

---

**2022/0273**

Mrs Gail Dawn Parry

Erection of single storey rear extension

50 Ollerton Road, Athersley North, Barnsley, S71 3DS

---

### **Site Location & Description**

The applicant's property is a semi-detached red brick dwelling located on Ollerton Road in Athersley North. The dwelling has a fairly large porch on the front elevation with an apex roof and a canopied seating area immediately to the rear of the dwelling. To the front/side is a hard surfaced driveway which leads to a detached, flat roofed garage in the rear curtilage. To the front of the house is a mid-height red brick wall and a painted iron gate.

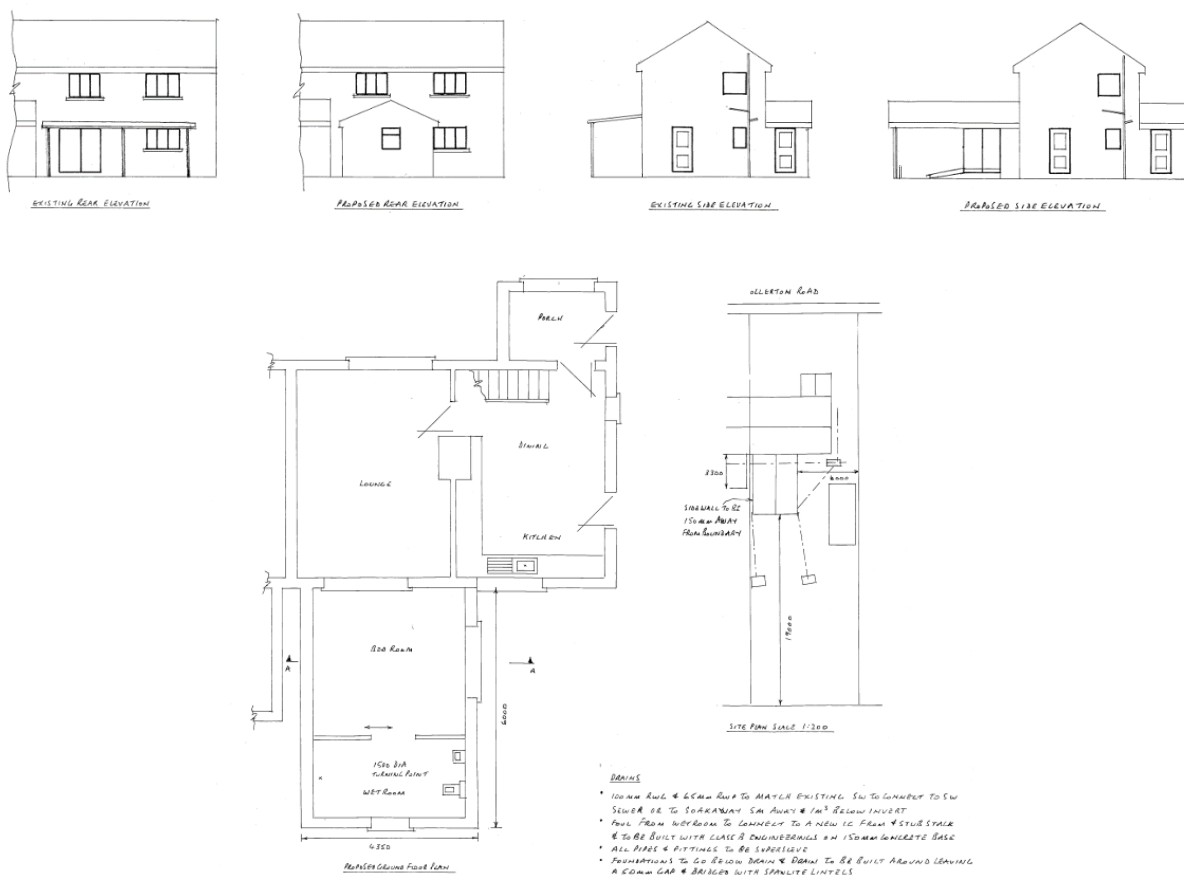
Ollerton Road is located in an entirely residential estate/area, with a largely uniform streetscene comprised of red brick semi-detached dwellings, very similar in appearance to the applicant's property.





