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Application reference number	2026/0278
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Application Type	Full Planning Permission
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Proposal Description:	Removal of attached side garage, raising of roof to create habitable space (including rear balcony) and erection of 2 storey front, side and rear extensions (including integral garage) to dwelling
Location:	29 Cone Lane, Silkstone, S75 4PU

Applicant	Barnsley MBC
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Number of Third Party Reps	4	Parish:	Silkstone
		Ward:	Penistone East

SUMMARY

This application has been submitted by BMBC in relation to the removal of an attached garage, the rising of the roof height to create habitable accommodation including a rear balcony,, the erection of two storey front, side and rear extensions.

This application has been amended since it was originally submitted. The original scheme proposed large windows serving habitable rooms on the front elevation. However, due to concerns raised by both the objectors and the Council's planning officer, the scheme has been amended, and the front elevation has been changed.

The application site is located within urban fabric as defined in the adopted Barnsley Local Plan.

The application is being presented to Members due to the appointed planning agent becoming an elected member of the Council.

Recommendation: Planning Permission GRANTED subject to conditions.

Location Plan



Introduction

The application is being presented to Members due to the applicant being an elected member for Barnsley Metropolitan Borough Council.

Site Description

The site is located within an access road to the rear of Cone Lane on the edge of Silkstone Common. The site is located within an area allocated as urban fabric within the adopted Local Plan, with Green Belt located beyond the rear garden.

The site consists of a traditional stone built bungalow with a pitched roof design, small gable front extension, and a single storey flat roof garage extension at the side. The site is bound by a mix of hedges and timber fencing. The front garden is relatively small, with a driveway located in front of the garage.

The property benefits from a large rear garden, and the land slopes down towards the open countryside. It is noted that a public right of way is located beyond the northern boundary of the site and also beyond the rear garden running parallel with the boundaries. A hedge runs along these boundaries providing screening from the footpath.

The immediate area is characterised by a mix of dwelling types of individual designs, some with asymmetrical roof lines similar to the proposed. Properties forward of the site have been modernised with high level glazing and a mixed palette of materials such as cladding, render, brick, and stone. An access road runs in-between the properties forward of the site, with their rear elevation's facing the host property.

Planning History

<u>Application Reference</u>	<u>Application description</u>	<u>Status</u>
B/79/2833/PR	Erection of gate to vehicular access	

Development Proposal

The proposal is to remove the existing single storey side garage extension to enable the works to commence. The proposal is to raise height of the roof to accommodate two additional bedrooms, a bathroom, music room, storerooms and en-suite within the upper floor. The proposed height increase will be 1.5m for the main body of the dwelling and 2.1m for the extension and front gable. Due to the sloping site at the rear the proposed roof height increase will result in a split level property, with the two storey element facing the rear. High level roof lights on the front elevation will serve the first floor accommodation and roof lights on the northeast elevation will serve as secondary windows to the new bedroom.

The application also proposes a single storey and two storey extension projecting to the rear 7.51m x 5.14m (approximately 5.4m for the two storey projection). This will provide a lounge at ground floor level with large windows and doors facing the open countryside and a bedroom at first floor level with a Juliet balcony on the rear elevation. A chimney will be located on the northeastern elevation of this extension.

A bay window/ glazed extension will project from the snug at the rear at ground floor level projecting 0.8m and measuring 2.8m in width. A wide inset balcony will be located above with the same projection and measuring 8.6m in width.

A two storey side extension will project 3.18m and measure 8.65m in length. This will provide an integral garage at ground floor level and a bedroom at first floor level. A two storey front extension will project 1.09m, 8.98m in width incorporating the side extension. This will provide a bedroom extension and porch at ground floor level and a walk in wardrobe, storeroom and en-suite at first floor level. A high level circular window will be located at first floor level serving the en-suite.

The existing property is stone built, the proposals will introduce flint cladding, and render. Solar panels will be located on the front elevation. Patio doors will be located on the side elevation of the original property serving the dining room. These will be located within the existing structure and fall within permitted development rights.

Policy Context

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 was adopted in January 2019 and is 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.

