

2023/0011

Mr Paul Brennan

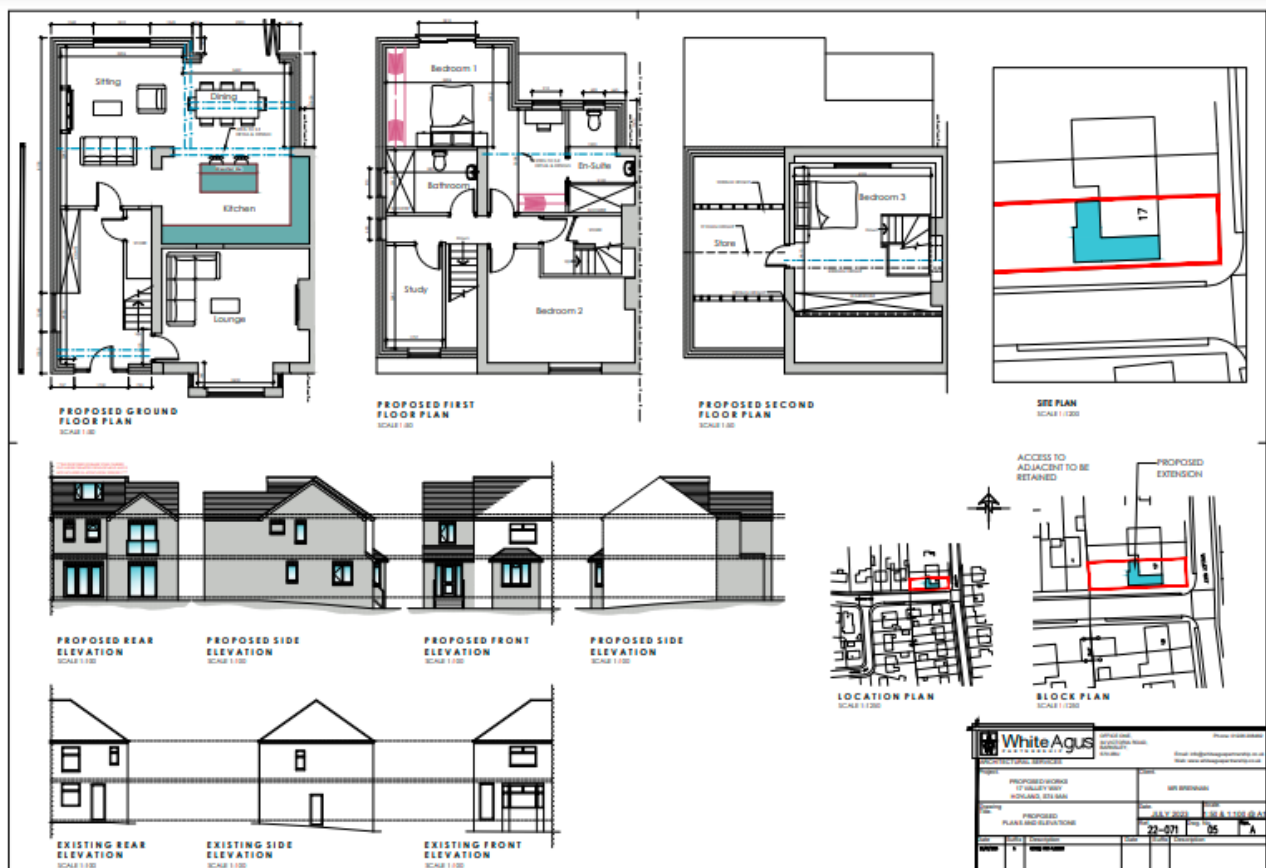
17 Valley Way, Hoyland, Barnsley, S74 9AN

Two storey extensions to the side and rear including a Juliet balcony at first floor level and a flat roof box dormer on rear roof plane and single storey front extension

Site Description

The dwelling is a two-storey end terraced dwelling located in Hoyland. Valley Way has a consistent residential street scene. The dwelling has a driveway to the front which leads to a large rear garden. The adjoining (15 Valley Way) has a large rear extension and access to the rear of that property is provided through the garden of 17 Valley Way.

