

**Application Reference:** 2026/0049.

**Location:** 9 Duke Street, Hoyland, Barnsley, S74 9QS.

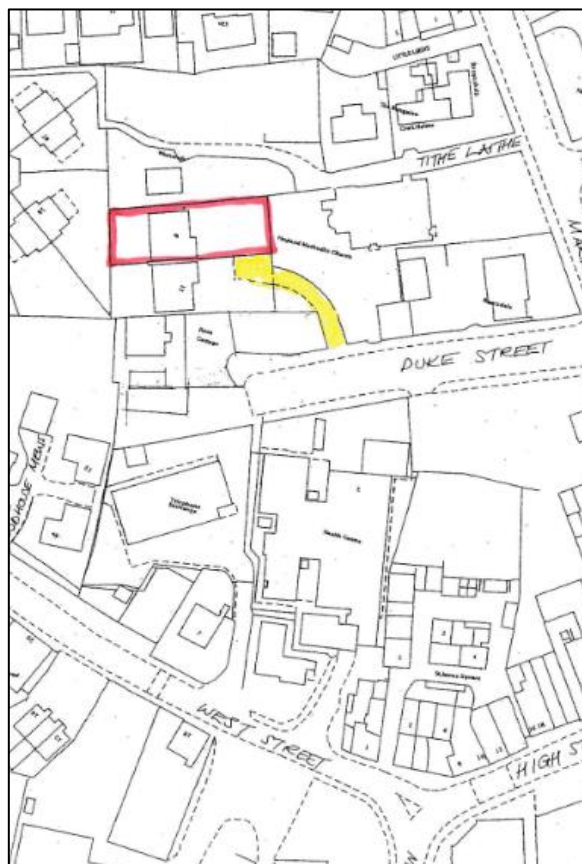
## Introduction

This application seeks planning permission for the erection of a detached double garage.

## Relevant Site Characteristics

This application relates to a modest-sized plot located to the north of Duke Street off a shared private access road and in an area that is principally residential characterised by two-storey dwellinghouses of varying scale and appearance.

The property in question is a modest-sized two-storey detached dwellinghouse constructed of stone with a pitched red tiled roof. The property is fronted by an extensive hard surfaced off-street parking and turning area enclosed by stone boundary walls. To the rear is a modest garden. To the south is a detached garage to the front of an adjacent neighbouring property. To the east is a former church with protected trees within its curtilage including a large, early mature Ash tree adjacent to the east site boundary.



## Site History

There are several planning applications associated with the development site, but the most recent and relevant applications are:

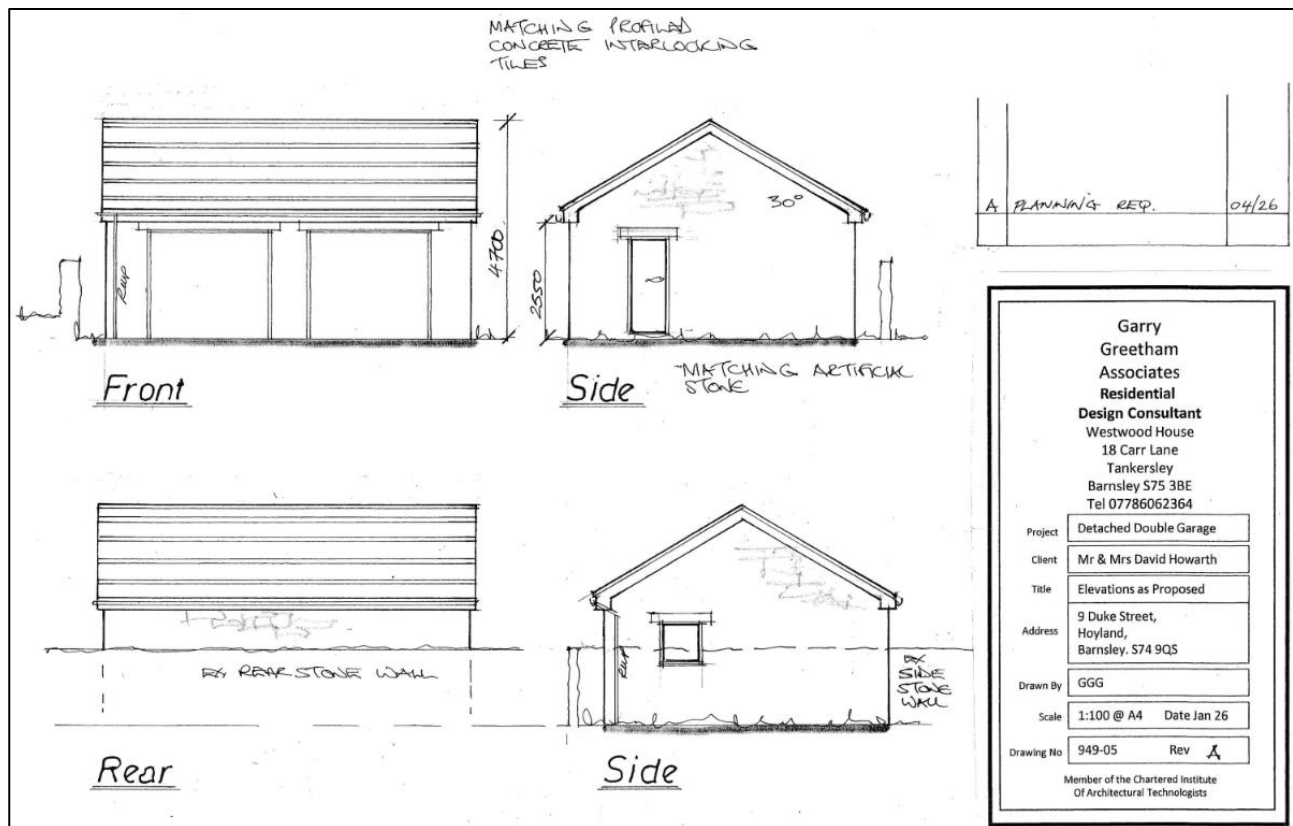
|              |   |           |
|--------------|---|-----------|
| B/05/1116/HN | Erection of two detached dwellings and alterations to existing access (Outline).                      | Approved. |
| 2005/2108    | Erection of 2 detached dwellings with integral garages (accessed off Duke Street) (Reserved Matters). | Approved. |

