
2024/0595

Mrs Sam Rose

87 Worsbrough Road, Blacker Hill, Barnsley, S74 0RG

Erection of first floor balcony off rear elevation of dwelling.

Site Description

The application relates to a plot located on the south-west side of Worsbrough Road and in an area that is principally residential characterised by two and three-storey dwellings of similar scale and appearance. First floor balconies and Juliet balconies are featured on many surrounding properties and can be seen from the surrounding public realm. Green Belt land is located to the west.

The property in question is a split-level semi-detached townhouse that is built on a steep gradient that falls north-east to south-west. The property appears as two-storeys to the front and three-storeys to the rear and is constructed of brickwork and has a pitched roof with grey roof tiles. It is fronted by a driveway with a small garden to the rear. A first floor Juliet balcony is also located to the rear.



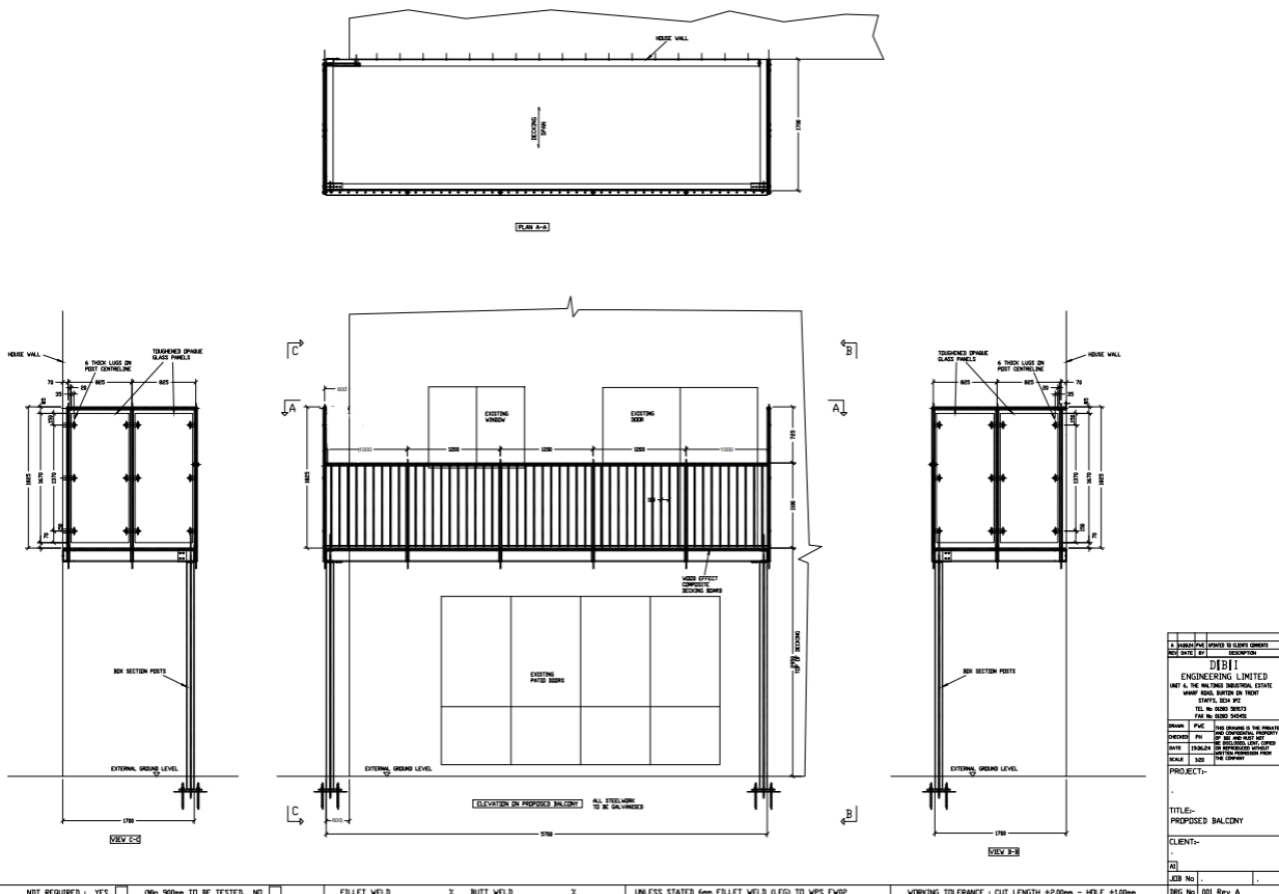
Planning History

There are four previous applications associated with this site.

1. B/88/1426/WB – Outline for residential development. – Approved.
2. B/90/0547/WB – Erection of residential home for the elderly. – Historic.
3. B/04/0813/HN – Erection of 6no. detached dwellings. – Approved.
4. B/05/1097/HN – Erection of one pair of semi-detached dwellings and four townhouses. – Approved.