Site Allocation/Designation

The site is allocated as Urban Fabric as defined in the adopted Local Plan with open Green Belt Land located beyond the rear boundary.

National Planning Policy Framework (NPPF 2024)

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.

Barnsley Local Plan (2019)

Relevant Local Plan Policies:

Local Plan Policy SD1: Presumption in Favour of Sustainable Development states that the presumption contained in the NPPF will be applied and the Local Planning Authority will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible.

Local Plan Policy GD1: General Development 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. Proposals should be compatible with neighbouring land and should not significantly prejudice the current or future use of neighbouring land. Proposals shall include landscaping to provide a high-quality setting for buildings, incorporating existing landscape features and mitigate/minimise any adverse impact upon the environment, natural resources and pollution. Adequate access and internal roads shall provide appropriate vehicular and pedestrian links, whilst drains, culverts and surface water bodies shall be considered. Appropriate landscaping shall be provided where sites are adjacent to open countryside and pylons shall also be considered within proposed layouts.

Local Plan Policy T4: New Development and Transport Safety states new development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement. Where a development is not suitably served by the existing highway, developers will be expected to make a financial contribution to secure necessary improvements.

Local Plan Policy D1: High Quality Design and Place Making states development should be of high-quality design and reinforce the distinctive, local character and features of Barnsley including landscape character, topography, important habitats, woodlands, townscape character, scale, layout, building styles and materials.

Local Plan Policy POLL1: Pollution Control and Protection states that development will be expected to demonstrate that there will be no increased in air, surface water/groundwater, noise, smell, dust, vibration or other pollution which would unacceptably affect the natural or built environments or people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Local Plan Policy GS2: Green Ways and Public Rights of Way states that the Council will protect Green Ways and Public Rights of Way from development that may affect their character or function. Where development affects an existing Green Way or Public Right of Way it must: Protect the existing route within the development; or Include an equally convenient and attractive alternative route.

Supplementary Planning Documents

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 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 (2024)
- Parking (2019)
- Silkstone Neighbourhood Development Plan (2023)

Summary of Relevant Consultations

Public Rights of Way – No response.

Silkstone Parish Council – No response.

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. In addition a site notice was displayed close to the site notifying the public that the application site is close to and may impact the Public Right of Way. The overall date of expiry: 2 June 2026

A number of representations have been received, 4 in total with the following comments:

- Clarification required regarding the impact to PROW – clarification that the PROW will not be impacted was sent to the concerned resident.
- Excessive increase of front elevation.
- Significant increase in height.
- Impact on surrounding area.
- Loss of residential amenity.
- Loss of view.
- Over dominance – overbearing impact.
- Overlooking from large windows on front elevation.
- Loss of privacy.
- Overlooking from front Velux windows.
- Impact of materials on visual amenity.
- Inadequate separation distances between properties.
- Loss of light.
- Construction vehicles may block access, excessive noise from construction.
- The proposed design is not respecting the local character.
- Negative impact to disabled neighbour.

Assessment

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: 'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.

The NPPF (December 2024) at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

The main issues for consideration are as follows:

- The Principle of the Development
- Design, Appearance
- Highways Considerations
- Impact Upon Residential Amenity

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

The Principle of the Development

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.

On this basis, the principle of the development is considered to be acceptable subject to the considerations below. This weighs in substantial favour in the overall planning balance.

Scale, Design and Impact on the Character

SPD: House Extensions indicates that the roof style and pitch should match the existing, particularly when the extension will be prominent within the street scene. The front elevation of a building is the most important for its contribution to the street scene. Generally, therefore, such extensions need to be of a high standard of design and will not be considered acceptable where they would detract from the quality of the existing dwelling or the character of the street scene or cause overshadowing to neighbouring dwellings.

The proposal is to raise the height of the roof by 2.1m at the highest point. The host property is a single storey bungalow located to the rear of properties facing Cone Lane. Cone Lane is characterised by a varied array of house types, design, roof heights, and materials with no distinct character evident. Properties to the front of the site have had their original character altered and modernised over the years with high level glazing evident.

