

**Application Reference:** 2025/1051

**Site Address:** 9 Kirkhill Bank, Cubley, S36 9UX

**Introduction:**

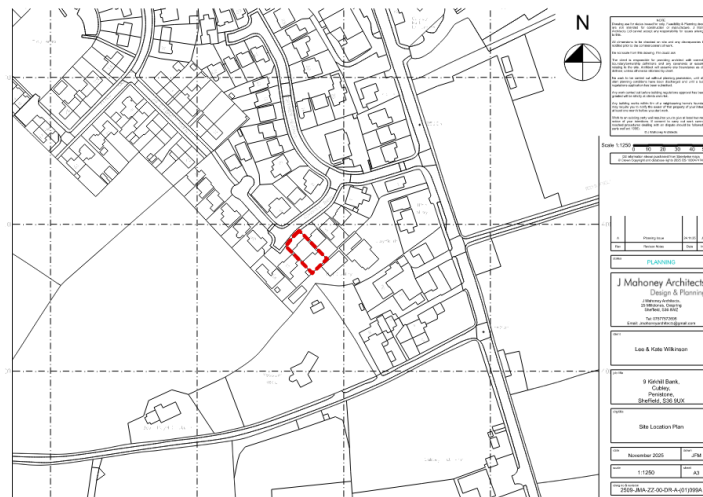
This application seeks full planning permission for the demolition of side conservatory and erection of replacement single storey side and rear extension to dwelling.

**Relevant Site Characteristics**

The site is situated on Kirkhill Bank in Cubley, a modern residential cul-de-sac located at the edge of the settlement. The surrounding area predominantly comprises detached dwellings of a similar age displaying similar modest architecture with some individual features. There is a limited palette of materials in the vicinity including the prevalence of red and buff brick. Kirkhill Bank slopes gently to the East with a small difference in land level between the residential properties.

The host property is a detached dwelling constructed in red brick with an integrated double garage. The property is sited within a good size plot with a modest front and rear garden, allowing for off street parking facing the double garage. The rear garden is bound by a mix of brick wall and fencing and the site has a slightly higher land level than the neighbouring property No.7. The host property has been designed with a pitched roof, a two storey gable fronted projection to the front, a single storey side wrap around side/front extension incorporating garage accommodation and a canopy over the garage and front door creating an open front porch. There is a bay window on the front elevation and an existing conservatory extension to the rear.

It is noted that due to the land levels and the existing boundary treatment the conservatory windows on the eastern elevation overlook the neighbouring garden area of no.7 Kirkhill Bank.





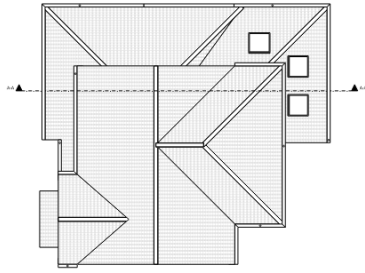
### Site History

Application Reference	Description	Status (Approved/Refused)
None		

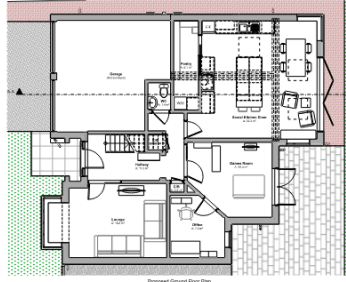
### Detailed description of Proposed Works

The proposal is to demolish the existing conservatory and erect a replacement single storey side/ rear extension wrapping around the rear of the property. The extension will be a continuation of the existing garage wrapping around the eastern elevation. The proposal will measure 2.5m to the rear, 3.2m in width extending the existing. The proposal will have a lean to roof with roof lights providing a kitchen dining area.

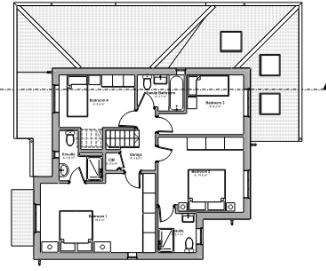
Bi-folding doors will lead into the rear garden area, and a large corner window will be located at the rear facing no.7. The proposal will be in matching materials of brick and tile. Side facing windows are proposed within the intended extension. The proposed window along the eastern boundary facing no. 7 will be obscurely glazed.



