

Application Reference: 2025/0270

Site Address: 3 Rydal Close, Penistone, Barnsley, S36 8HN

Introduction:

This application seeks full planning permission for the demolition of existing detached garage, erection of a detached double garage, erection of a two-storey side extension, single storey front extension and first floor rear extension, conversion of the existing integral garage, erection of a 1.8m timber boundary fence and alterations to hard landscaping.

Relevant Site Characteristics

Located in a small cul-de-sac which forms part of a larger 1980's housing estate, situated towards the northeastern edge of Penistone; the detached buff brick two story house and its curtilage are both of an unusual design. Sited in a corner plot of the cul-de-sac, the dwelling features in essence three quarters of two storey house, with a corner 'wedge' of the rear elevation missing, with a single pitched roof covering the ground floor, whilst an apex style roof covers the main dwelling. In addition to a standard open plan front garden and enclosed rear garden, a side garden akin to a public amenity space, separated from the rear garden by a mid-garden fence leads to a relatively wide driveway adjacent to and appearing to be part of No.1 Rydal's curtilage. At the end of the driveway and adjacent to the applicant's rear garden is a single storey detached garage and access gate to their garden. Dwellings elsewhere within the estate appear to be of similar, but of a more traditional design with many featuring some form of alteration or extension. No1 is a prime example of this with a single storey side extension, and another two-storey side extension incorporating the once detached garage, which is adjacent to the applicant's existing detached garage.

In May 2025, the dwelling received planning consent for works consisting of a 'First floor rear extension, replace rear detached single garage with double garage, convert integrated front garage into habitable area, widen front drive and alterations to fenestration and doors to dwelling'. It is believed that work has started on these approved aspects, much of which is replicated within this application, but notably with a larger garage than approved proposed along with the other works as detailed including a two storey side extension.

Site History

Application Reference	Description	Status (Approved/Refused)
2025/0524	First floor rear extension, replace rear detached single garage with double garage, convert integrated front garage into habitable area, widen front drive and alterations to fenestration and doors to dwelling	Approved
B/82/0584/PU	Erection of private garage and formation of vehicular access	Refused

Detailed description of Proposed Works

The proposal would incorporate the following aspects which already have planning consent: - A first-floor infill extension of the corner void located at the west rear elevation and south facing side elevation. The extension would feature a new bathroom window on the rear elevation and an extension of the existing roof. The actual footprint of the dwelling would remain unchanged. The original integrated garage, partially protruding beyond the principal front elevation and not of a current size to be considered as a formal parking space, would be converted into new living accommodation. The existing garage door would be replaced by a new front entrance door with side glazed panels. The original front entrance door would be partially converted into a new window. A small bin store, akin to a fence would be constructed under the existing canopy roof of the original front door.

In addition to the currently approved works above, a two-storey side extension is proposed on the side elevation of the dwelling, which would extend the footprint of the house onto an area of curtilage currently and since construction of the dwelling has been formally undefined by any structural boundary treatment. The two-storey extension would have approximate measurements, taken on the prominent rear elevation of 3.6m for the side projection, a length of 7.45m, an eaves height of 5.95m, and ridge height of 6.95m. The currently approved application allowed for an additional new entrance door on the original south facing side elevation of the dwelling, along with reconfiguration of some ground floor windows. The current proposal includes a new entrance door and two small ground floor windows on the south side elevation of the new proposed two-storey extension. Similar to the approved first floor extension, which this proposal incorporates, the proposed materials would match those used within the existing house.

Separately from the main dwelling, the existing circa 1980's, detached single storey garage with approximate measurements of 3.9m wide, side elevations of 6.1m, and a flat roof height of 2.48m, has approval to be replaced or upgraded to a larger detached garage with a dual pitched roof. This application proposes to further increase the garage height to that which was approved in application 2025/0254. In similarity to that approval, the current proposal maintains approximate measurements of 6.75m for each side elevation and front and rear elevation widths of 6.3m. The approved gable style, tiled roof would also remain, but it is proposed to feature an increased height from that currently approved. The currently approved ridge height is 4.08m high, with an eaves height of 2.55m, this application proposes to increase these heights to an approximate maximum ridge height of 4.58m, and an eaves height of 3m. Matching brickwork is proposed match to both the application dwelling and the closer adjacent dwelling of No1.

