

Application Reference: 2025/0785.

Location: 4 Whinmoor View, Silkstone, Barnsley, S75 4LL.

Introduction

This application seeks planning permission for the erection of a raised patio extension to an existing rear extension erected as permitted development.

Relevant Site Characteristics

This application relates to a modest-sized plot located on the north side of a quiet residential cul-de-sac (Whinmoor View) and in an area that is principally residential largely characterised by two-storey detached dwellings of varying scale and similar appearance. To the north is agricultural and Green Belt land. The topography of the area falls south-to-north and west-to-east.

The property in question is a modest two-storey detached dwelling constructed of stone with a brown concrete tiled gable pitched roof. The property has a single storey extension to the front and a single storey flat roof extension to the rear. Also to the rear is a partially constructed raised platform off the rear extension and a detached flat roof garage positioned adjacent to the east party boundary within the rear garden. A driveway extends along the south-east side of the property. The development site is bounded by a mix of walls, fences and vegetation. The topography of the site falls north-to-south and the development site is set lower than 6 Whinmoor View to the north-west. 2 Whinmoor View is set slightly lower than the development site. Both adjacent neighbouring properties benefit from their own raised platforms and patio areas to the rear.



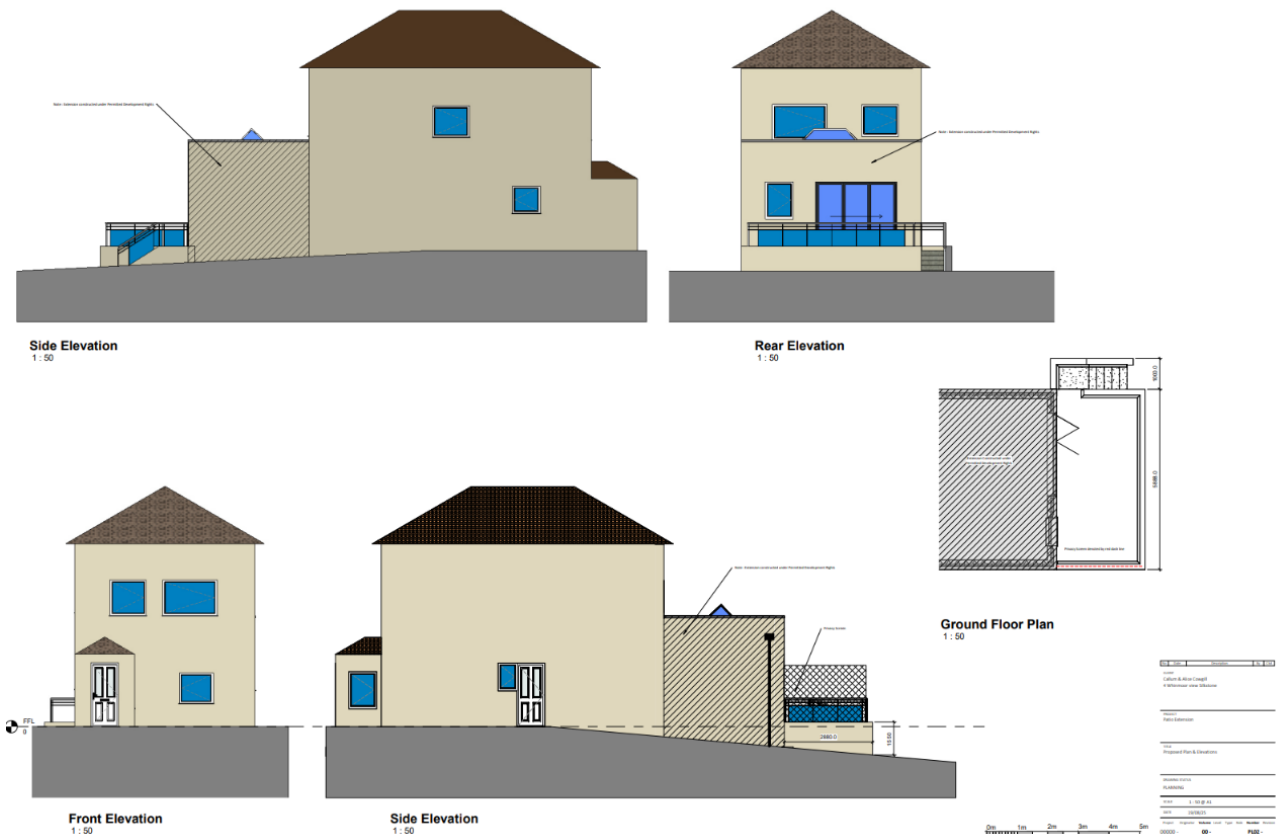
Site History

B/74/0261/PR	Pre-dates electronic working.	Pre-dates electronic working.
B/76/0178/PR	Erection of 2 dwellings and private double garage.	Historic.
B/76/0286/PR	Erection of 2 houses, 2 bungalows and 4 garages.	Historic.

Detailed Description of Proposed Works

This application seeks planning permission for the erection of a raised patio extension to an existing rear extension erected as permitted development. The raised patio is part retrospective with it being partially constructed.

The raised platform measures approximately 5.9 metres (W) x 2.9 metres (L) x 0.8 metres (H) with a floor area of approximately 14.2 sqm. The height is measured from the highest point of the original natural ground level immediately adjacent to the raised platform. The height of the platform increases to approximately 1.6 metres at its northernmost extent due to an element of under-build and existing topography levels. Steps are located on the north-west side of the platform, and it is constructed of closely matching stone. A 1.8-metre-high privacy screen would be erected on the south-east side of the platform.



Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development 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 a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on 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, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as urban fabric in the adopted Local Plan which has no specific allocation. The following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy D1: High Quality Design and Place Making.*
- *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 NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF 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. The 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 (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *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 this guidance 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 following SPDs are relevant in this case:

- *House extensions and other domestic alterations (Adopted March 2024).*
- *Parking (Adopted November 2019).*

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Representations

This planning application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended).

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

Objections were received from one address, and one representation was received from one address confirming no objections. The concerns raised are summarised as follows:

- Concerns regarding the scale and height of the rear extension and its impact on overshadowing and loss of light.
- Concerns regarding the rear extension in that it appears as an eyesore and makes the rear garden feel claustrophobic and cooler making it less enjoyable.
- Impact on overlooking and loss of privacy from the raised platform.
- Impact on views of the surrounding vistas.
- Impact on mental health and well-being and specific health needs.
- The proposal indicates the proposed privacy screen would be slatted as a trellis which would not negate privacy issues and concerns and it could be easily removed after any potential grant of planning permission. A small step could also be used to look over.
- Concerns regarding Human Rights under Article 8 (Respect for private and family life) and Article 10 (Freedom of expression).

While all concerns are acknowledged only those which are material planning considerations can be taken into account

Having checked the submitted details and visited the site on 11th November 2025, the rear extension appears to comply with the relevant criteria and conditions set out under Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) to be considered permitted development. Development implemented using such rights does not require planning permission and cannot therefore be controlled by the local planning authority (LPA) nor can any potential impacts which may arise because of said development.

The rear extension is therefore not under consideration under this application.

While broader public health and well-being concerns that affect the community can be considered a material planning consideration, an individual's mental health and well-being and health needs are not normally considered the same unless such factors specifically relates to the development of the land and is relevant to planning legislation. In this instance, a standard assessment of any potential impacts regarding residential amenity by way of noise and disturbance, overshadowing, overlooking and loss of light, and reduced outlook is considered reasonable.

While any potential impact on an individual's views of surrounding vistas is not a material planning consideration as there is no legal right to a view, an assessment under residential amenity regarding any potential loss of outlook will be undertaken.

Consultees

Planning Enforcement.	<i>No comments received.</i>
Public Rights of Way (PROW).	<i>No objection(s) subject to informative(s).</i>
Silkstone Parish Council.	<i>No comments received.</i>

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 unless the NPPF establishes a specific weight:

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

Principle of Development

Extensions and alterations to a dwelling are acceptable in principle if the development would remain subservient and would be of a scale and design which would be appropriate to the host property and would not be detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety.

