
2024/0120

Mr S Hughes

Erection of part single- part two storey side extension including patio, with associated alterations.

54 Kensington Road, Old Town, Barnsley, S75 2SS

Site Location & Description

The host dwelling is a detached part single, part two storey property, finished in dark red brick. The property is split level, and currently accessed via the ground floor, but has a lower ground floor to the rear with conservatory, as well as a bedroom in the roofspace with front facing dormer window.

The property has a generous garden (circa 0.1ha) which wraps around the dwelling but falls away towards the east/south due to the level changes. The property is a backland site, positioned behind No.52 and not clearly visible from the street. The site is accessed via a long driveway which runs between No. 52 and the garden of No.28 Wellfield Road. The driveway joins the detached garage building at the northern part of the site.

The eastern boundary of the site abuts Nos.1- 9A Guest Road and the southern boundary abuts Nos. 7 and 9 Wellfield Road. Large/established trees are positioned along these boundaries as well as the western boundary which screens the property from clear view. Though none of the trees are not protected by a preservation order.

The host property does not directly contribute to the appearance of the street scene given its set back position. Nevertheless, Kensington Road is relatively varied and has no uniform street pattern. The local character consists of traditional style properties, primarily finished in brick or stone but vary between detached, semi-detached and terraces. The dwelling closest to the application site, No.52, has recently been extended and altered to have a more contemporary appearance with render finish.

Site History

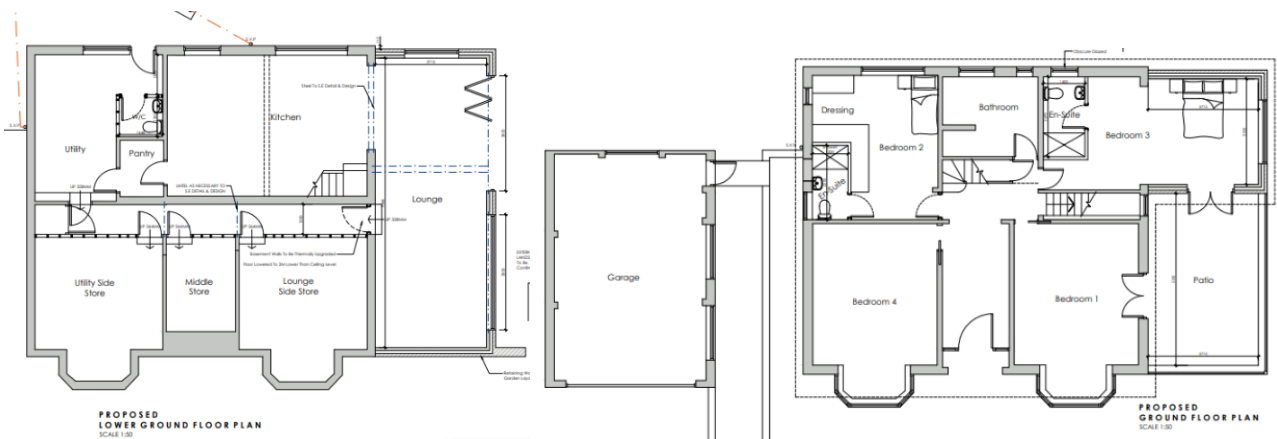
B/75/2579/BA - Erection of Garage and replacement of existing fence by screen wall, UNKNOWN DECISION, 16/10/1975

Proposed Development

The applicant seeks permission for the erection of a part single, part two storey side extension. The extension will project off the southern elevation and replace the existing lower ground floor conservatory. At the ground floor level, the extension will be limited to the rear part of the dwelling and include an outdoor terrace/patio area to the front. The extension will be finished in render.

Other minor alterations include installing additional rooflights and replacement of existing windows.

The proposal initially included an extension off the northern elevation to amalgamate and extend the existing detached garage, as well as extension of the roofspace. However, this element of the proposal has been removed due to concerns regarding the impact upon neighbouring amenity by virtue of harmful overshadowing/overbearing scale. This is addressed further below.





Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The Local Plan was adopted in January 2019 and is also 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 and 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.

National Planning Policy Framework – December 2023

The National Planning Policy Framework (NPPF) was revised in December 2023, replacing the previous versions. The NPPF is a material consideration when assessing planning applications. The following sections are relevant to this application proposal:

Section 11- Making Effective Use of Land

Section 12- Achieving Well-designed and Beautiful Places

Barnsley Local Plan

The site is allocated as Urban Fabric within the Adopted Local Plan, which has no specific land allocation.

The following Local Plan policies are relevant:

Policy GD1: General Development

Policy D1: High Quality Design and Place Making

Policy SD1: Presumption in favour of Sustainable Development

Policy T4: New Development and Transport Safety

Supplementary Planning Documents

The Council have adopted SPDs to provide further guidance about the implementation of specific planning policies in the Local Plan. The adopted SPDs should be treated as material considerations in decision-making and are afforded full weight. The following SPDs are relevant to this proposal:

House Extensions and other domestic alterations, May 2019

Sustainable Travel, July 2022

Parking, November 2019

Consultations

No consultation responses.

Representations

This application has been advertised in accordance with the Development Management Procedure Order 2015. The application has been undergone two rounds of publicity following the submission of amended plans and alterations to the development description.

First Round - Neighbour notification letters sent to adjoining properties, consultation expiry date: 11/3/2024

5 neighbour objections have been received in response to the above publicity. The concerns raised are summarised as follows:

- Overlooking from balcony/terrace;
- Overlooking from garage extension;
- Overshadowing introduced by garage extension;
- Height of garage extension will have overbearing/oppressive impact upon neighbouring garden/property;
- Impact upon visual landscape;
- Noise and disturbance from construction;
- Impact upon value of neighbouring properties;
- Civil matters such as financial gain and human rights issues.

