
2024/0399

Mr Darrell Hirst

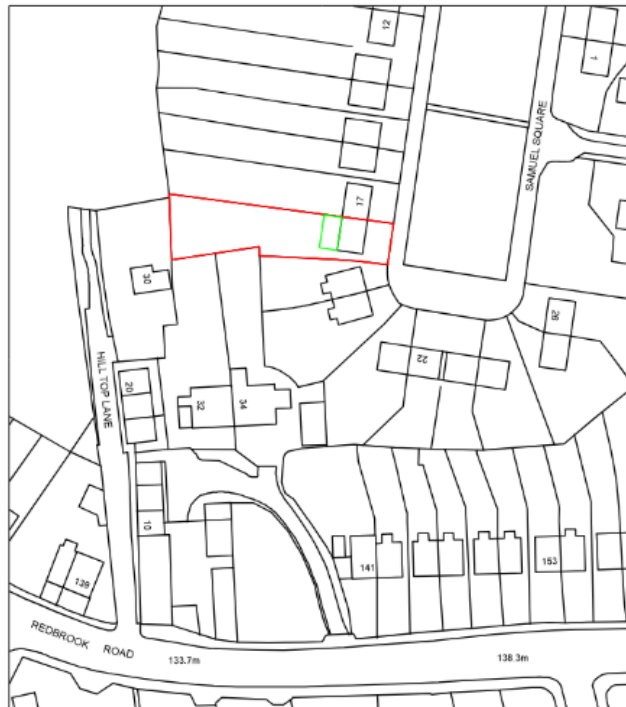
18 Samuel Square, Gawber, Barnsley, S75 2NX

Two storey rear extension.

Site Description

The application relates to a plot located to the south-west corner and on the west side of Samuel Square and in an area that is principally residential characterised by two-storey semi-detached and terraced dwellings of similar scale and varying appearance.

The property in question is a two-storey semi-detached dwelling with a hipped roof constructed of red brick with light grey render to its principal elevation and grey roof tiles. The property is fronted by an existing driveway with an existing conservatory to the rear. The property is set within a large narrow plot bounded by high timber fencing. Several existing outbuildings are located to the west of the site. The topography of the area descends south-to-north.



Planning History

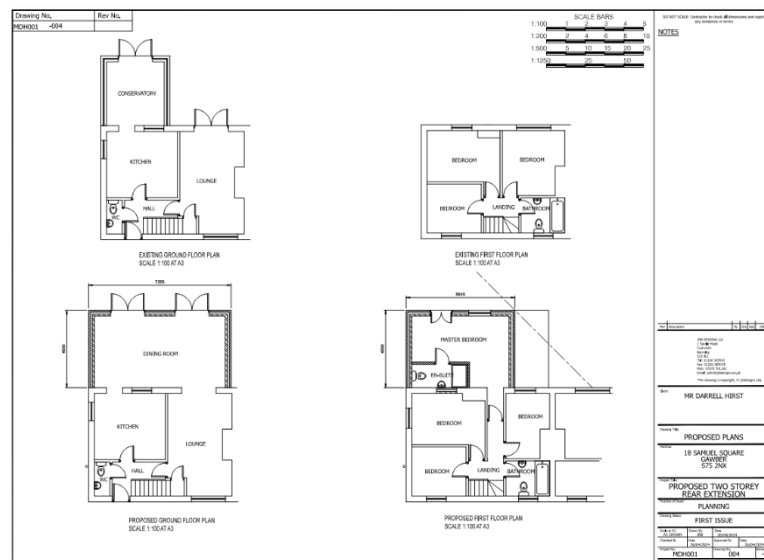
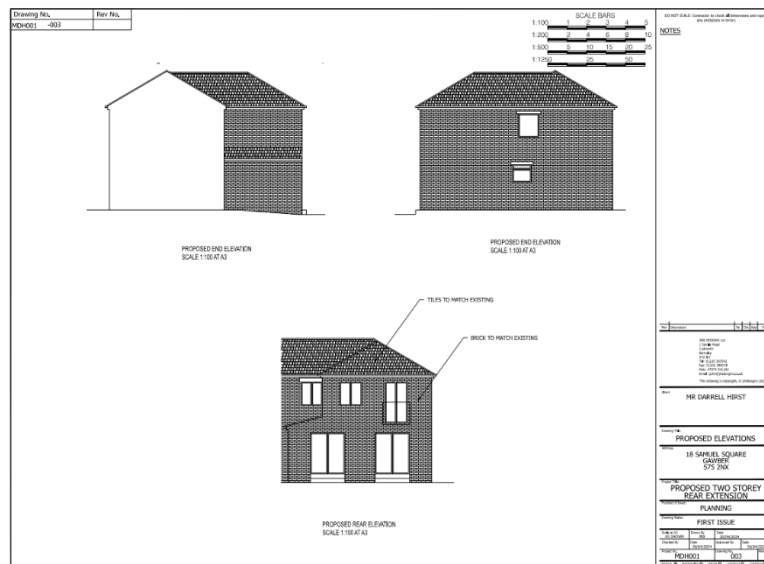
There is one historic planning application associated with this site that pre-dates electronic working.

1. B/74/2174/DT – Historic.

Proposed Development

The applicant is seeking permission for the erection of a part two-storey and part single storey rear extension to the application property.

The proposed extension would project from the rear elevation of the application property by approximately 4 metres with a width at ground level of approximately 7.4 metres and a width at first-floor level of approximately 5.6 metres. The extension would adopt a hipped roof to the two-storey part with an approximate eaves and ridge height of 5.6 metres and 7.3 metres respectively, and a lean-to roof to the single storey part with an approximate eaves and ridge height of 2.9 metres and 3.4 metres respectively. The extension would be constructed of brickwork and roof tiles that would closely match the appearance of those used in the external construction of the existing building.