Landscaping works previously approved or being allowed through permitted development included small driveway width extensions in front of the proposed enlarged garage, a front driveway extension, a larger area of flagstones within the enclosed rear garden and other modest alterations or additions to the existing fence and pathways. As with other aspects of the proposal, the aforementioned works are again incorporated into this proposal, but there are additional works which extend onto the grassed area of land between the existing 'boundary' fence and the highway, and additionally upon the applicant's section of a shared driveway with

No1. Specifically, an established but unprotected (by tree preservation order) tree is proposed to be removed, a 1.8m fence, approximately 1m from the plots boundary with the highway (public footpath) is proposed to run for approximately 18m from just behind the front corner elevation of the proposed side extension, across the grassed area, and then run parallel with highway before turning and following the line of the extended driveway until it meets the garage. A dwarf wall with railings atop standing at approximately 1.2m high was also proposed to divide the existing shared driveway with No.1. Following consultation with Highways, an increased separation distance of 2m between the proposed fence and highway is required within the area identified as a visibility splay, and the dwarf wall is to be reduced to a maximum height of 1m,

Existing Elevations



Proposed Elevations



Approved Elevations (2025/0254 - May 2025)



Existing and Proposed Site Plan (Amended)



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

Penistone Neighbourhood Development Plan

A referendum took place on 11 July 2019. We resolved to make the Penistone Neighbourhood Development Plan on 27 August 2019. The plan now forms part of our statutory development plan.

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
- Parking

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.

Nine representations have been received.

These representations raised various concerns about different aspects of the proposals as listed in bullet points below. Whilst all comments are acknowledged and assessed, only those which are defined as material planning considerations are eligible to be considered during the assessment of the proposal,

- The scale of the proposed detached garage
- The loss of the large established pine tree, which provides visual amenity for the estate
- The breach of covenants in relation to the originally open plan designed nature of the estate.
- The impact of the side extension's prominence within the estate.
- The impact of the dwarf wall on the shared driveway with No.1, the similar proposed boundary treatment with No.3 and the proposed 1.8m fence are all recognised as being inapposite and out of character, with some additional concerns also over highway safety.
- The overbearing nature of the proposed detached garage. Including impact on loss of light.
- The creation of an oppressive environment and resulting effects on residential amenity, including emotionally due to the scale of the development including the 1.8m high fence, and prominent side extension.
- Concern over potential existing and future use of the address, particularly the garage and driveway for commercial purposes or other uses not suitable within a residential estate.
- Lack of notification of all dwellings on the estate.

Highways:

Subject to an increased separation distance between the proposed fence and highway of 2m within the areas defined as visibility splays, and a reduction of the dwarf wall and railing height to 1m, there would be no objection from Highways.

Forestry:

In verbal discussion with the Forestry Officer, it was recognised that whilst the tree is a prominent specimen which adds to the visual amenity of the area, it would not be appropriate to protect the tree through a tree protection order. Furthermore, whilst there appears to be a covenant to protect trees originally planted within the original estate, this does not appear to be attached to any planning condition, so enforcement of this covenant would be a civil issue beyond the control of the council. As in many instances where a prominent tree is removed, a replacement tree has been rested to be planted in replacement of the tree lost.

Parish Council - No comments received

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. 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

In the currently valid planning consent of 2025/0254, the proposed first floor extension, which infills the unusual design feature of a corner void on the first-floor side and rear elevations was considered to have a negative effect on the design and character of the dwelling, but the impact would be considered as limited. Equally, the first-floor extension did not fully comply with local planning policy guidance in relation to the requirement of a step down for the roof although it was considered that the existing setback of the ground floor aspect of the dwelling, and consequential set back of the first-floor extension above would be satisfactory. Whilst matching materials including brickwork was proposed to be used, it was noted that there would still be the potential for unavoidable visible bonding of old and new brickwork. In consideration of these issues, and the limited size of the proposal, it was considered that the overall impact of the proposal on the scale, design and character of the dwelling would be modest.

In contrast to the above appraisal of the first-floor extension, the proposed two storey extension, whilst seemingly meeting local policy guidance, would in conjunction with the approved first floor extension, appear to have a considerable negative impact on the scale design and character of the original dwelling. Moreover the proposed extension would be

completely out of character within the street scene and with the extension being constructed upon a piece of land which for all intense and purpose has been regarded visually, as amenity space for over 40 years, the construction of a large two-story extension with pitched roof, and similar but also noticeably new brickwork would be more akin to a new dwelling than an extension and would have a significant impact on the character of the dwelling and street scene.

