

**Application Reference:** 2025/0482

**Site Address:** 21 Locke Avenue, Barnsley, S70 1QH

**Introduction:** Erection of a raised rear balcony

### **Relevant Site Characteristics**

The property is a detached dwelling within Barnsley's central area and located in close proximity to Locke Park. The street scene is characterised by various house types, including detached, semi-detached and terraced properties. Stone frontages are commonplace on the street scene with red bricked side and rear elevations. Various roof types are in place in the street scene including gable, hipped and pitched roof forms.

The site prides a substantial rear garden and a small front garden. A driveway is located to the south of the dwelling. The topography of the rear garden falls towards the rear boundary. To the rear of the site is an alley which provides rear garden access to properties on Blenheim Road.

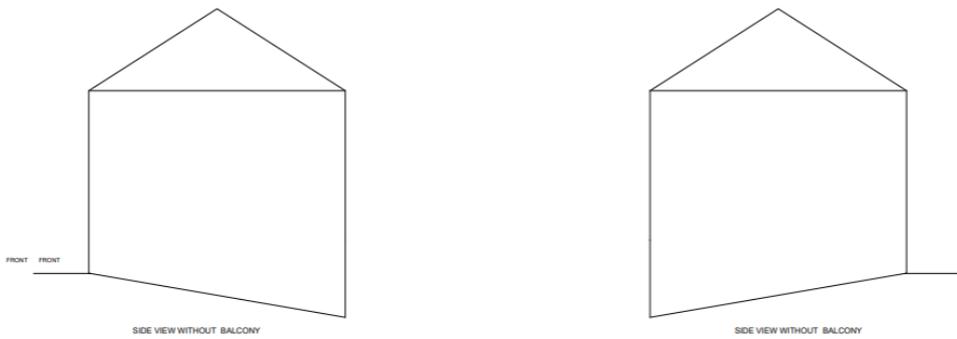
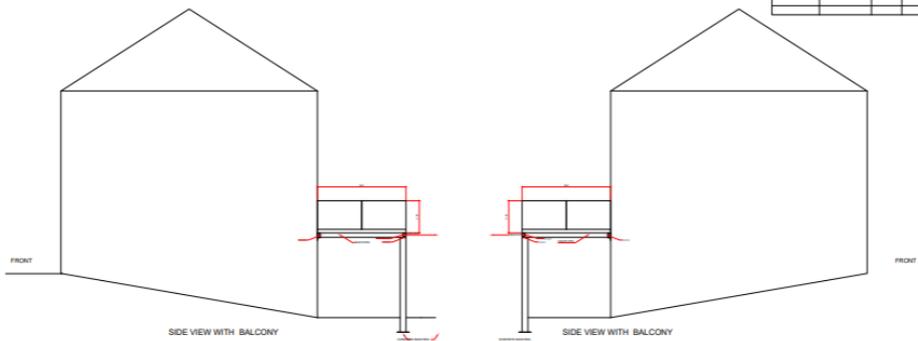
### **Detailed description of Proposed Works**

The applicant is seeking permission to erect a rear balcony. The balcony would service the middle floor of the rear of the dwelling, however due to the topography of the site would be the ground floor for the front elevation of the dwelling. The balcony would provide a rearward projection of approximately 3 metres and an approximate width of 8 metres which would span the entirety of the rear elevation. The balcony would have a floor height of approximately 2.8 metres and would utilize 3 steel frame columns to support the balcony. The proposed balcony would detail a glass balustrade surrounding the whole of the balcony with a height of approximately 1.1 metres. The plans also detail two sets of french doors to provide access to the balcony.



IF IN DOUBT ASK! - DO NOT SCALE

NO.	DATE	REVISION	BY	CHECKED	DATE



## **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

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.

No representations have been made

### **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 'Decking and raised platforms are commonly used where the rear garden is below the floor area of the dwelling in order to allow improved access to the rear garden and to provide a convenient outdoor amenity area on the same level as the dwelling. Decking and raised platforms are also used in other circumstances but can often give rise to increased overlooking of neighbouring dwellings and particularly their gardens.

In view of this, decking and raised platforms will only be allowed where the privacy of neighbouring residents is not detrimentally affected by significantly increased overlooking (e.g. where the decking is located away from the boundary and where there is sufficient permanent screening, such as a high boundary wall or an outbuilding in an adjacent garden). In addition, decking and raised platforms should not have a significantly detrimental impact

on visual amenity and for this reason decking will not be allowed where it is prominently located and can be easily viewed from public vantage points.'

The proposed rear balcony provides a substantial rearward projection of approximately 3 metres. Although this would not be seen from the street scene this would be out of keeping with the character of the dwelling and can be seen from the alley to the rear of the site where access is provided. Despite this, on balance the proposal would not detrimentally detract from the visual amenity of the dwelling.

Some raised platforms can be considered acceptable when providing access to the rear garden of a dwelling in order to provide a convenient outdoor amenity space. In this case no access from the balcony has been provided and so the proposal does not assist with rear garden access. As outlined with the House Extensions SPD, decking in prominent locations is not allowed. The proposal details 'beige composite decking' which would be located at an elevated position and would detract from the visual amenity of the dwelling.

Although the scale of the proposal would not significantly detract from the visual amenity, it is considered that the proposed balcony decking materials would detract from the visual amenity and therefore not be acceptable and conflicts with Local Plan policy D1: High Quality Design and Place Making and as such carries limited weight in favour of the application.

#### Impact on Neighbouring Amenity

The proposed balcony provides a significant projection of approximately 3 metres and approximate width of 8 metres. This provides a floor space of 24 square metres. This is considered a significant area for which gathering of multiple people could occur. The proposed balcony would allow occupants much more freedom to move outside of the building and into an elevated and open position which would undoubtedly increase external activities and usage. This would also increase overlooking of neighbours and noise disturbance.

Given the proposal is at a significant height above neighbouring rear amenity space, the proposal would allow for substantial levels of overlooking. The proposal would be approximately 3 metres distance from neighbouring boundaries to the north and south. This would allow for detrimental levels of direct overlooking which would be amplified with the occurrence of any gatherings given the large floorspace of the proposal. The balcony would additionally face the rear amenity space of properties on Blenheim Road. An approximate distance from the balcony of 14 metres would be maintained. Although a rear garage is evident within 110 Blenheim Road directly to the rear of the proposal along with rear garden walls to other neighbours, given the topography of the site, the proposed balcony would be at such a height which would allow for overlooking into the rear amenity space of rear neighbours and potential for overlooking into the second floor of these properties. Overall, the proposed balcony would be positioned in a location which would allow for detrimental levels of overlooking to neighbours to the north, south and rear of the site.

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

#### Highways

The proposal does not result in the increase of bedroom facility at the site or any reduction in parking facility. 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 little to no weight in favour of the application.

#### Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal does not fully comply with the relevant plan policies and planning permission should not be granted. Under the provisions of the NPPF, the application would not be considered acceptable in terms of residential or visual amenity. For the reasons given above, and taking all other matters into consideration, planning permission should be refused.

#### **RECOMMENDATION: Refuse**

#### **Justification**

#### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

In dealing with the application referred to above, amendments have not been sought from the applicant as there would not be any amendments which would alter the proposal to provide impact levels on neighbouring residential amenity and a visual amenity design which would be considered 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 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.**