Proposed Development

The applicant is seeking permission for the installation of a first-floor independent balcony to the rear of the application property, The proposed balcony would be supported by two box section posts and would feature wood effect composite decking board with 1.8-metre-high toughened opaque glass panels at either side.



NOT REQUIRED - YES 0m-900mm TO BE TESTED - NO FILLET WELD BUTT WELD UNLESS STATED 6mm FILLET WELD (LED TO WPS F402) WORKING TOLERANCE - CUT LENGTH ±0.20mm - HOLE ±0.10mm DRG No: 001 Rev A

Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (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 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 which are a material consideration in the decision-making process.

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.

Local Plan Allocation – Urban Fabric

The site is allocated as urban fabric in the adopted Local Plan which has no specific land allocation. Therefore, the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy GD1: General Development.***
- ***Policy D1: High quality design and place making.***
- ***Policy T4: New Development and Transport Safety.***

Supplementary Planning Document(s)

- ***House Extensions and Other Domestic Alterations.***
- ***Parking.***

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 and beautiful places.***

Other Material Consideration

- ***South Yorkshire Residential Design Guide 2011.***

Consultations

No consultees were consulted on this application.

Representations

Neighbour notification letters were sent to surrounding properties and four objections were received from two properties.

The following concerns which are material planning considerations were raised:

- Overlooking and loss of privacy.

The following concerns which are not material planning consideration were raised:

- Blocking of view.
- Boundary ownership.
- The applicants are smokers, and we do not want to be subjected to smoke fumes.
- Noise disturbance from the applicant's pet dog should it be allowed on the balcony.

While all concerns are acknowledged, only those which are material planning considerations can be taken into account.

Assessment

Principle of Development

Extensions and alterations to a domestic property and the erection of detached garages in domestic curtilages are acceptable in principle if they would remain subsidiary 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.

Residential Amenity

Extensions and alterations to a domestic property, including balconies, are considered acceptable if the proposals would not adversely affect the amenity of neighbouring properties.

During the application process, objections were raised regarding overlooking and loss of privacy. It was also stated that the proposed balcony would block views to the west, and while there is no legal right to a view, an assessment will be made regarding outlook.

The application property is a split-level semi-detached townhouse that is built on a steep gradient that falls significantly north-east to south-west. An existing first floor Juliet balcony is located on the rear elevation to the south-easternmost window. Juliet and independent balconies are also located on the rear elevations of adjacent neighbouring properties.

The steep gradient of the land and the elevated position of the application property contributes to existing significant overlooking of neighbouring gardens, at first floor and lower ground levels, which is replicated by adjacent neighbouring properties. While the proposed balcony would project further from the rear elevation of the application property, it is not considered that any potential impact would be substantially different to that which exists and is likely to be experienced. A sufficient separation distance (21 metres or more) would be maintained to the rear habitable room windows of properties located on Wortley View. The proposed balcony would also incorporate 1.8-metre-high toughened obscure glazed panels on either side which would maintain the privacy of the occupant(s) of adjacent neighbouring properties to a reasonable degree.

The proposed balcony would adopt a modest scale and rearward projection. While outlook from the nearest first floor window of the adjoining property would be limited to the north-west, outlook to the west and south would remain unaffected. The proposal would therefore not result in significantly reduced levels of outlook and the amenity of the occupant(s) of the adjoining neighbouring property would be maintained to a reasonable degree.

Notwithstanding the above, this application has been made because of mobility issues experienced by an occupant of the application property that limits their access to their rear garden, which due to the steep gradient of the land and the split-level layout of the property, is only accessible at lower ground level via a steep internal staircase. Some weight must be given to these circumstances and the likely benefits that the scheme could provide.

Considering the above, it is considered that on balance, the likely benefits of the proposed scheme would outweigh any potential harm. The proposed balcony would not contribute to substantially increased levels of overlooking and loss of privacy and appropriate mitigation measures have been incorporated into its design as to limit any potential impact on adjacent neighbouring properties and would also provide a more accessible outdoor space.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and would be acceptable regarding residential amenity.

Visual Amenity

Extensions and alterations to a domestic property are considered acceptable if the proposals would not significantly alter or detract from the character of the street scene and would sympathetically reflect the style and proportions of the existing dwelling.

The proposed balcony would be erected to the rear of the application property and would be visible from the public realm to the south-west. However, the balcony would be set significantly back from this public realm and the steepness of the topography, and the elevated position of the application property would further reduce its prominence. Balconies to surrounding properties are also visible from the public realm with those located on the front elevations of properties to the north-east being significantly more prominent. The proposal would therefore not significantly alter nor detract from the character of the surrounding street scenes.

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

Highway Safety

The proposal would not be prejudicial to highway safety.

The proposal is therefore considered to comply with *Local Plan Policy T4: New Development and Transport Safety* and would be acceptable regarding highway safety.

**Recommendation -
Approve with Conditions**