The property to the southwest is individual in design with stone features and an asymmetrical roof. It is clear that within this location the properties have a mixed characteristic, therefore the proposed design is not expected to appear incongruous within this setting. Furthermore, due to the setback nature of the property the character and visual amenity of Cone Lane is not expected to be unsympathetically impacted by the proposal.

It is acknowledged that the proposals will alter the appearance of the original property by way of a wide front gable extension. It must be noted that the front extension will only project 1m to the front of the property which is not considered excessive. It must also be noted that the character of the existing property is a bungalow with a projecting front gable, therefore the essence of the proposed design does not detract away from this character.

It is also acknowledged that the site is located to the south of properties 31 and 33 Cone Lane, however, due to the position of these properties and the configuration of their rear gardens the increase in height is unlikely to overshadow the main aspects of these properties and is therefore acceptable.

The palette of materials proposed are render, stone and flint cladding. When viewed within this locality, taking into consideration the materials found with the nearby dwellings the proposals are acceptable.

When the proposal is viewed amongst the properties on Cone Lane the proposed changes are not expected to severely impact the existing street scene. The materials and design of the proposals when viewed in their entirety are not expected to be visually detrimental within the surroundings and as a result the proposal is in compliance with Local Plan Policy GD1 and House Extensions SPD. Significant weight has been given to the design and impact on the character of the area.

Highways Considerations

SPD: Parking provides parking standards for residential development. Two spaces for dwellings with three or more bedrooms are required as standard. The proposals will increase the floor space of the dwelling and increase the number of bedrooms from two to three. Off-street parking will be provided for at least two vehicles which is in line with SPD: Parking. As such, the scheme is acceptable from a highways development control perspective in compliance with Local Plan Policy T4 New development and Transport Safety and SPD: Parking.

Moderate weight has been given to highway safety.

Public Right of Way

There is a public footpath running along the side of the property and beyond the rear boundary. The proposed extensions are located within the boundaries of the host property and are not expected to negatively affect the use of the footpath. The Council's Public Rights of Way team were consulted. No comments have been received with regards to the proposal. As such the scheme is in compliance with Policy GS2 Green Ways and Public Rights of Way of the Local Plan. Limited weight has been given to Public Rights of Way.

Impact Upon Residential Amenity

SPD: House Extensions provides expectations in relation to the size of proposed dormers and extensions. The host property is detached and set within an access road serving two properties to the rear of Cone Lane. There have been a number of objections to the original

design of the proposal. The application was subsequently amended to address some of the concerns.

Some objectors have concerns with regards to the height of the proposal and loss of views. The loss of views are not a material consideration and cannot be taken into account when assessing this proposal. That said, the objections also have concerns with regards to the overdominance of the proposal and significant increase in height. Cone Lane has a mix of single storey and two storey properties, individual in design. When viewed in context the height difference is not expected to appear over dominant and is not expected to have a significant negative impact when viewed within this setting.

Some objectors have concerns with regards to the loss of privacy and overlooking from the proposed habitable room windows. The original proposal had a large, glazed area proposed at the front of the property serving a bedroom. SPD: House Extensions states that as a general guide, windows to habitable rooms on an extended property should not be less than 21m from any other properties with habitable room windows, to ensure reasonable privacy is retained. It also notes that a boundary fence may act as an effective screen to a single storey extension and could reduce overlooking.

It is acknowledged that the separation distances between the front of the property and the rear elevations and gardens of the properties directly adjacent measure less than 21m, therefore any first floor window proposed may impact on residential amenity. The applicant was asked to amend the plans to ensure reasonable privacy is retained. It is noted that the neighbouring properties have been extended to the rear with some high level glazing located directly adjacent to the site. There is an existing access road running in between the properties and there is adequate boundary treatment located along the neighbouring rear boundaries.

The proposed front elevation has been amended, and the large area of glazing has been removed and replaced with a circular window on the gable serving the en-suite which will also be obscurely glazed. The front facing roof lights have been amended to high level windows which will further protect residential amenity. The original property has front facing ground floor windows. Although the proposal will see a front gable projection, this will only be a projection of 1m and will be contained within the boundaries of the property.