## Detailed Description of Proposed Works

This application seeks planning permission for the erection of a detached double garage.

The proposed detached double garage would measure approximately 8.1 metres (W) x 6.3 metres (L) x 4.7 metres (H) and would be constructed of matching artificial stone and profiled concrete interlocking roof tiles.

During the application process, the proposal was amended to reduce the pitch and height of the roof of the proposed garage.



## 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 D1: High quality design and place making.*
- *Policy GD1: General Development.*
- *Policy T4: New Development and Transport Safety.*
- *Policy T3: New Development and Sustainable Travel.*
- *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 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:

- *Biodiversity and Geodiversity (Adopted March 2024).*
- *House extensions and other domestic alterations (Adopted March 2024).*
- *Parking (Adopted November 2019).*

- *Trees and Hedgerows (Adopted May 2019).*

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Other Material Considerations

- *South Yorkshire Residential Design Guide (SYRDG) 2011.*

**Representations**

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.

Two representations were received comprising one objection and one comment.

The following concerns which are material planning considerations are summarised as follows:

- The ridge height creating a top-heavy structure that is excessive and overbearing.
- Impact regarding overshadowing.
- Impact regarding outlook.

The comment received does not raise any objections the proposal but states that the proposed site plan and proposed ground floor plan do not correspond. The plans have been checked, and the local planning authority is satisfied that the plans are correct.

**Consultees**

|                              |                         |
|------------------------------|-------------------------|
| Highways Development Control | <i>No objection(s).</i> |
| Forestry Officer             | <i>No objection(s).</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 unless the NPPF establishes a specific weight:

- 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.

### Scale, Design and Impact on Character

The House extensions and other domestic alterations SPD establishes detached garages should be sympathetic to the main dwellinghouse in terms of style, proportions and external finishes. Detached garages should be single storey structures. The eaves height should not normally exceed 2.5 metres from ground level, and the ridge height should not exceed 4 metres, and in most instances, it will not be appropriate for a garage to be sited between the dwellinghouse and the road.

In this instance, the proposed garage would be located to the front of the application dwellinghouse between the dwellinghouse and the private access road off Duke Street. The proposed garage would also adopt an eaves and ridge height that would exceed the limits established by the SPD.

While the proposal would not be wholly compliant with the Council's adopted design guidance in this instance, the development site benefits from a back land location and does not form a principal part of the street scene of Duke Street. Moreover, the immediate local area is characterised by detached garages to the front of dwellinghouses. A similar-sized detached garage has been erected within the adjacent plot of 11 Duke Street to the front of the dwellinghouse approved under planning application 2022/0051. As such, this proposal is considered acceptable in this specific instance, on balance.

