

**Application Reference:** 2025/0950

**Site Address:** 21 Locke Avenue, Barnsley, S70 1QH

**Introduction:** Erection of rear raised balcony and associated steps and boundary fencing to dwellinghouse

### **Relevant Site Characteristics**

The property is a detached dwelling within Barnsley's central area and located in close proximity to Locke Park. The street scene is characterised by various house types, including detached, semi-detached and terraced properties. Stone frontages are commonplace on the street scene with red bricked side and rear elevations. Various roof types are in place in the street scene including gable, hipped and pitched roof forms.

The site provides a substantial rear garden and a small front garden. A driveway is located to the south of the dwelling. The topography of the rear garden falls towards the rear boundary. To the rear of the site is an alley which provides rear garden access to properties on Blenheim Road.

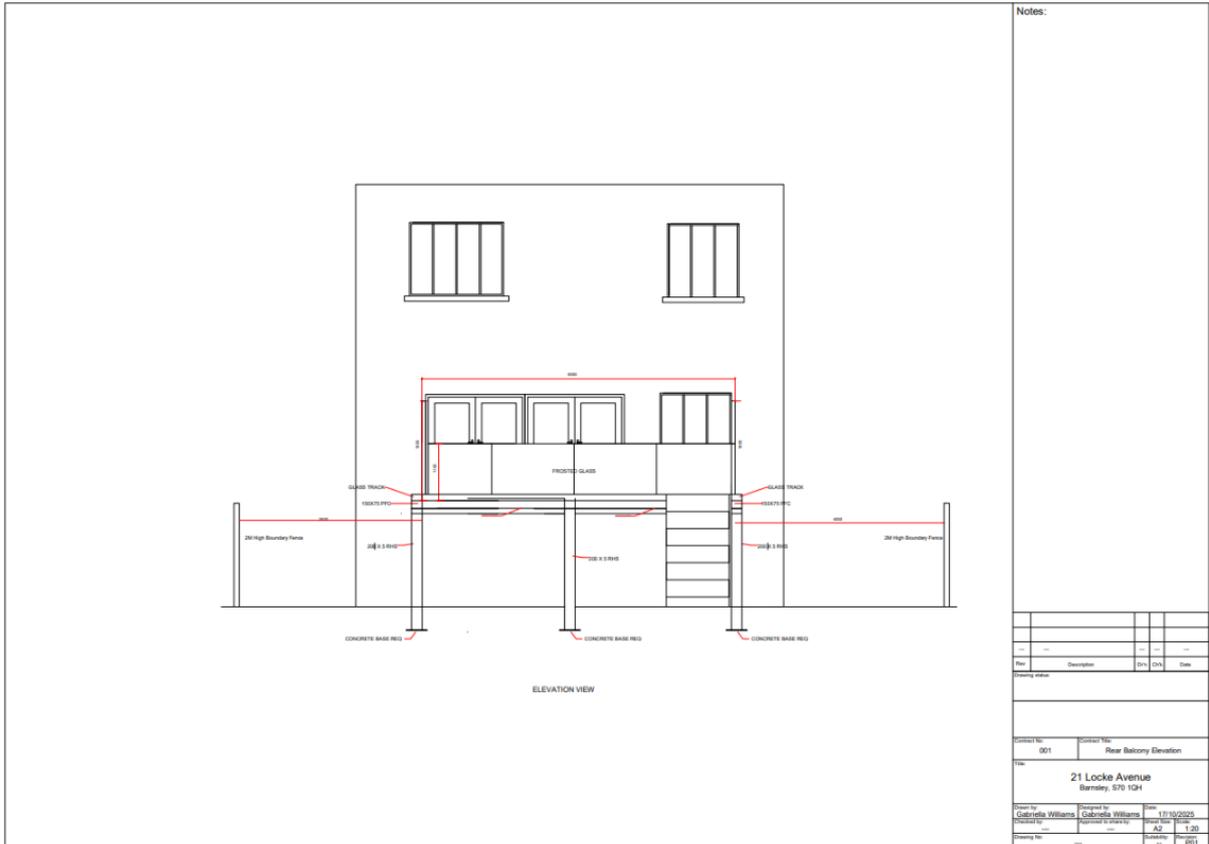
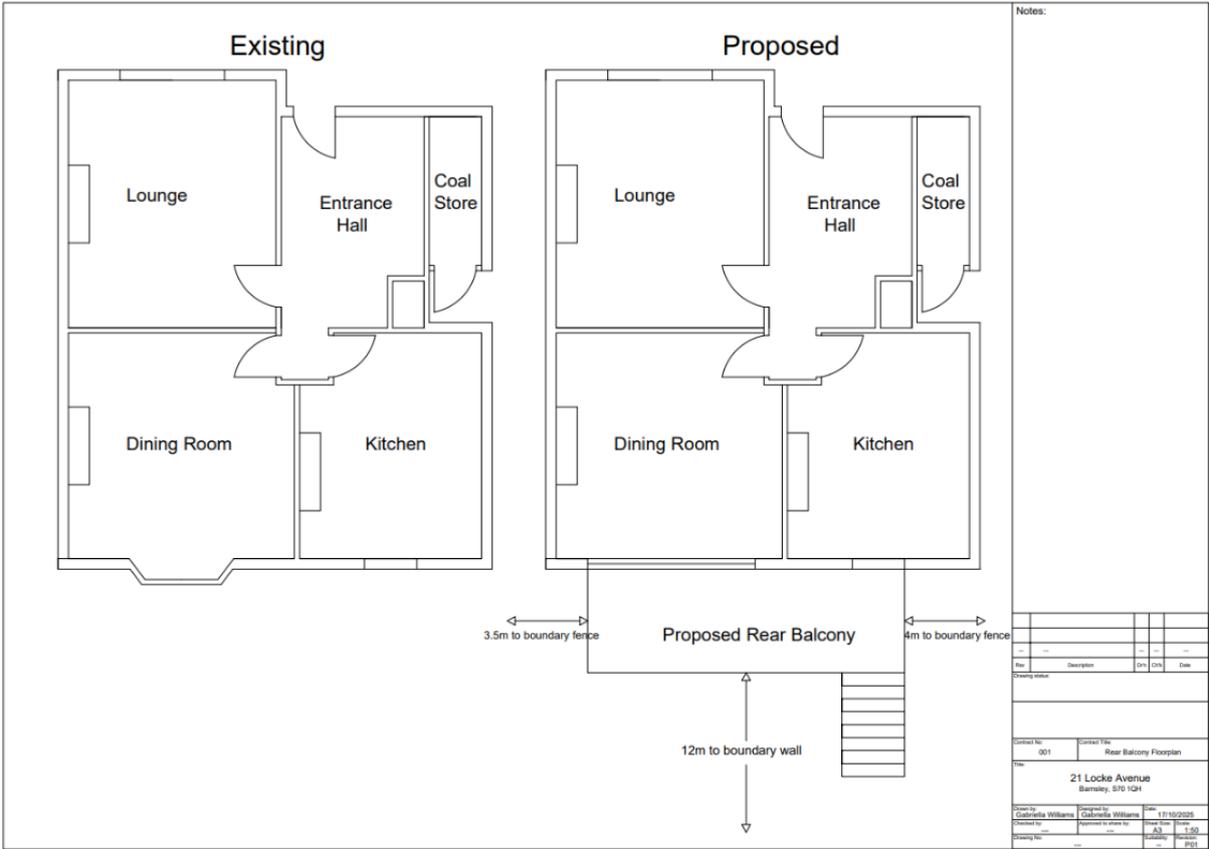
### **Planning History**

