

Application Reference Number:	2025/0730
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Application Type:	Variation of Condition(s)
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Proposal Description:	Variation of conditions 2 and 3 of planning application 2021/1303 (Two storey side/rear extension to house)
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Location:	18 Pack Horse Green, Silkstone, Barnsley, S75 4JT
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Applicant:	Mr Andrew Lunn
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Third-party representations:	One	Parish:	Silkstone
		Ward:	Penistone East Ward

Summary:

This planning application seeks a variation of conditions 2 (approved plans) and 3 (materials) of planning application 2021/1303 (Two storey side/rear extension to house).

The site falls within Urban Fabric as allocated by the adopted Local Plan. Development comprising extension, alterations and outbuildings to an existing residential building are considered acceptable in principle if proposals would not significantly adversely affect residential amenity, visual amenity, highway safety, and where satisfactory standards of design are achieved.

The proposal 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

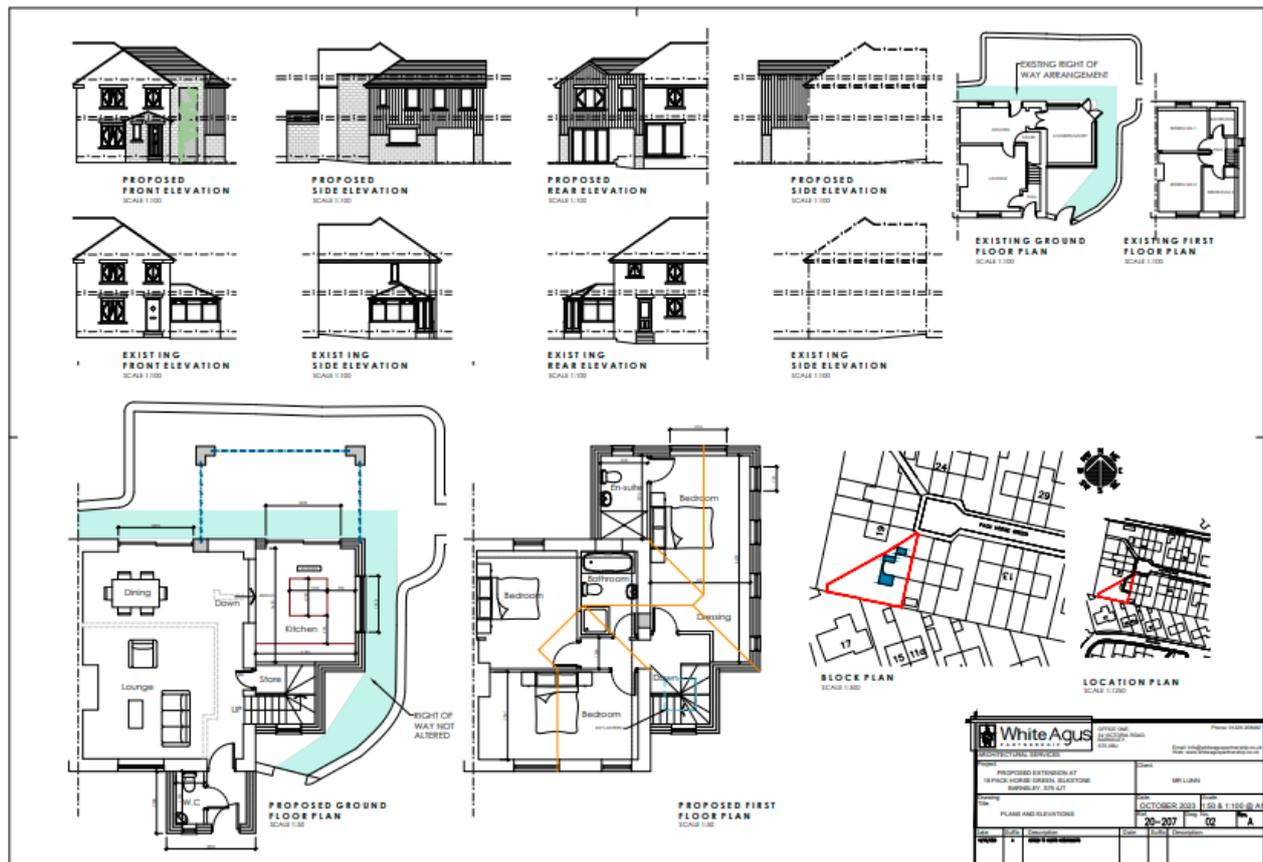
The dwelling is a two-storey end terraced dwelling located in Silkstone. Packhorse Green has a consistent residential street scene featuring other two-storey terraced dwellings. The dwelling has a small garden and parking area to the front and another garden to the side and rear. The dwelling has an existing single storey side extension.