Proposed Development



The application as originally submitted was for a two-storey side extension, two storey rear extension, first floor balcony, single storey front extension and creation of basement. However, this was considered to be excessive in scale, did not comply with the adopted supplementary planning documents and was of poor-quality design.

Further iterations have been received and improvements have been made through negotiation. The amended plans now being considered omits the basement and large balcony and seeks approval of more modest proposals for the erection of two-storey side and rear extensions and a single storey rear extension, a dormer to the existing rear roof plane and a small front extension.

The two-storey side extension will project 3.2 metres from the side (south) elevation of the dwelling and the extension has a width of 6.8 metres. The extension will feature a pitched roof with a ridge height of 8.1 metres and an eaves height of 5.65 metres.

The two-storey rear extension will project 3.5 metres from the rear elevation of the dwelling with a width of 4.5 metres. The extension will feature a pitched roof with a ridge height of 6.95 metres and an eaves height of 5.15 metres and includes a Juliet balcony.

There is an adjacent projection of 1.5 metres at two storey level with a flat roof aligned with the eaves of the adjacent and a single storey projection of 3 metres below this with a flat roof that is 3 metres tall. The width for both projections is 3.45 metres. The rear dormer has a flat roof with a height of 2.25 metres and a width of 4.65 metres.

The front extension will project 0.75 metres from the front elevation of the dwelling with a width of 3 metres. The extension will feature a hipped roof with a total height of 3.85 metres and an eaves height of 3 metres. The materials used for all extensions will be matching brickwork and roof tiles.

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.

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

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.

Supplementary Planning Document: House extensions and Other Domestic Alterations

This document establishes the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals should;

- Be of a scale and design which harmonises with the existing building;
- Not adversely affect the amenity of neighbouring properties;
- Maintain the character of the street scene; and
- Not interfere with highway safety

The above principles are to reflect the revised principles in the NPPF, which promote high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. 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. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes. Within section 12, paragraph 139 states *"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"*.

Consultations

Pollution Control were consulted and raised no objections subject to conditions.

Building Control were initially consulted in relation to the proposed basement which has since been omitted from the proposal.

Representations

Neighbour notification letters were sent to surrounding properties, one objection was received and in summary raised the following points. The below material concerns were raised and will be taken into account in the consideration of the application:

- The rear extension cannot come right up to my boundary fence as I have a small window to the rear and this extension side wall cannot be within a certain range of a window. This would also create a loss of daylight into my dining room.
- Concerned about light obstruction into my side door and side window in kitchen and into my dining room. The extension at the back will block out substantial light for me in my property.
- Concerned about the underground work, the instability being next to my adjoining property and the noise level from actually excavating this.

The following non-material planning concerns were raised in the objection.

- The rear extension will come right up to my boundary fence and gate making access difficult. I have right of access through my side rear gate across no.17 and out of a side gate onto Woodhouse Road.
- This was agreed and I have relevant paperwork from my purchase of this property detailing my right of access. If my gate or access needs to be moved, then I am not prepared to do this myself but would request the applicant to make right my access provision and this need to be included in their plans informing me also.
- If this means moving the gate access and boundary fence and creating a pathway out onto Woodhouse Road this should be considered and included in the plans/ agreed with myself.
- Concerned about a basement and as property is adjoining, I need to be assured if this does get passed, that my property will not be affected in any way.

Whilst noted, the above concerns cannot be taken into account in the determination of the application. Covenants, rights of access and boundary disputes are civil matters and not material planning considerations. Whilst the amended plans indicate that access to the adjacent property is to be retained, this is a matter for the two parties to resolve.

Following the submission of amended plans, a further round of neighbour consultation was undertaken. No further representations were received.

In relation to access the agent for the application has confirmed this will be retained as indicated on the amended plans. No specifics have been given in relation to this however this would be for the two parties to decide upon as to how best proceed. A condition will be added to the decision notice stating that the new access be implemented before the development commences.

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing. Extensions to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

Visual Amenity

The SPD states that *'materials should normally be of the same type, colour and texture to the existing house or as close a match as possible'*. In this case, the proposed materials for all the extensions will match the existing dwelling with matching brickwork and roof tiles being used.