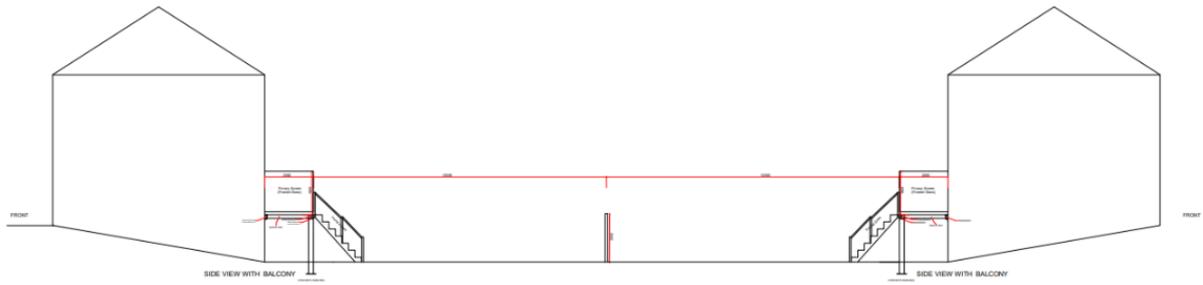
<b>Application Reference</b>	<b>Description</b>	<b>Status</b>
2025/0482	Erection of a raised rear balcony	Refuse