The width of the original house, based upon the ground floor, front elevation footprint is approximately 9.18m, so reasonably large already but the original façade included an integrated ground floor garage, which helped to break up the mass of the front elevation. Incorporated within this application, although again previously approved is the conversion of the integrated garage into additional living accommodation. Such works may be eligible to be completed through permitted development rights, but additional works such as the new front door and bin store helped to minimise its visual impact and are again proposed. The new proposal seeks to go beyond the approved works by extending the front and elevation even further with the approximate 3.6m side extension, thus extending the front elevation to approximately 12.78m. The size of the projection would be in accordance with local policy which allows a maximum side projection of up to two thirds of the width of the original house or as in this instance up to 50% off the width between the side elevation and boundary on a corner plot. With two thirds of the original house being 6.12m and 50% of the width to the boundary being 3.65m, along with the required step down of the roof and set back from the front elevation, the proposal, in essence meets local policy requirements.

Whilst the two-storey side extension is within local policy size guidelines, its inclusion would have a considerable negative impact on the character of the original dwelling, It would be situated in awkward position which would create a four tier staggered front elevation with the two story extension set back approximately 2.25m from the front elevation of the converted integrated garage, which is set forward of the porch and remaining aspect of the front elevation. At over 12m, the front elevation is potentially not the largest on the street, but it would be the most prominent due to it being two-story and located on a corner plot. Furthermore, whilst the additional features such as a canopy and covered bin store, as approved in the previous application would help soften the front elevation, the setback of the proposed extension, and its widows of varying proportion and style to the original windows both hinder more than complement the existing character of the dwelling.

The side and rear aspect of the two-story extension is where the proposal would have the most significant and detrimental impact on the design and character of the original dwelling. Whilst there is a first-floor aspect of the dwelling located above the integrated garage, a seemingly purposeful void within the corner of the side and rear elevation, along with a set back from the main rear elevation is a feature of the original dwelling. Arguably this was an unusual design choice, but it served a purpose of minimising the mass and consequential impact of the rear, and corner aspect of the dwelling, which was, and remains a prominently visible aspect of the dwelling. As acknowledged previously, due to its limited size, the proposed infill extension of this corner void was deemed as acceptable, despite having a negative impact on the original character of the dwelling and not being strictly in accordance with local policy. When this first-

floor corner extension is considered in conjunction with the side extension, it would completely change the design and character of the original dwelling. The purposeful omission of the rear corner would already be lost in the approved first-floor extension, but the two-storey extension extends this by approximately 3.6m, which including the original void would equate to a first floor-side projection of 6.3m, more than the original 6.15m extent of the original dwelling's shortened first floor elevation. Additionally, where the original first floor extension eradicated much of the original design, conversely it also created a more standardised rear elevation. With the proposed side extension featuring an unbalanced step down of the roof, the resulting effect is a prominent roof design which destroys any remaining character the original dwelling would have retained following the approved first-floor extension. In similarity with the front elevation, disparity in the proportions and style of proposed windows harm the character of the original dwelling. Unlike in the approved first floor extension, where a single, small bathroom window was acceptable, the two proposed rear elevation windows, within the rear elevation of the extension appear awkwardly out of place. With the whole extension being out of synchronisation with the scale and design and character of the original dwelling, its impact would be considered as considerable.

As noted in the report for the currently approved planning application, arguably the existing detached garage, which is situated adjacent to No1's two-storey extension, is partially out of character with both No1 and the application dwelling, and after approximately 40 years may be considered as unsuitable in both design and purpose for current larger vehicles. The reason for the garage being out of character with both dwellings is because the garage was originally constructed without planning consent and seemingly in breach of a planning condition. However, it is obviously beyond the statute of 10 years for breach of planning condition which restricted any garages, other than those originally approved from being constructed within the estate.

In the previous approved application, amended plans were accepted which increased the size of the garage from that which was originally submitted. It was also highlighted how the garage would undoubtedly have an impact on the character of No1 and the broader street scene but conversely have minimal impact on the application dwelling. In the final conclusion, it was considered that in comparison to the size of garage which may be constructed through permitted development, being unknown at the time about the planning condition, if sited further away from the boundary with No1, it would be prudent to allow that proposal which in final consideration appeared to have a modest impact on the character of No1, and a limited impact on the character of the application dwelling and broader street scene.