The SPD states *"all two-storey side extensions should therefore have a pitched roof following the form of the existing roof"*. The side extension has a pitched roof which follows the form of the existing dwelling's roof, is set down from the roof line and aligned at the eaves. Also *"to prevent a terracing effect and to avoid detrimental changes to the character of the street scene, it will be desirable to provide a setback of at least 500mm from the main front wall of the dwelling"*. The side extension is setback 0.5 metres from the front wall of the dwelling at first floor level which is acceptable.

The SPD states that *"the sideways projection of a two-storey side extension should not exceed more than two thirds the width of the original dwelling"* in order to ensure subordination and that the original dwelling stays as the dominant feature. A projection of two thirds the original dwelling is 3.33 metres, and the proposed projection is less than this at 3.2 metres and therefore acceptable.

The SPD states that *“where located on a corner plot the sideways projection should not exceed more than half the width of the gap between the side elevation of the original dwellings and the side boundary”*. Half the distance to the side boundary would be 2 metres and the proposed side extension is to be 3.2 metres. Exceeding the recommendation is acceptable in this circumstance because there are other examples of similar extensions in the street scene. The opposite dwelling to the side (19 Valley Way) also has a two-storey side extension (B/02/0278/HN) that exceeds the recommendation and is built towards the boundary. Given this is immediately opposite the host dwelling it mitigates the impact of the proposal as it wouldn't be an anomalous feature in the street scene. It would be unreasonable to refuse the application because of this.

Part of the rear extension and the rear dormer utilise flat roofs which are not a supported roof type as flat roofs are an inferior form of construction. However, in this circumstance it is acceptable as the roofs are set to the rear of the property and therefore won't be highly visible in the street scene or from public vantage points. The single storey flat roof is screened by the rest of the pitched roof rear extension which would be present in the street scene and is an acceptable roof type. Additionally, the proposed dormer could be erected using permitted development rights.

The proposal includes a small front extension, and the front elevation is the most important elevation for its impact on the character of the street scene. The size of front extensions needs to be as modest as possible. There are examples of front extensions in the street scene and bay windows including on the host dwelling. The proposed extension is of a modest size with a forward's projection of 0.75 metres from the original front wall of the dwelling. The size of proposed extension is acceptable, it complements the dwelling's character and does not detrimentally affect the street scene.

The proposed extensions partially conform to the SPD in terms of the external materials, roof types, set back and projection, however they will have little impact upon the character of the street scene due to the harmony with the existing dwelling and the flat roofs being set to the rear. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

Residential Amenity

The proposed side extension won't have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing as there is no dwelling set to that side of the host dwelling. The impact of overlooking is minimal as the windows proposed on the side elevation of the side extension look onto Woodhouse Road and are brought forward from the existing side elevation of the host dwelling. An objection was received relating to loss of light and proximity to a window. Whilst it is acknowledged that there would be some impact, this would be caused by the proposed single storey element of the rear extension. However, which as it has a maximum height of 3 metres and extends no more than 3m from the rear elevation it could be erected without planning permission using permitted development rights. This is an important fall-back position. The neighbouring itself has an existing large rear extension which may itself be affecting the light levels to the window in question.

The SPD states that *“two-storey rear extensions will be considered on the basis of the extent of overshadowing, loss of privacy and outlook”*. The impact on residential amenity resulting from the rear part of the extension is to be limited. The proposed extension will not have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing due to it being set away from the adjoining dwelling. In terms of overlooking and the impact of the Juliet balcony approximately 12.5 metres is maintained to the boundary to the rear.

The host dwelling is an end terrace therefore its adjoined like a semi-detached dwelling. The SPD states that single storey rear extensions *“on semi-detached dwellings should not project more than 4m and again, the eaves height should not exceed 2.5m where the extension would project beyond 3m”*. The single storey rear extension will project 3 metres which is an acceptable projection. The

proposed single storey rear extension won't have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing due to the limited projection. In terms of overlooking no windows are located on the side elevations of the rear extension.

The proposed front extension will not have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing. This is because of the modest projection of the front extension of only 0.75 metres. In terms of overlooking the windows proposed on the side elevations of the extension are not deemed to cause significant levels of overlooking. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Highway Safety

There will be no impact upon highway safety.

Recommendation

Approve with conditions