacent dwelling of No.2 Brown Square, a detached dwelling with a dormer style addition on the front elevation. Furthermore, in the included street scene visualisations, despite the increase in height of the dwelling, which through its dormer style limits its height compared to a full two-storey dwelling, it appears to blend seamlessly between No.2 Brown Square and No.57 Cemetery Road, and not cause harm to the visual amenity of the immediate or broader street scene. Other improvements within the front curtilage and boundary treatments would further update the front curtilage to a similar style of No.2 Brown Square, No.55 and No.53 Cemetery Road. Importantly for the front elevation, the original stonework is proposed to be retained, and used on the prominent side elevation facing Brown Square. If the proposal was approved it would be unfortunate that No.57 may become a little isolated within a scene of dormer or two storey dwellings, but currently both No.57 and the application dwelling appear out of place, so although this proposal would not resolve this discrepancy, it would reduce it to just one dwelling.

Undoubtedly, the greatest visual change would occur at the rear of the dwelling, where there would be significant alteration, which would include render, large amounts of glazing and a balcony. Whilst the character of the original dwelling may be lost on the rear elevation, except for the few dwellings to the side and rear of the application dwelling, the modernised rear elevation would be unseen from Cemetery Road and the broader area. Moreover, the proposed rear elevation does look attractive in its design and taken in isolation, as it would be broadly seen from the rear, does not look significantly out of place. Beyond the immediate neighbours and neighbourhood, distant views of the dwelling would be diffused and not cause any harm to the visual amenity of the area.

As has been mentioned within the residential amenity section, the design of the dwelling, particularly the dormer roof, dormer and balcony on the rear elevation have been designed with mitigation of overlooking dwellings to the side of the application dwelling in mind. Both the dormer, balcony and windows behind the balcony are recessed and shielded by a new supporting wall below and above the balcony, which provides a nice design feature but equally restricts sideways overlooking.

Highway Safety

The proposal does alter the existing front curtilage and parking provision, but an adequate amount of in-curtilage parking has been maintained to meet policy requirements. As such, and with no objection from the Highways department, there would be no impact on highway safety.

Summary

Initially there was concerns about the proposal and this concern was expressed to the applicant. An extension of time was granted to allow sufficient time to further review the proposal in more detail, which included a second site visit. Following the site visit and a comprehensive review of the plans, whilst there was obviously some concern about the impact on the amenity of the neighbouring dwelling, neighbourhood, and issues raised within an objection, overall the visual amenity of the area would not be harmed and any character of the dwelling which would be lost, especially when in consideration with No.57, would be outweighed by the proposal's alignment with other dwellings within the street scene. For residential amenity, there is already an issue of mutual overlooking of dwellings and an unavoidable overlooking of a section of garden owned by No.57; the proposals would however not exacerbate such issues enough to merit a refusal on such grounds. With no negative impact on highway safety, and consideration of everything else, the proposal would create a sustainable and desirable dwelling suitable for the current and potential future occupants of the dwelling, whilst having a minimal impact upon other dwellings, or their residents within the area.

Recommendation: Approve with conditions