

Application Reference Number:	2024/1069
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Application Type:	<i>Full.</i>
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Proposal Description:	<i>Single storey side extension with pitched roof.</i>
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Location:	<i>80 Summer Lane, Barnsley, S70 2NN.</i>
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Applicant:	<i>Mr Ross Walsh.</i>
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Third-party representations:	<i>None.</i>	Parish:	
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Ward:	<i>Old Town.</i>
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Summary:

The applicant is seeking planning permission for the erection of a single storey extension to the side with a pitched roof.

Extensions to non-domestic buildings are acceptable in principle if proposals would not significantly adversely affect residential amenity and highway safety, and where satisfactory standards of design are achieved.

The proposed development would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

Recommendation: **APPROVE subject to conditions.**

Site Description

This application relates to a two-storey end-of-terrace commercial property used as a sandwich shop and bakery. Prior approval was granted under application 2022/0731 for the first floor to be used as a residential flat. The property is located on the outskirts of Barnsley Town Centre – c.265 metres to the north-west. The property is constructed of stone and brickwork and has a pitched concrete tiled roof. To the south of the property is a narrow access onto Mona Street which serves as a parking area. There is a detached flat-roofed brick-constructed storage room to the rear. Summer Lane acts as a main route between Barnsley Hospital and Barnsley Town Centre and it hosts a diverse mix of uses and services, but the immediate surrounding area is principally residential in nature with limited interspersed commercial uses.



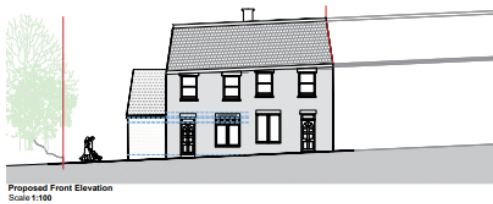
Planning History

Application Reference	Description	Status
B/77/0390/BA	To erect single storey extension to shop.	Historic.
B/96/1393/BA	Installation of security shutters to windows.	Approved.
2022/0731	Change of use of first floor ancillary space to shop (Use Class E) into 1 no. residential flat (Application to determine if prior approval is required for a proposed change of use).	Prior Approval – Granted.

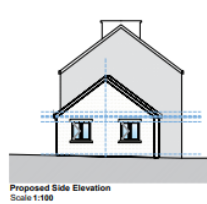
Proposed Development

The applicant is seeking planning permission for the erection of a single storey extension to the side with a pitched roof. This extension would measure approximately 6.4 metres (L) x 2.5 metres (W) x 5.4 metres (H) and would be constructed of closely matching external materials.

NEIGHBOURHOOD DESIGN
 The proposed development is designed to be in keeping with the character of the surrounding residential area. The design of the building is a two-storey semi-detached house with a pitched roof and a chimney. The building is designed to be a high-quality, modern residential building that will provide a high level of amenity for its occupants. The design of the building is a two-storey semi-detached house with a pitched roof and a chimney. The building is designed to be a high-quality, modern residential building that will provide a high level of amenity for its occupants.



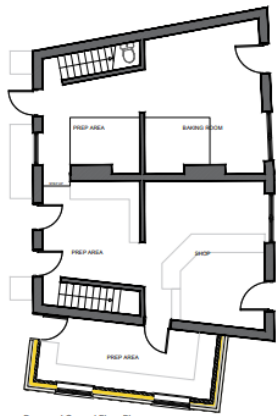
Proposed Front Elevation
Scale 1:100



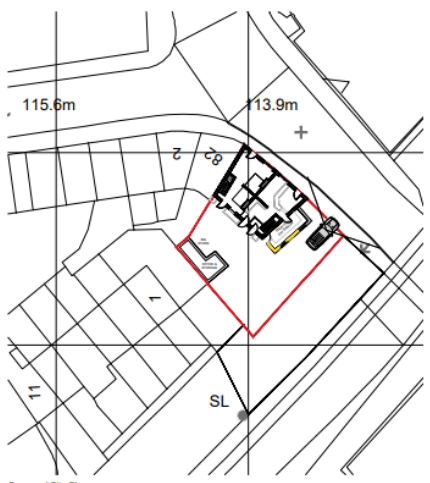
Proposed Side Elevation
Scale 1:100



Proposed Rear Elevation
Scale 1:100



Proposed Ground Floor Plan
Scale 1:50



Proposed Site Plan
Scale 1:200



Location Plan
Scale 1:1250

HA
 HAYWARD ARCHITECTS
 10 W. Main
 1000 Lakeside Boulevard, Suite 710, 80
 Riverside Lane, Berkeley, CA 94709
 415.338.1100
 Proposed Combined Plans
 First Issue
 10/18/2011
 PLANNING
 VARIES **A.1**