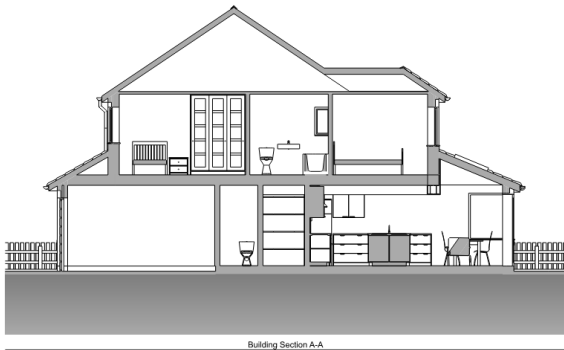
Proposed Roof Plan



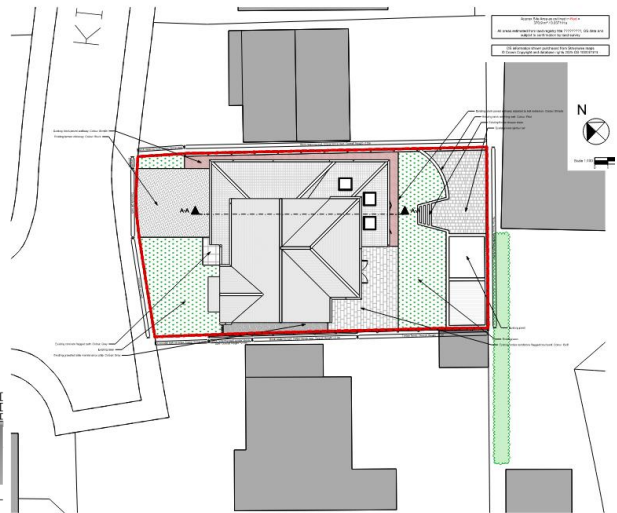
Proposed Ground Floor Plan

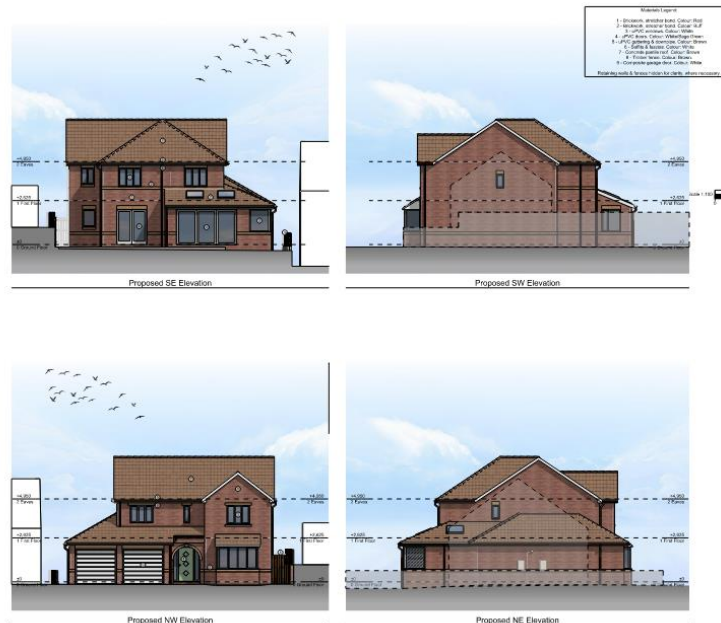


Proposed First Floor Plan



Building Section A-A





## 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 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.

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

### 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:

Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 2 - Achieving sustainable development.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 provides three overarching objectives to sustainability, social, environmental, and economic. Paragraph 10 states to ensure that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Section 4 - Decision making

Paragraph 48 affirms that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Section 12 - Achieving well-designed places.

Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 provides details to ensure that developments function well, are visually attractive, sympathetic to local character and optimise the potential of the site.

Paragraph 139 expresses that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

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 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 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.

### **Consultations**

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.

No representations have been received.

Penistone Town Council – No comments received.

### **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:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

### **Principle**

Paragraph 2 of the NPPF states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The site falls within urban fabric. Extensions and alterations to a domestic property are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

### Scale, Design and Impact on the Character

Paragraph 131 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 135 emphasises that development should be visually attractive and sympathetic to the local character of the area.

Paragraph 139 expresses that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Local design guidance SPD: House Extensions indicates how important it is that any extension is designed to be in keeping with the host property and the character of the

neighbourhood. The roof styling and pitch should match those of the existing dwelling, along with matching materials.

The proposed rear extension has been designed with a lean to roof and will be a continuation of the existing in terms of design, wrapping around the rear of the property. The rear extension will replace the existing conservatory within a similar position and continue along part of the rear elevation. The proposal is expected to harmonize with the existing, and the materials are intended to be in matching brick and tile in compliance with SPD principles.

The proposal as it stands meets the consensus of the NPPF and is in compliance with SPD: House Extensions and Other Domestic Alterations and Policy D1 of the Local Plan which expects development to be of high quality design and respect distinctive local character and local features.

Significant weight has been given to the design and impact on the character of the area.

### Impact on Neighbouring Amenity

SPD: House Extensions provides expectations in relation to the size of proposals. Extensions to the rear of detached dwellings will be considered on their design merits and where no adjacent properties are affected.

The single storey rear extension will project 2.5m to the rear and project in line with the existing extension to the side. The proposal will introduce windows to the rear and the side elevations. It is acknowledged that the proposal will be built close to the shared boundary with No. 7. This boundary is at a lower level and due to the differences in land levels any extension within this location will impact the neighbouring property.

It is acknowledged that the existing conservatory is located within a similar location and is a similar height to the proposed therefore in terms of overshadowing there will be little difference in terms of impact. There will however be a side facing window which given its position is expected to cause overlooking. To combat this, the window will be obscurely glazed which is sufficient in protecting the residential amenity of the neighbours at No.7.

A window will also be located on the south west elevation of the proposed. Due to the land levels, the neighbouring property being set at a higher level due to the slopping nature of Kirkhill Bank, along with the high fencing on the western shared boundary, overlooking is not expected to occur.

Due to the size and orientation of the proposed extension in relation to the neighbouring properties the impact has been closely assessed. Taking into consideration and the characteristics of the site, the proposal is not expected to cause any disproportionate harmful impact in terms of residential amenity. The application is therefore acceptable in terms of residential amenity in compliance with Local Plan Policy GD1 and D1.

Significant weight has been given to the impact on residential amenity.

### Highways

Whilst the proposals increase the floor space of the dwelling, the number of bedrooms remains as existing. Off-street parking is retained for at least two vehicles within the front garden, and the garage accommodation will remain unchanged.

As such, the scheme is acceptable from a highways development control perspective in compliance with Local Plan Policy T4 New development and Transport Safety.

Moderate weight has been given to highway safety.

#### 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**

The LPA have worked proactively with the applicant to make the necessary amendments to ensure the development is compliant with the development plan.

**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.**