
2026/0302

20 Eshlands Brook, Monk Bretton, Barnsley, S71 5SH

Conversion of integral garage to residential accommodation (Lawful Development Certificate – Proposed Development)

Site Description

The application relates to a semi-detached dwelling within the Monk Bretton area. The surrounding area is characterised by various house types, including detached, semi-detached and terraced properties constructed from similar materials to the site. The property is constructed from brickwork and features a pitched roof form. A driveway is located to the front of the dwelling. A garden is located to the rear of the dwelling. Large trees are located to the front of the site.



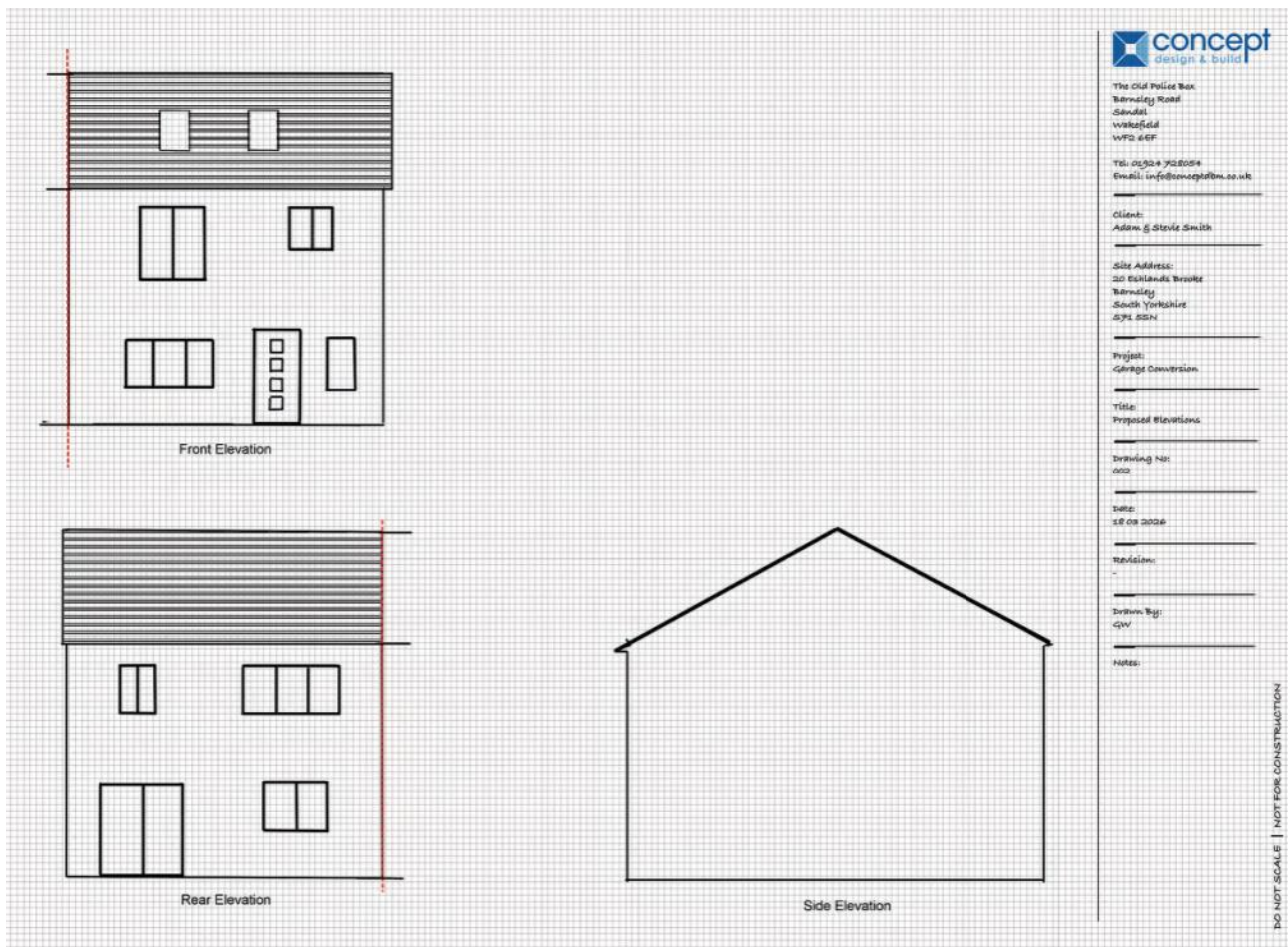
Site Location Plan 1:1250

Proposed Development

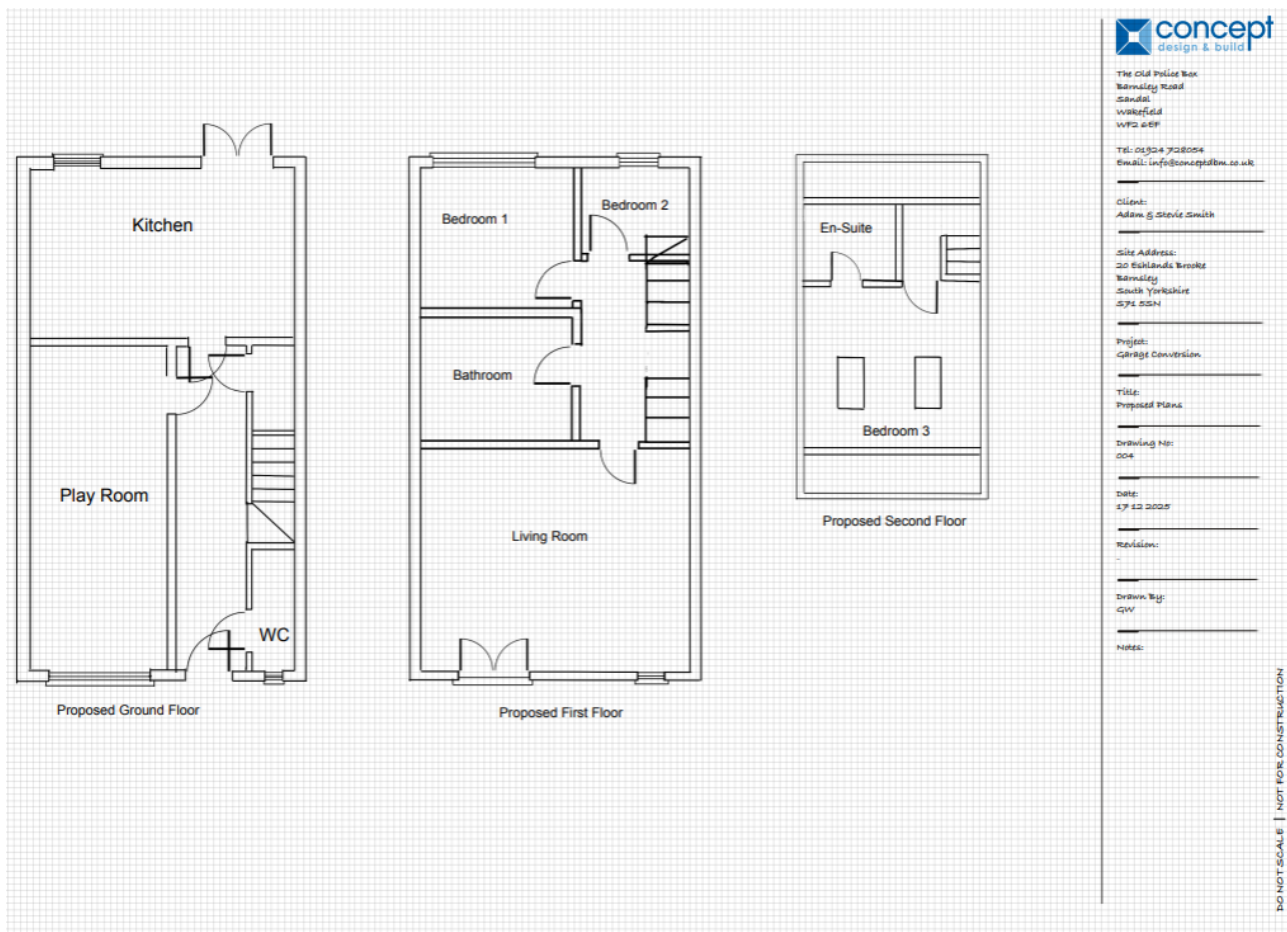
The applicant has submitted an application for a Lawful Development Certificate for the removal of the existing integral garage doors. The doors would be replaced with a windows arrangement, facilitating the conversion of the garage to a 'Play Room'