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 Considerations

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

Consultations

No consultees were consulted on this application.

Representations

Neighbour notification letters were sent to surrounding properties and three representations were received from one address.

The following objection which is a material planning consideration was raised:

- The proximity of the extension to neighbouring windows and overshadowing of lounge and bedroom due to the sun path.

The following objections which are not a material planning consideration were raised:

- Personal inconvenience and upset.
- Previous issues with the applicant.
- The applicant's behaviour.

Whilst all concerns raised are acknowledged, only those which are material planning considerations can be taken into account. A response was issued to the objector in relation to the concerns raised and subsequently a further response was received which raised no new concerns.

Assessment

Principle of Development

Extensions and alterations to a domestic property are acceptable in principle if they would remain subservient to and are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety.

Residential Amenity

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

During the application process, concerns were raised in relation to the proximity of the proposed extension to neighbouring lounge and bedroom windows and overshadowing due to the movement of the sun path.

The proposed extension would be erected to the north of adjacent 19 Samuel Square and to the south of adjoining 17 Samuel Square. Generally, an extension erected to the south of a neighbouring property would likely have a greater impact regarding overshadowing than an extension located to the north. As such, it is acknowledged that some overshadowing could occur, specifically to adjoining 17 Samuel Square.

The House Extensions and Other Domestic Alterations SPD states that a single storey extension to the rear of a semi-detached property should not project more than 4 metres and where the extension would project beyond 3 metres, the eaves height should not exceed 2.5 metres. A two-storey rear extension will be considered based on the extent of overshadowing, loss of privacy and outlook. A two-storey rear extension to the rear of a semi-detached property which would abut a party boundary and adversely affect main windows will not normally be allowed. Such extensions should therefore be designed with a rearward projection of less than 3.5 metres, though larger extensions may be acceptable in certain circumstances. As a general test, the 45-degree rule will be applied as a guide to assess and limit the extent of overshadowing and loss of outlook. The test will be applied to the mid-point of the nearest neighbouring habitable room window. Notwithstanding the 45-degree rule, an assessment will be made about whether an extension would have an overbearing impact on adjacent properties.

The single storey part of the proposed extension would be erected adjacent to the northern party boundary and would adopt a rearward projection of approximately 4 metres with an approximate eaves and ridge height of 2.9 metres and 3.4 metres respectively. The single storey part of the proposed extension would exceed the 45-degree rule. It is acknowledged that the proposal would only partially comply. However, a single storey rear extension with a rearward projection of 3 metres and an eaves and ridge height of 3 metres and 4 metres respectively could be erected under permitted development without a requirement to obtain planning permission. An extension erected under permitted development would also exceed the 45-degree rule and would likely result in similar impacts. Moreover, the lowest part of the extension would extend parallel to the northern party boundary and could lessen the extent of any potential impact and existing good quality boundary treatments could provide further mitigation. As such, it is not considered that the single storey part of the proposed extension would be significantly detrimental to the amenity of the occupant(s) of 17 Samuel Square.

The two-storey part of the proposed extension would be set in from the northern party boundary by approximately 1.9 metres and would adopt a rearward projection of 4 metres, contrary to the House Extensions and Other Domestic Alterations SPD. However, the two-storey part of the proposed extension would comply with the 45-degree rule, in accordance with the SPD. Therefore, access to natural daylight and outlook would be maintained to a reasonable degree. The two-storey part could impact an existing first-floor habitable room window to the application property. However, the window would serve a bedroom which is unlikely to be in constant continuous use throughout the day and access to some natural daylight could be achieved in the evening when the bedroom is most likely to be in use and outlook towards the rear garden would remain largely unimpeded. As such, it is not considered that the two-storey part of the proposed extension would be significantly detrimental to the amenity of the occupant(s) of the application property and 17 Samuel Square.

New windows would be located on the rear elevation of the proposed extension and a new first-floor window would be located on the south side elevation of the application property. No new windows would be located on either side elevation of the proposed extension. The House Extensions and Other Domestic Alterations SPD states that 10 metres should be maintained to the rear boundary, and 12 metres should be maintained to a blank gable wall with 21 metres maintained to habitable room windows of neighbouring properties. In this instance, the rear-facing windows, including a first-floor Juliet balcony would face into the application site with a sufficient separation distance (21 metres or more) maintained to the rear boundary and the neighbouring properties beyond. The side-facing window would face towards the north side elevation of 19 Samuel Square. It is acknowledged that some loss of privacy could occur to both the occupant(s) of the application property and 19 Samuel Square. However, an existing separation distance would be maintained, and the window would serve a bedroom which is unlikely to be in constant continuous use throughout the day. Moreover, the Council will only seek to protect principal habitable room windows on the front and rear elevations of an adjacent property and not secondary windows (i.e. halls, stairs, utility rooms, toilets and bathrooms including en-suites) located on side elevations. In addition, the occupant(s) of 19 Samuel Square were notified of this application and no objections were received.

On balance, the proposal is therefore not considered to result in significantly increased levels of overshadowing, overlooking or reduced levels of outlook and would not have an overbearing impact and is 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 they 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 extension would be located to the rear of the application property and would not be a prominent feature within the street scene of Samuel Square.

The extension would adopt a sympathetic form and features, including hipped and lean-to roof types and closely matching external materials (brickwork and roof tiles), and the extension would maintain the eaves height and would be set below the ridge of the existing roof. The proposal would therefore appear subservient and would not significantly detract from or alter the character of the application property or street scene.

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 impede existing off-street parking arrangements and would not result in a requirement to provide additional spaces.

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**