### **Detailed description of Proposed Works**

The applicant is seeking permission to erect a rear balcony. The balcony would service the middle floor of the rear of the dwelling, however due to the topography of the site would be the ground floor for the front elevation of the dwelling. The balcony would provide a rearward projection of approximately 2 metres and an approximate width of 6 metres. The balcony would have a floor height of approximately 1.8 metres and would utilize 3 steel frame columns to support the balcony. The proposed balcony would detail a glass balustrade with a height of approximately 1.1 metres to the rear elevation and a privacy screen of approximately 1.8 metres to both side elevations. The plans also detail two sets of French doors to provide access to the balcony. Stairs are detailed to provide access to the rear garden from the west side of the balcony's rear elevation.

Two-metre-high boarded timber fencing is detailed to the south and west boundary of the site.





## 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:

Section 2 - Achieving sustainable development

Section 4 - Decision making

## Section 12 - Achieving well-designed places

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

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.

### **Representations**

The applicant has provided two no. supporting statements from 19 and 23 Locke Avenue, however, these carry little to no weight in the determination of the application as the statements have been provided by the applicant and have not been submitted directly to the Local Planning Authority.

### **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**

The site falls within Urban Fabric where 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

The Supplementary Planning Document for House Extensions states 'Decking and raised platforms are commonly used where the rear garden is below the floor area of the dwelling in order to allow improved access to the rear garden and to provide a convenient outdoor amenity area on the same level as the dwelling. Decking and raised platforms are also used in other circumstances but can often give rise to increased overlooking of neighbouring dwellings and particularly their gardens.

In view of this, decking and raised platforms will only be allowed where the privacy of neighbouring residents is not detrimentally affected by significantly increased overlooking (e.g. where the decking is located away from the boundary and where there is sufficient permanent screening, such as a high boundary wall or an outbuilding in an adjacent garden). In addition, decking and raised platforms should not have a significantly detrimental impact on visual amenity and for this reason decking will not be allowed where it is prominently located and can be easily viewed from public vantage points.'

The proposed balcony would provide a moderate rearward projection of approximately 2 metres. The topography of the site results in restricted access to the rear garden space. Stairs are therefore installed which alleviate this access issue and provide a more convenient outdoor amenity area. The use of a glass balustrade and steel structure is considered to be a modern design which would not detract from the character of the dwelling.

The proposed fencing to the west and south elevation is considered acceptable and is a commonly used garden boundary treatment and would not detract from the character of the site.

It is therefore considered that the proposed balcony is acceptable in terms of visual amenity and in compliance with Local Plan policy D1: High Quality Design and Place Making and as such carries significant weight in favour of the application.

#### Impact on Neighbouring Amenity

The proposed balcony provides an approximate rearward projection of 2 metres and an approximate width of 6 metres, providing a balcony with a floor space of 12 square metres. This area is not considered to be an area for which gatherings of multiple people could occur. As such, the proposed balcony would not be likely to allow for increased level of external activities and usage at an elevated position which would be detrimental to neighbouring amenity to the north and south.

The proposal is elevated at a level which is above boundary treatment to the north and south, however the implementation of a 1.8 metre privacy screen detailed to the north and south elevations of the balcony will allow for a reduction in overlooking to an acceptable level. Additionally, the proposed 2-metre-high boundary fence will assist in reducing the impact of the proposal. In order to ensure the proposed frosted glass privacy screen is sufficient, a condition will be added to ensure the screen provides obscured glazing to an acceptable level.

The proposed rear elevation boundary treatment assists in screening the proposal from neighbours on Blenheim Road. The proposed projection of 2 metres also allows for an approximate distance of 30 metres to the nearest rear elevation, 15 metres to the nearest rear residential amenity space and 12 metres to the rear boundary of the site. Sufficient distance is therefore considered to be maintained to prevent detrimental levels of overlooking.

It is therefore considered that the proposal would not result in a significant increase in overlooking, overshadowing or reduce levels of outlook to a detrimental level and is in compliance with Local Plan Policy GD1 General Development. This carries significant weight in favour of the application.

#### Highways

The proposal does not result in the increase of bedroom facility at the site or any reduction in parking facility. As such the proposal is considered acceptable in terms of its impact on highway safety and in compliance with Local Plan Policy T4 New Development and Transport Safety. This carries little to no weight in favour of the application.

#### 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**

It has not been necessary to make contact with the applicant regarding any amendments to the proposal.

**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.**