Planning History

The relevant planning applications associated with the site are as follows.

Application Reference	Description	Status
2021/1303	Two storey side/rear extension to house	Approved with Conditions

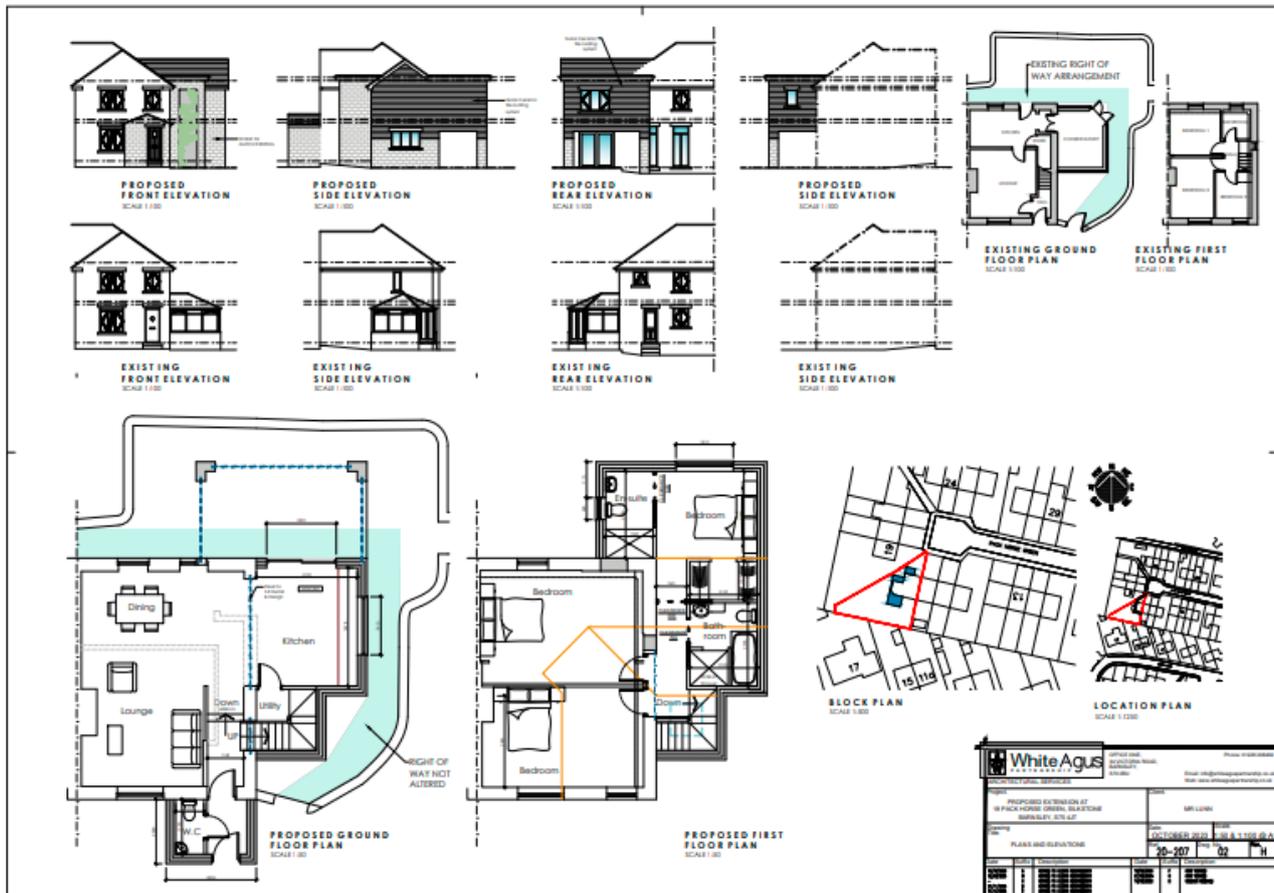
Previously approved plans under 2021/1303:



Proposed Development

The applicant is seeking approval for the erection of a two-storey side/rear extension. The extension will project 3.5 metres from the side (west) elevation and 3 metres from the rear elevation of the dwelling. There is no change to the projections. The extension has a width of 5.4 metres to the rear and 9.3 to the side. The main change is with the roof type as the extension will now feature a both a pitched roof and two flat roof sections with a reduced maximum ridge height of 6.75 metres but an increased eaves height of 5.4 metres. The materials used will be matching stonework to the front and ceramic roof tiles with a removal of the approved timber cladding. The proposal also features a

front extension with a projection of 2 metres a width of 2.85 metres, featuring a pitched roof with a ridge height of 3.3 metres and an eaves height of 2.7 metres. There is no change to this extension.