The proposed garage would adopt a sympathetic form and appearance with close-matching external finishes and a pitched roof which is welcome and is acceptable regarding adopted design guidance established within the House extensions and other domestic alterations SPD, Local Plan Policy D1, and Section 12 of the NPPF.

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

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

### Impact on Neighbouring Amenity

During the application process, concerns were raised in relation to overbearing, overshadowing and loss of outlook impacts.

The proposed garage would be erected to the north-east corner of the development site and would be located to the south of the neighbouring curtilage of Westcroft, Tithe Lane, and to the west of the curtilage of the former Hoyland Methodist Church which is vacant.

The proposed garage could contribute to some potential overshadowing impact that could affect the adjacent curtilage to the front of neighbouring Westcroft. However, this location is likely to experience a degree of existing overshadowing impact from adjacent protected trees. The neighbouring property also benefits from additional private amenity space to the rear that would remain unaffected. As such it is considered that the amenity of the occupants of Westcroft would unlikely be significantly affected to their detriment in this instance. In addition, the proposal has been amended during the application process to reduce the pitch and ridge height of the roof which could further lessen the extent of any potential impact. The proposed garage would also be situated approximately 15 metres to the east of the habitable room windows on the front elevation of adjacent Westcroft which would likely avoid unreasonable levels of overshadowing impact affecting the amenity of the occupants of this property.

Notwithstanding the above, this proposal is not considered to contribute to increased overlooking or loss of privacy or reduced levels of outlook as the proposed garage would not be used as a habitable space and would be located at a reasonable distance from neighbouring properties.

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 is considered acceptable regarding residential amenity.*

#### Impact on Highways

The development site is accessed from a shared private driveway off Duke Street and is served by an extensive driveway and turning area to the front of the application dwellinghouse.

The proposed garage would achieve sufficient internal measurements to accommodate two vehicles and to be counted towards the sites' off-street parking provision. The erection of the double garage would also leave ample room within the development site for the parking and turning of at least three vehicles which would satisfy the sites' off-street parking requirement.

Highways Development Control were consulted; and no objections were received.

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 T4: New Development and Transport Safety and is considered acceptable regarding highway safety.*

#### Impact on trees

There is a protected tree in the curtilage of an adjacent former church to the east of the development site – a relatively large early mature Ash tree.

While the proposed garage would be erected in proximity of this protected off-site Ash tree, the area is currently hard surfaced, and the tree is located behind a stone boundary wall and at a lower level than the development site. As such, despite works being shown in the measured root protection area (RPA) it is unlikely that there would be any significant root activity within the site. This coupled with the shallow foundations proposed mean the tree should remain unaffected. Likewise, the canopy of the tree is quite high over the site and as such, mechanical damage should not be an issue. As such the existing boundary wall should act as sufficient protection for the tree during the works.

The Council's Forestry Officer was consulted; and no objections were received.

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 BIO1: Biodiversity and Geodiversity and is considered acceptable from an arboricultural perspective.*

#### Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), this proposal is considered in the context of the presumption in favour of sustainable development.

Having balanced all material planning considerations, whilst some objections have been received in respect of this proposal, it is considered that concerns have been appropriately addressed through amendments, and that on balance, it is not considered the proposal would contribute to significantly detrimental impacts on the amenity of neighbouring residents by way of overshadowing, overlooking and loss of privacy, or reduced outlook. The proposal is also considered acceptable regarding impact on trees.

For the reasons given above, and taking all other matters into consideration, this 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.**

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- *Amendments to reduce the pitch and height of the roof of the proposed garage.*

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 amended plans:

949-01 Site and Location Plans.

949-05 Rev. A Elevations as Proposed received 9<sup>th</sup> April 2026.

949-06 Layout as Proposed.

949-07 Rev. A Section received 9<sup>th</sup> April 2026.

Arboricultural Report and Impact Assessment ref. AWA7291 dated March 2026 produced by AWA Tree Consultants.

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 dwellinghouse (9 Duke Street, Hoyland, Barnsley, S74 9QS) and those specified by the approved documents listed above.

**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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order), the garage hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with residential occupation of the application dwellinghouse (9 Duke Street, Hoyland, Barnsley, S74 9QS) and ancillary domestic storage. It shall not be used for any trade or business purposes, nor used as a separate residential use or annexe and shall not be severed at a later date to create a separate planning unit.

**Reason: To ensure that the use of the existing access is not intensified to the detriment of road safety in accordance with Local Plan Policy T4: New Development and Transport Safety, and to ensure that the residential use of the site is not intensified, contrary to sustainable development and Local Plan Policy T3: New Development and Sustainable Travel.**

## 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. 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.

3. 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.