Impact on Neighbouring Amenity

The House extensions and other domestic alterations SPD states raised platforms are used where the rear garden is set below the floor area of the dwelling to allow improved access to the rear garden and to provide a convenient outdoor amenity area level with the dwelling. Raised platforms are also used in other circumstances but can often give rise to increased overlooking of neighbouring gardens and neighbouring dwellings. In view of this, raised platforms would only be allowed where the privacy of neighbouring residents would not be detrimentally affected by significantly increased overlooking (e.g. where the raised platform is positioned away from the boundary and where there is sufficient permanent screening, such as a high boundary wall or an outbuilding in an adjacent garden).

During the application process, concerns were raised regarding overlooking and loss of privacy and the proposed privacy screen.

A site visit was undertaken on 11th November 2025 in which the development was seen from both a perspective from within the development site and from neighbouring properties.

6 Whinmoor View is set slightly higher than the development site and benefits from a raised platform to the rear. There is an existing detached flat roof garage within the neighbouring curtilage positioned adjacent to the party boundary with the development site. The neighbouring property is also located away from the party boundary and set slightly back from the rear elevation of the application dwelling. There is a small boundary fence on part of the party boundary. Given existing topography differences and boundary treatments there is a degree of existing overlooking between the application dwelling and neighbouring property, although this is mitigated by other good quality boundary treatments and an existing detached garage within the neighbouring curtilage. Having stood atop the raised platform under consideration it is considered that existing boundary treatments and the existing garage would continue to provide a reasonable level of mitigation and would unlikely significantly increase existing levels of overlooking which are likely experienced and tolerated. The occupants of 6 Whinmoor View were notified of this application and no objections were received.

2 Whinmoor View is set slightly lower than the development site and benefits from a raised platform to the rear. There is an existing detached flat roof garage within the application curtilage positioned adjacent to the party boundary with the neighbouring site. The application property is located away from the party boundary by several metres and there are good quality boundary treatments of decent height in situ. Given existing topography differences there is some existing overlooking between the application dwelling and neighbouring property, particularly nearer the party boundary, although this is mitigated by existing boundary treatments and the detached garage within the application curtilage and having stood atop the raised platform under consideration it is considered that existing boundary treatments and the existing garage and separation distance would continue to provide a reasonable level of mitigation and screening and the proposal would unlikely significantly increase existing levels of overlooking which is likely experienced.

A 1.8-metre-high privacy screen is proposed on the south-east side of the raised platform. While this is shown as a trellis-like screen on the submitted plans following discussions with the Applicant it is understood that a solid composite screen (or similar) would be erected. For the avoidance of doubt a solid screen could be secured by condition should this application be approved.

During the application process, concerns were raised regarding the potential to remove any privacy screen or use a small step to look over it. While the LPA cannot control the behaviour of individuals should the application be approved the retention of the privacy screen could be secured by condition. The proposed privacy screen could therefore provide an adequate level of additional mitigation and screening, which taken together with existing boundary treatments, the existing garage and existing separation, it is considered that appropriate measures have been included to sufficiently lessen the extent of any potential additional overlooking and maintain overall levels of privacy to a reasonable degree. The height of the privacy screen is of a typical height for similar development and is higher than the average heights of males and females within the UK.

Notwithstanding the above, potential amendments were suggested by the LPA to the Applicant such as setting the raised platform and privacy screen in from the side elevations of the rear extension to the application dwelling and re-locating the steps to the rear. A height reduction was also considered by the LPA. However, the Applicant decided to proceed with the application as submitted and without amendment. The LPA cannot enforce amendments upon the Applicant and therefore must consider the proposal as submitted.

Had the suggested amendments been adopted, it is unlikely that these would have materially altered or lessened any potential impact arising from the development as exists and as submitted beyond a less domineering appearance and a minor lessening of potential overlooking in some places. While a height reduction could have been suggested and potentially viewed favourably by some residents this would likely have resulted in a similar level of impact as is anticipated from the development as exists and as submitted. It should be noted that a raised platform could be implemented as permitted development where its height would not exceed 0.3 metres when measured from the highest point of the original natural ground level immediately adjacent. Such development would not be subject to planning permission nor would there be a requirement to include screening measures. Given existing topography levels a raised platform without screening implemented utilising permitted development rights would likely result in a similar or greater level of impact as is anticipated from the development as exists and as submitted. The LPA cannot control any potential impacts arising from development implemented using permitted development rights. This application therefore provides the additional benefit of screening which could not otherwise be secured had the Applicant decided to implement a raised platform with a slightly reduced height (0.5 metres) using their permitted development rights.