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 LG2: The Location of Growth.*
- *Policy D1: High quality design and place making.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T3: New Development and Sustainable Travel.*
- *Policy T4: New Development and Transport Safety.*
- *Policy BIO1: Biodiversity and Geodiversity.*

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 7: Ensuring the vitality of town centres.*
- *Section 9: Promoting sustainable travel.*
- *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:

- Residential amenity and the siting of buildings (Adopted May 2019).
- Biodiversity and geodiversity (Adopted March 2024).
- Parking (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. A site notice was placed nearby, expiring 4th February 2025. No representations have been received.

Highways Development Control	<i>No objection.</i>
Pollution Control	<i>No objection subject to condition(s).</i>
Local Ward Councillors	<i>No comments received.</i>

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 to non-domestic buildings are acceptable in principle if proposals would not significantly adversely affect residential amenity and highway safety, and where satisfactory standards of design are achieved.

Impact on Design and Visual Amenity

The proposed extension would adopt a sympathetic form and features, including a pitched roof and closely matching external materials. The proposed extension would not adopt an excessive sideways projection and would be set back from the front elevation, appearing subservient. Therefore, it is not considered that the proposal would significantly alter or detract from the character of the street scene or the original building.

Considering the above, 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 Residential Amenity and Pollution Control

The proposed extension would be erected to the south of the application property and immediately opposite a vegetated embankment and railway line. Windows would be limited to the side elevation,

and the proposed extension would not be within the immediate vicinity of surrounding neighbouring properties. As such, it is not considered that the proposed extension would contribute to significantly increased levels of overshadowing, overlooking and loss of privacy or reduced levels of outlook that could otherwise adversely impact existing amenity levels.

There could be some potential disturbance and disruption because of construction works, and whilst any potential impact is anticipated to be temporary, should the application be approved, a condition could be used to control construction hours.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

Impact on Highway Safety

The development site sits adjacent to an unadopted access road known as Mona Street. This access road has a width of approximately 6.6 metres and serves the application property along with the six Mona Street dwellings.

During the application process, Highways Development Control raised initial concerns regarding the reduction to the width of the access road, which would not be sufficient to allow two vehicles to pass. Moreover, concerns were raised regarding reduced vehicular sight lines along Summer Lane due to vehicles having to be positioned closer to the adjacent railway land. It was also noted that acceptable pedestrian visibility splays would still be achievable.

Highways Development Control concerns were put to the applicant. A response was provided which stated that the proposal intended to be a re-instatement of a previous extension in the same location. This was supported by a H.M Land Registry title plan, that was put to Highways Development Control for further comment. Highways Development Control provided a response stating that the submitted document appears to indicate that the rights of access along Mona Street enjoyed by neighbouring properties is limited to a strip of land of single vehicle width adjacent to the railway embankment. As such, the proposal does not result in any changes to existing access arrangements. Based upon the submitted information, Highways Development Control stated that it is considered that the proposal would not adversely impact on highway safety, and consequently, the objection was withdrawn. The LPA has no reason to disagree with this opinion and therefore, the proposal is not considered to be prejudicial to highway safety.

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 T3: New Development and Sustainable Travel and Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. It has been indicated that this proposal is exempt under the de minimis exemption.

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 this 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:

Proposed Combined Plans HA-24-11-01

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. The stone shall match the existing in terms of type, colour, and face dressing (for the stone) and method of coursing and pointing. The quoining shall also match the existing.

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.

4. Construction or demolition-related activity shall only take place between the hours of 08:00 to 18:00 Monday to Friday and 09:00 to 14:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

Informative(s):

1. 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.

2. The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.
3. It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke or dust. No waste should be burnt. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore recommended that you give serious consideration to the steps that may be required to prevent a noise, dust or smoke nuisance from being created.