The applicant has submitted the following plans in support of the application:

20260302 Proposed Elevations (Amended)



20260302 Proposed Plans



Policy Context

Section 192(1) the Town and Country Planning Act 1990 states that if any person wishes to ascertain whether any operations proposed to be carried out in, on, over or under land, would be lawful, they may make an application for the purpose to the Local Planning Authority describing the use or operations in question.

The erection of a building incidental to the enjoyment of a dwellinghouse is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Relevant Legislation

Section 55 of The Town and Country Planning Act 1990 (as amended) 55 Meaning of “development” and “new development”.

(1) Subject to the following provisions of this section, in this Act, except where the context otherwise requires, “development,” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

(1A) For the purposes of this Act “building operations” includes—

- (a)demolition of buildings;
- (b)rebuilding;
- (c)structural alterations of or additions to buildings; and
- (d)other operations normally undertaken by a person carrying on business as a builder.

(2) The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

(a)the carrying out for the maintenance, improvement or other alteration of any building of works which—

(i) affect only the interior of the building, or

(ii) do not materially affect the external appearance of the building,
and are not works for making good war damage or works begun after 5th December 1968 for the alteration of a building by providing additional space in it underground;

(b) the carrying out on land within the boundaries of a road by a . . . highway authority of any works required for the maintenance or improvement of the road but, in the case of any such works which are not exclusively for the maintenance of the road, not including any works which may have significant adverse effects on the environment;

(c) the carrying out by a local authority or statutory undertakers of any works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose;

(d) the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such;

(e) the use of any land for the purposes of agriculture or forestry (including afforestation) and the use for any of those purposes of any building occupied together with land so used;

(f) in the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section, the use of the buildings or other land or, subject to the provisions of the order, of any part of the buildings or the other land, for any other purpose of the same class.

Principle of development

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A if—

(a)permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

(b)as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(c)the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(d)the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(e)the enlarged part of the dwellinghouse would extend beyond a wall which—

(i)forms the principal elevation of the original dwellinghouse; or

(ii)fronts a highway and forms a side elevation of the original dwellinghouse;

(f)subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i)extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii)exceed 4 metres in height;

(g)...for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i)extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii)exceed 4 metres in height;

(h)the enlarged part of the dwellinghouse would have more than a single storey and—

(i)extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(i)the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

(j)the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i)exceed 4 metres in height,

(ii)have more than a single storey, or

(iii)have a width greater than half the width of the original dwellinghouse; F6...

(k)it would consist of or include—

(i)the construction or provision of a verandah, balcony or raised platform,

(ii)the installation, alteration or replacement of a microwave antenna,

(iii)the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv)an alteration to any part of the roof of the dwellinghouse

Consultations

No consultation

Representations

No neighbours were consulted for this application.

Assessment

The alterations to the dwelling, consisting of the removal of the garage doors to be replaced by windows, facilitating the conversion of the garage to a 'Play Room' is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Having checked these specifications along with other supplementary specifications, the proposals would comply with this legislation and requirements for permitted development. Therefore, the Certificate of Lawful Development should be granted.

RECOMMENDATION: Approve subject to conditions

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

It has been necessary to make contact with the applicant to request amendments to the existing plans and elevation and the proposed elevations as they did not include the existing third floor rooflights. Amendments were received 17th June 2026.

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.

- 1) The development hereby approved shall be carried out strictly in accordance with the plans

20260302 Site Location Plan
20260302 Proposed Elevations (Amended)
20260302 Proposed Plans

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.