

Application Reference: 2025/1070

Site Address: 4 Station Road, Worsbrough Dale, Barnsley, S70 4SY

Introduction: Erection of a detached garage with rooftop patio and creation of an access onto a classified road

Relevant Site Characteristics

The property is located at the end of a four dwelling terraced arrangement on the classified Station Road within the Worsborough Dale area. Autumn House Nursing Home is located to the west of the site. The surrounding area is characterised by varying dwelling types, constructed from varying materials. Terraced and detached properties are located to the north of the highway alongside the site, whilst semi-detached properties are located opposite the site to the south. Brickwork is predominately used, although stone is acknowledged to be used to the west on Station Road along with some rendered elements.

The site in a prominent location on Station Road. A driveway is located directly to the west of the site providing access to the nursing home. Along with other properties on the north side of Station Road, due to the topography of the site, the house is in an elevated position to the road and properties to the south. The property is constructed from red brickwork and features a gable roof form. A flat roofed two-storey side extension is located to the west of the dwelling. Parking facility is located to the southwest of the dwelling. A detached outbuilding is located to the west of the dwelling along with some hardstanding amenity space. The site currently provides little amenity space to the front and rear of the property.

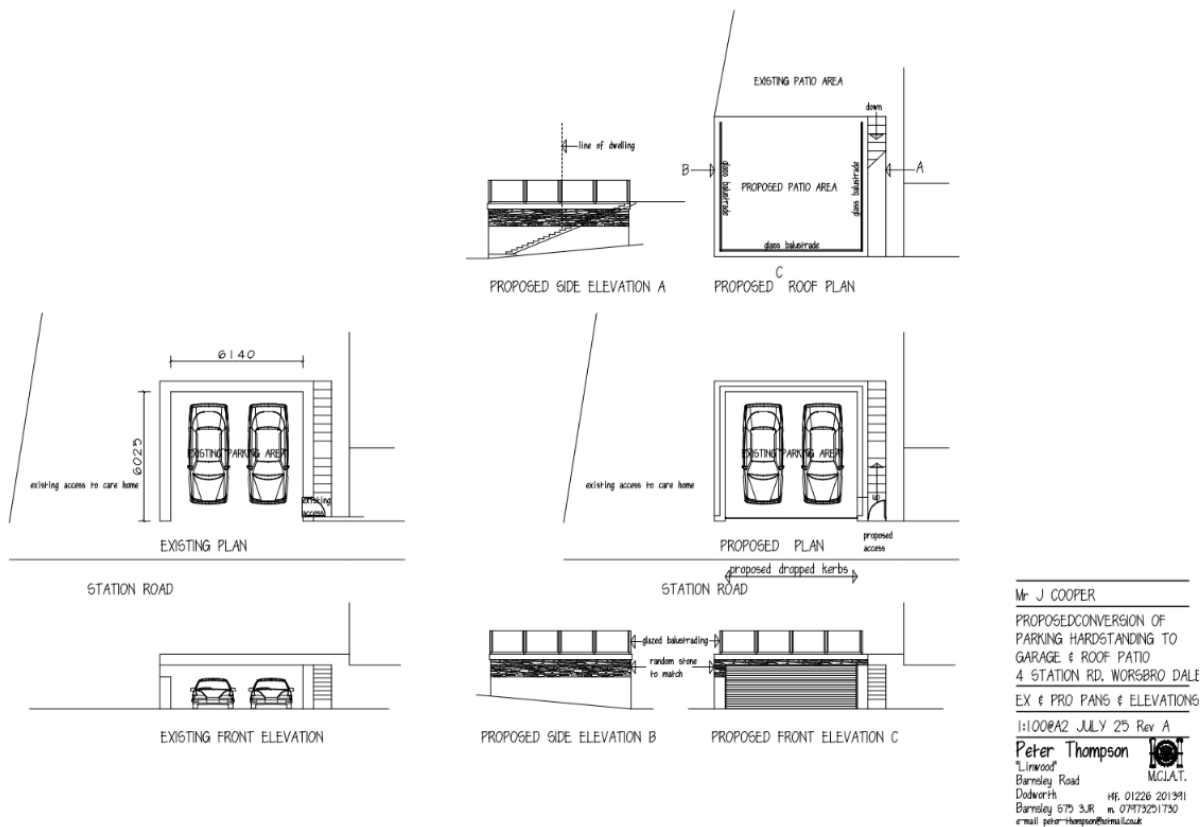
Planning History

Planning Reference	Description	Decision
B/86/0156/WB	Extension and alterations to dwelling to convert into hospice	Historic
B/93/0273/WB	Erection of extensions to nursing home	Historic
2009/0871	Erection of a conservatory extension to rear of care home.	Approve with Conditions
2012/0622	Erection of side conservatory extension care home	Approve with Conditions
2016/1439	Erection of extension to existing care home to provide 16 no. additional EMI Dementia Rooms with Associated facilities.	Approve with Conditions

Detailed description of Proposed Works

The applicant is seeking permission to formalise the existing parking arrangement through the installation of a garage door to the front of the existing parking space and the erection of a rooftop, allowing the roof to be used as a patio area. The garage door would span approximately 6 metres. The resultant patio area above the garage would have an approximate width of 6.5 metres and an approximate length of 6 metres providing a patio space of approximately 39 square metres. A glass balustrade is proposed to the south, west

and east elevation of the raised patio area. The patio area would be at an approximate height of 2.5 metres above the highway. 'Random Stone' has been detailed to form the roof.