Considering the above, on balance, the proposal is not considered detrimental to residential amenity by way of significantly increased overlooking and loss of privacy.

The raised platform is positioned to the south-east of 6 Whinmoor View. While some overshadowing could occur, it is considered that any potential impact would be adequately lessened due to existing topography differences where the development site is set below the neighbouring curtilage, and that

the neighbouring property is set back from the location of the platform and there is a detached garage positioned on the party boundary which is likely to contribute to any existing level of impact that may be experienced and tolerated.

The raised platform is positioned to the north-west of 2 Whinmoor View. Development erected to the north, east or west is likely to have a lesser overshadowing impact compared to development erected to the south, south-east or south-west. The raised platform is also located several metres away from the party boundary where there is a detached garage within the application curtilage which is likely to contribute to any existing level of impact that may be experienced and tolerated. Considering the above, the proposal is not considered detrimental to residential amenity by way of significantly increased overshadowing or loss of light.

The raised platform does not affect existing levels of outlook of the adjacent neighbouring properties and while the proposed privacy screen could obstruct views to the north-west from 2 Whinmoor View there is no legal right to a view. Views from the neighbouring properties into their respective gardens and beyond would remain unimpeded.

There could be some potential disturbance and disruption because of construction works, and while any potential impact is anticipated to be temporary; a condition could be used to control construction hours should this application be approved.

Considering the above, while concerns have been raised, it is not considered that the proposal would contribute to significant overshadowing, overlooking and loss of privacy, or reduced outlook impacts which may otherwise adversely affect the amenity of the occupants of the application and adjacent neighbouring properties.

Considering the above, this is considered to weigh significantly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

Scale, Design and Impact on Character

The House extensions and other domestic alterations SPD states raised platforms should not have a significantly detrimental impact on visual amenity and should therefore not be prominently located or easily viewed from public vantage points.

In this instance, the raised platform is located to the rear of the application dwelling and while some limited glimpsed views of the development may be possible from the public realm of Whinmoor View the development is not overtly prominent or dominant within the street scene and is constructed of closely matching materials.

A 1.8-metre-high privacy screen could appear domineering to adjacent residents; however, this has been weighed against its functionality which would provide adequate additional screening to address overlooking and loss of privacy concerns. While some limited glimpsed views of the privacy screen may be possible from the public realm of Whinmoor View the development is not overtly prominent or dominant within the street scene and would not significantly alter or detract from its character.

Considering the above, on balance, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding visual amenity.

Impact on Highways

The proposal is not considered to be prejudicial to highway safety because existing off-street parking and access arrangements within the development site would not be affected and the proposal would not result in a requirement to provide additional spaces.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.

Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development.

Having balanced all material planning considerations, while some objections have been received in respect of the proposal, for the reasons outlined above, it is considered that the proposal would be acceptable regarding residential amenity, visual amenity and highway safety. Existing development, boundary treatments and separation distances would likely provide a reasonable level of mitigation against any potential overlooking and loss of privacy impacts, and a proposed 1.8-metre-high privacy screen would provide adequate additional mitigation that would further lessen the extent of potential impacts. While a solid composite privacy screen may not be the most attractive and could appear domineering this is outweighed by the anticipated benefits said screen would have achieving privacy at reasonable levels for the occupants of the application and adjacent neighbouring dwellings.

Considering the above, on balance, the proposal complies with relevant local and national planning policies and guidance, and planning permission should be granted subject to necessary conditions.

RECOMMENDATION: Approve subject to conditions.

Justification

Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.

In dealing with the application, the local planning authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Amendments were sought to provide a set in from the side elevations of the rear extension, the re-location of steps to the rear and additional screening. The Applicant decided to proceed with the application as submitted and without amendment.

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 representations, 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 consultation process has enabled interested parties to exercise their right to express their views on the proposal, and these have been fully considered in the determination of this application, respecting their right to freedom of expression under Article 10 of the European Convention for Human Rights Act 1998.