Second Round - Neighbour notification letters sent to adjoining properties, consultation expiry date: 11/4/2024

Two additional representations have been received in response to the second round of publicity, but these are both from the same addresses whom have commented previously and primarily reiterate concerns summarised above. The only additional concern is as follows:

- Extension will result in loss of light at No.9 Guest Road

Concerns regarding disturbance during the construction phase and the value of neighbouring properties are not material planning considerations thus are disregarded. Similarly, personal matters such as the financial gain of applicants and references to neighbouring human rights are considered to be civil matters and cannot be considered when assessing the proposed development.

The material planning concerns will be addressed in the assessment below.

Assessment

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 to residential properties, including outbuildings, are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety.

Design, Appearance and Impact upon Residential Amenity

NPPF Paragraph 135 relates to high quality design and states that developments should function well and add to the overall quality of the area; are visually attractive; sympathetic to local character; maintain a strong sense of place whilst optimising the potential of the site and create places which are safe and inclusive and promote well-being.

Local Plan Policy D1 states that development is expected to be of high-quality design and should respect and reinforce the distinctive, local character and features. Development should contribute to place making and make the best use of materials.

Local Plan Policy GD1 states that proposals for development will be approved if there are no significant adverse effect on the living conditions and residential amenity of existing and future residents; are compatible with neighbouring land and do not significantly prejudice the current or future use of neighbouring land.

The House Extensions and Other Domestic Alterations SPD sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations and indicates that these developments:

1. be of a scale and design which harmonises with the existing building
2. not adversely affect the amenity of neighbouring properties
3. maintain the character of the street scene and
4. not interfere with highway safety.

The proposal has been significantly amended to address concerns raised by the Case Officer relating to the introduction of overshadowing and overbearing impact upon the neighbouring property at No.52 in particular. These concerns were also echoed in the neighbour objections summarised above.

The proposal initially included extending the property northwards to enclose the existing detached garage; create additional first floor accommodation and raise the roof height. Due to the position of the plot sitting to the south of the No.52 and the proposed extension being on the boundary, this would have introduced significant overshadowing and an oppressive outlook for occupiers of No.52. In response to this, amended plans have been received which removes this element of the proposal and the detached garage will now remain as existing.

The alterations hereby proposed (as per the amended plans) will be limited to the southern part of the site, thus addressing the neighbour objections received in relation to the 'garage extension/development'.

The amended proposal includes a part single, part two storey extension which will replace the existing conservatory. Given the level changes on site, the extension will be at the lower ground and ground level only, with the property appearing as a dormer bungalow when viewed from the principal elevation.

At the lower ground level, the side extension will be the full depth of the dwelling and have a projection of 4m (same projection as the existing conservatory). The front elevation of the extension will be a retaining brick wall and partially hidden (due to the land level changes), meaning only the rear and side external walls will be exposed. The extension will provide a lounge at the lower ground level.

At the ground floor level, the extension depth will be 4.15m, but have the same projection as the lower ground off bedroom 3. The front part of the extension will have a flat roof to create an outdoor terrace/patio area. Patio doors will open from bedroom 1 and 3 onto the patio.

Neighbour objections have been received regarding potential overlooking from the patio (with some comments instead referring to this as a 'balcony'). Whilst the patio is to be constructed above the lounge/at the upper floor of the proposed extension, it is at the ground floor level when viewed from the front of the property, thus would be at the same level as the existing ground floor windows.

The ground floor level patio is not considered to introduce harmful overlooking. The patio has been positioned towards the front of the plot and would not be visible when viewed from the properties at Guest Road. Similarly, the patio is positioned over 22m from the southern boundary, and has a separation distance in excess of 28m from No.7 Wellfield Road, therefore exceeding the SPD guidance in this regard (SPD requires 21m between habitable room windows). Although cannot be relied upon, the large trees which surround the site further screen any overlooking or loss of privacy introduced by the development. Overall, the development is in excess of the SPD separation distance requirements and the concerns regarding overlooking have been addressed by the amended plans.

An objection was received regarding the loss of light/overshadowing upon No.9 Guest Road. The rear elevation of the extension is flush with the existing dwelling and has a separation distance from the eastern boundary in excess of 10m (thus according with the SPD guidance). On this basis, the extension is a suitable distance from the neighbouring properties and would cause no additional overshadowing.

Bi-fold doors at the lower ground floor level which will face onto the applicant's garden, whilst 1 new window will serve the extended bedroom 3. However, for the reasons explained above this would not cause harmful overlooking of neighbouring properties.

The extension will appear subservient to the host dwelling being both stepped down and stepped back from the roof ridge and principal elevation. The proposed materials are also acceptable and will not harmfully impact the character of the area. Although the use of render will be a new introduction to the site, the adjacent dwelling at No.52 has recently been finished in render.

Minor alterations to the roof are proposed which includes the installation of one additional rooflight on the rear roofslope, albeit this will not cause any overlooking and not significantly alter the appearance of the property. Works to install rooflights and additional windows can be added to the existing property via permitted development subject to according with the criteria set out in Schedule 2, Part 1 of the GPDO. Those alterations are therefore acceptable.

The property will retain a generously sized garden which wraps around the dwelling and no alterations to the parking or access arrangements are proposed. In summary, the development accords with Local Plan Policy D1 and GD1 in regard to design and amenity and the objections received have been suitably addressed by the amended plans.

Conclusion

Based on the assessment above it is considered that the proposed development would not have a significant adverse impact on the amenity of neighbouring residents by means of overshadowing, overlooking or loss of outlook, nor would it have a detrimental impact on the character of the local area and as such is in compliance with Local Plan Policies GD1, D1 and T4 and is acceptable.

Recommendation

Approve with conditions