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 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.

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.

Policy T4: New Development and Transport 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.

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 Documents

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
- Parking

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

Representations

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; one objection has been received and in summary raised the following points.

- Loss of privacy
- Overbearing

It must be noted this is a variation of condition application and planning permission for the extension has already been granted under application 2021/1303.

Consultations

Penistone East Ward Councillors – No Objections

Silkstone Parish Council – No Objections

Assessment

The main issues for consideration are as follows:

- The acceptability of the principle of the development
- The impact on the character of the area
- The impact on the character of the host dwelling
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards

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

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, alterations and outbuildings 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.

Impact on Neighbouring 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 reduced as the windows have been removed from the side elevation that were previously approved. This weighs significantly in favour of the proposal.

The SPD states *“two-storey rear extensions to semi-detached houses should, therefore, generally be designed with a rear projection of less than 3.5 metres and for terraced houses 2.5 metres”*. Given the host dwelling is an end terraced dwelling it therefore takes the form of a semi-detached dwelling when considering the impact upon neighbouring properties. In light of this the proposed projection of 3 metres is acceptable. There is a window proposed on the side elevation of the rear extension that faces the adjoining property (17 Pack Horse Green), this is to serve an ensuite bathroom and will therefore be conditioned to be obscure glazed to reduce the impact of overlooking. This weighs moderately in favour of the proposal.

The SPD states that *“a distance of 10 metres should normally be provided between rear-facing windows in the first floor (and above) and the rear boundary”*. A distance of 10 metres is partially retained between the rear element of the extension and the rear boundary due to the boundary being set at an angle however the furthest distance is directly behind the proposed siting of the extension which is therefore acceptable. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity. This weighs significantly in favour of the proposal.

Scale, Design and Impact on the Character of the Dwelling

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 both extensions will partially match the existing dwelling with matching stonework and roof tiles being used for the front extension and the majority of the front elevation of the side extension. This weighs significantly in favour of the proposal.

The materials changes are to the side and rear however they won't be highly visible in the street scene of Pack Horse Green and although not matching is considered a modern construction material that whilst contrasting would not detract significantly from the character of the dwelling and is instead seen as a complementary feature. This weighs modestly in favour of the proposal.

The proposal features a front extension and the SPD states that *“the front elevation of a building is the most important for its contribution to the street scene therefore, such extensions need to be of a high standard of design and will not be considered acceptable where they detract from the quality of the existing dwelling or character of the street scene”*. The design of the front extension is in keeping with the existing front elevation of the dwelling in terms of design, materials and roof type and therefore harmonises well with it. This weighs significantly in favour of the proposal.

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 hipped roof, is set down from the roof line and partially aligned at the eaves. The side extension also features a flat roof section to the front, whilst not of traditional construction it is not deemed significantly harmful to the street scene as it would only be visible from directly in front of the host dwelling which is set at the end of the street and therefore not highly prominent. The rear extension utilises a pitched roof with a larger flat roof section than previously approved however this change is not deemed significantly harmful.

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 significantly setback from the front wall of the dwelling with a distance of over 0.5 metres which is an acceptable setback distance. This weighs significantly in favour of the proposal.

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 3.98 metres,

and the proposed projection is less than this at 3.5 metres and therefore acceptable. This weighs significantly in favour of the proposal.

The proposed extensions only 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 dwelling's location within it and the siting of the extensions in relation to the host dwelling. 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.

Highway Safety

There will be no impact upon highway safety. The number of bedrooms in the dwelling is to remain the same therefore there is no requirement for an increase in parking provision over what is existing. This weighs significantly in favour of the proposal.

Other Matters

The main issue with this application is the right of way that serves the adjoining dwelling (17 Pack Horse Green) and how the proposal could be implemented without obstructing this. Ultimately this is a legal matter and cannot be used as a basis to refuse the planning application on its own.

Whether the application can be successfully implemented is not of relevance to the material planning considerations that form the basis of decision making in line with Local Plan policies and the SPD. It is noted the applicant attempted to remedy the situation with the amended plans on the original application that removed the ground floor from the rear extension to allow a cut through under the extension for access.

Unfortunately, no further comments were received from the occupants of the adjoining dwelling's in light of this amendment. Nevertheless, as previously stated the dispute over the right of access is not pertinent to the decision reached on this application and a resolution should be sought between the two parties via legal means or otherwise.

Finally, as this was originally a householder planning application a construction method statement was not required and issues over parking arrangements and access during potential buildings works are a private matter. The same goes for drainage issues which would be dealt with at a building control stage.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

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 the 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 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.