The further proposed height increase to the garage, seeks to raise the eaves and ridge height from the approved heights of 2.55m and 4.08m respectively to 3m and 4.58m respectively. Although only a 0.5m increase, the increase from the original garage which stands at only 2.5m. With local SPD guidance advising that garages should have maximum eaves and maximum heights of 2.5m and 4m respectively, the currently approved garage already exceeds this guidance and increasing it further would have an impact on the design and character of the adjacent dwelling of No.1 and a visual impact on the application dwelling and street scene.

However, with the modest increase on what has already been approved, the garage would be considered to have only a modest impact on scale, design and character.

The proposed fence, whilst designed to meet the requirements of permitted development, in being 1.8m high and 1m from the highway and following highways consultation featuring an increased separation distance from of 2m at the designated visibility splays between the fence and the highway, would nonetheless be completely out of character with the dwelling, neighbouring dwellings and the broader estate. For almost 40 years, the original covenant which restricts the installation of fences excluding original installed fences has been respected, even though permitted development rights would have allowed such a fence to be constructed without planning consent. Whilst the installation of a fence may not be able to be prevented, the impact of such a fence would be considered as being an inappropriate scale and would cause considerable harm to the character of the dwelling and its setting within the broader street scene.

With consideration of all the proposed works taken together, the impact on the scale, character and design of the application dwelling, neighbouring dwellings, especially No.1 but also the broader street scene would be deemed as considerable.

Impact on Neighbouring Amenity

Breaking the proposals down into their individual components, except for minimal changes only required if the two-story extension was constructed, the proposal for the first-floor extension would continue to be considered as having little or no impact on neighbouring amenity, principally due to its modest scale and no overlooking of neighbouring dwellings.

The proposed two storey extension, like the proposed first floor extension would not overlook existing dwellings to the rear or impactfully overlook dwellings from the front windows as the extension is setback further than the original house. Therefore, there would again be little or no impact on neighbouring amenity.

For the additional proposed works which include new bi-fold doors, a new side elevation entrance door and ground floor side elevation windows, along with the extended area of flagstones, would together have little or no impact on residential amenity. In contrast, the proposed dwarf wall railings, although amended to be at the level of 1m high, would potentially have a negative impact on the amenity of No.1. it splits the existing shared driveway into two distinct private areas and as has been raised in a neighbour objection may cause inconvenience to the neighbouring dwelling when accessing their driveway. Although the impact of the wall would be considered as having a modest effect on residential amenity, it would likely to be seen as significant by the neighbouring dwelling. However, because the wall would be considered as permitted development, it would again be allowed to be erected without planning consent but may be restricted by a covenant on the deed which is outside of the control or enforcement of the local authority.

The proposed garage, at a smaller scale was approved in the previous application as whilst closer to the neighbouring dwelling than their own, it was assumed that it would pose no more

harm to their amenity of the neighbouring dwelling than the long-established existing garage. It is unclear why there is a request for a further increase in scale of the garage, caused by the proposed height increase, but such an increase would not have an overly noticeable impact on the neighbouring dwelling, or potentially other neighbouring dwellings located to the rear of the proposed garage's location than the existing approved garage. Objections from neighbours also raised the issue of the current potential use of the proposed garage and driveway being used for commercial purposes. Whilst these comments are unsubstantiated, a planning condition would be added to any approval to ensure the garage is used for domestic purposes, incidental to the use of the dwelling house. The sole reason for considering the proposed garage as having a modest impact on residential amenity though is exclusively the impact caused by its proposed scale.

Highways

As detailed within the report for the approved application, whilst potentially large enough to park a vehicle inside, the internal dimensions of the existing integrated garage would not be of sufficient size to be considered as a formal parking space. The existing, approved and proposed detached garage, along with both individual areas of driveway, even before driveway extensions are implemented would each offer adequate parking provision for a single parking space of 2.5m by 5m, as required by local policy. Consequently, the internal garage space lost by conversion would not impact the required minimum of two in curtilage parking spaces. With amendments to the proposed fence and dwarf wall, there are no concerns highlighted by Highways in relation to highway safety.

Planning Balance and Conclusion

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. Under the provisions of the NPPF, the application would not be considered acceptable in terms of visual amenity and the impact on the character of the original dwelling and the street scene. 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

In dealing with the application referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

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.