The existing boundary treatment is adequate screening for the existing windows at ground floor level within the host property and its neighbours. The proposed extension is not expected to impact further than the existing, and as such the existing boundaries will provide reasonable privacy for both these neighbours and the host property. The Council is satisfied that reasonable privacy will be retained for the neighbouring properties.

The application proposes roof lights on the northeast elevation serving as secondary windows to the proposed bedroom. These windows will be located within the roof slope and are expected to provide skyward views. These windows are for increased natural light within the room in absence of the front facing windows. The side facing windows are not expected to result in loss of privacy and although it is acknowledged that they face the extended garden of no. 33 Cone Lane, they are not expected to overlook the main circulation area nor the property itself. It is concluded that reasonable privacy is retained in this respect.

Some objectors have concerns with regards to loss of light. Given the location and orientation of the property in relation to the surrounding dwellings, there are no concerns with regards to loss of light. There have been concerns with regards to overdevelopment of the site. The site is generous with the advantage of a large back garden. The side extension will project 3.18m which is not deemed excessive and although the rear extension will project 7.5m, when viewed within context the site is not expected to appear overdeveloped.

Some objectors have concerns with regards to noise and disruption during construction. It is acknowledged that there will be some disruption during the construction phase of the development, this can be mitigated by restricting construction times. A condition restricting construction times can be added to the decision notice.

The proposed side and rear extensions will not introduce side facing habitable room windows apart from the aforementioned roof lights. The proposed Juliet balcony is located on the rear elevation and is not expected to cause any overlooking to the nearby properties. The wide inset balcony will be screened at the sides due to the nature of the design. The balcony will overlook the open countryside to the rear and is therefore not expected to cause any undue overlooking ensuring that reasonable privacy is retained.

Taking into consideration and the characteristics of the site, the proposals are 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.

Planning Balance & Conclusions

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

MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW:

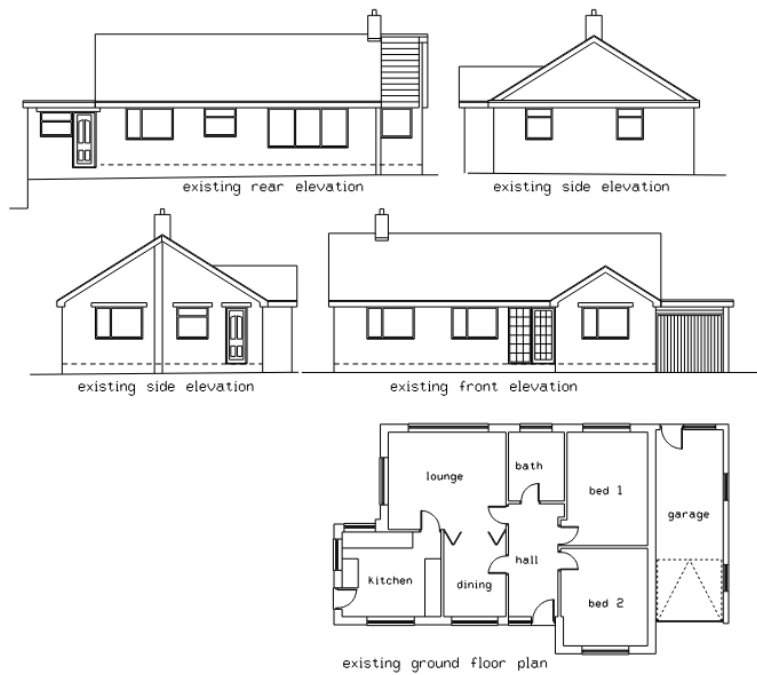
CONDITIONS/REASONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos. Existing Plans JCM-126-1; Proposed Plans JCM-326-7 Rev C; Location Plan PP-14823982V1) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.
3. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policy POLL1 Pollution Control and Protection.

The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Appendix 1 – Existing Plans



Appendix 2 – Proposed Plans