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.

Representations

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.

Consultations

Highways – Highways have partially objected to the proposal and have deferred for further documents. Highways have welcomed the formalisation of the existing parking arrangement. Highways have however objected to the creation of the garage as this would reduce the existing poor visibility when existing the site. The inclusion of a garage door would also result in conflict between pedestrians and drivers as well as resulting in a highway obstruction whilst opening the garage door.

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 and Other Domestic Alterations 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 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 design of the garage door would not be considered controversial. A garage door is located directly onto the highway at 18 Station Road. From a visual perspective the door would therefore not be out of place with the street scene. The creation of the raised patio area would also not be out of place with the street scene. An existing patio is located to the rear of the proposal and much of the east and west walls which would be used to form the raised platform are already in situ. The use of 'Random Stone' would match the existing stone walls amenity space and given the varying materials used, the use of stone would not be out of character with the street scene.

Despite the above design characteristics, the proposal would be in a prominent location adjacent to a highway and would therefore be contrary to the House Extensions and Other Domestic Alterations SPD. The use of acceptable materials and the design is acknowledged; however, this does not mitigate against the location of the raised patio and its impact on the street scene.

It is therefore considered that the proposed raised patio and garage door is not acceptable in terms of visual amenity and does not conform Local Plan Policy D1: High Quality Design and Place Making and the adopted House Extensions and Other Domestic Alterations SPD due to its prominent location within the street scene and as such carries substantial weight in opposition of the application.

Impact on Neighbouring Amenity

The Supplementary Planning Document for House Extensions and Other Domestic Alterations states '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).'

The proposed patio provides a significant projection of approximately 6 metres and approximate width of 6.5 metres. This provides a floor space of 39 square metres. This is considered a significant area for which gathering of multiple people could occur. The proposed patio area would allow occupants much more freedom to move outside of the building and into a prominent, elevated and open position which would undoubtedly increase external activities and usage. This would also detrimentally increase overlooking of neighbours to the south.

Given the proposal is at a significant height above the highway and opposite neighbouring habitable rooms, the proposal would allow for substantial levels of overlooking. It is acknowledged the proposal would be distanced by the highway, however only a distance of 15 metres would be retained to habitable rooms. The 15-metre distance would allow for detrimental levels of direct overlooking which would be amplified with the occurrence of any gatherings given the large floorspace of the proposal. Overall, the proposed patio would be positioned in a location which would allow for detrimental levels of overlooking to neighbours to the south of the site.

It is therefore considered that the proposal would result in a significant increase in overlooking to a detrimental level and is not in compliance with Local Plan Policy GD1 General Development. This carries substantial weight in opposition of the application.

Highways

Although highways do not object to the formalisation of the existing parking arrangements, the inclusion of the garage door and garage surround resulting in the patio area has been objected to.

Although the site does not currently provide sufficient turning within the curtilage, the proposed formalisation of the sites existing parking arrangement would be to the sites benefit.

The existing on site boundary treatment exceeds the permitted development height of 1 metre. Despite this, the proposed height increase to allow for the roof to be installed would further increase the current height of the boundary treatment and would therefore entirely obstruct the already limited visibility when exiting the site. This would be to the detriment of highway safety.

Due to the site arrangement, no forecourt has been proposed. As a result, vehicles would be required to stop on the highway whilst the garage is accessed. Not only would this provide conflict between drivers and pedestrians, it would also cause a highway blockage on what is noted to be a busy road.

As such the proposal is considered unacceptable in terms of its impact on highway safety and is not in compliance with Local Plan Policy T4 New Development and Transport Safety. This therefore carries substantial weight against the application.

Planning Balance and Conclusion

The proposal would not provide a satisfactory impact on residential amenity, visual amenity or highway safety, all of which hold substantial weight against the proposal.

The proposed garage and resultant patio area is in a prominent location, contrary to the House Extensions and Other Domestic Alterations SPD and would therefore cause detrimental damage to the visual amenity of the street scene, neighbouring residential amenity and highway safety and is therefore contrary to local planning policies D1, GD1, T4 and adopted guidance and weighs substantially against the proposal.

For the reasons given above, and taking all other matters into consideration, the proposal does not fully comply with the relevant plan policies and planning permission should not be granted. For the reasons given above, and taking all other matters into consideration, planning permission should be refused.

RECOMMENDATION: Refuse

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 outline the issues with the proposal and to advise withdrawing the application. No withdrawal confirmation was received.

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.

The reason for the Council's decision to refuse planning permission are:

- 1) In the opinion of the local planning authority, the proposed patio area is proposed in an inappropriate and prominent location and is contrary to the House Extensions and Other Domestic Alterations SPD. Consequently, this application is contrary to Local Plan Policies GD1: General Development and D1: High Quality Design and Place Making.
- 2) In the opinion of the local planning authority, the proposed patio area would result in significant levels of overlooking. The proposed development would have a significant detrimental impact upon the privacy enjoyed by neighbouring properties and is contrary to Local Plan Policy GD1: General Development.
- 3) In the opinion of the local planning authority, the proposal would detrimentally impact highway safety and is contrary to Local Plan Policy T4 New Development and Transport Safety.