## Proposed Development

The applicant is seeking approval for the erection of a single storey rear extension. The extension projects 6m from the rear elevation of the dwelling, with a width of 4.35m, which is just over half the width of the dwelling. The extension features an apex roof with a height of 2.55m to the eaves and 3.75m to the roof ridge at the highest point. The extension is for disability use with the plans showing a bedroom and a downstairs toilet.



## Relevant Planning History

None

## **Policy Context**

Planning decision should be made in accordance with the local plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

### **NPPF**

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. 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.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

### **Local Plan**

The Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – sets out principles when considering development proposals.

Policy GD1: General Development – sets out appropriate proposals for development.

Policy D1: High quality design and place making – sets overarching design principles for the borough to ensure that development is appropriate to its context, and improves what needs improving, whilst protecting what is good about what we have.

Policy T4: New Development and Highway Improvement - 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.

#### SPD: House extensions and Other Domestic Alterations

Supplementary Planning Document - House Extensions sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals for should:

1. be of a scale and design which harmonises with the existing building
2. not adversely affect the amenity of neighbouring properties
3. maintain the character of the street scene and
4. not interfere with highway safety.

These policies are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

#### **Consultations**

Highways – The site has ample off-street parking provision and these proposals do not affect the current access, parking and turning arrangements of adversely impact upon the highway and are therefore considered acceptable from a highways point of view.

#### **Representations**

Neighbour notification letters were sent to neighbouring properties. Two comments were received, one in support of the application and one objecting to it.

The letter of objection raised concerns with the following aspects of the development:

1. Impact on Residential Amenity – The apex roof would have an impact on the residential amenity enjoyed by the neighbouring property as it is on a higher ground level, is set back slightly from the neighbouring property and the rearwards projection seems excessive at 6m. A flat roof would be more acceptable as this would not block as much light. The extension is obtrusive, and a smaller extension would be more acceptable.
2. Drainage – A question was asked regarding sewage waste as the man hole drain is in the neighbouring garden and sometimes floods.

The letter of support stated that they had no problem with the size of the applicant's rear extension plans, and they will have no impact on the neighbourign property at all with no objections being raised.

#### **Assessment**

##### Principle of Development

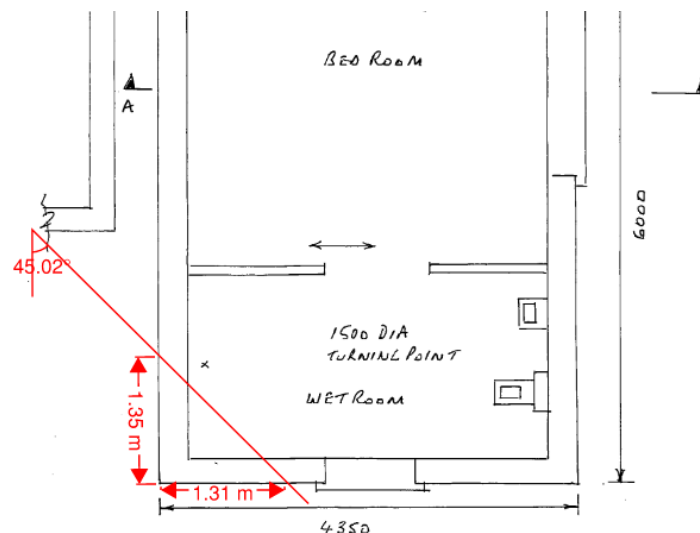
The site falls within the urban fabric which has no specific land allocation; however the site and immediate surrounding area is made up principally of housing. Extensions, alterations to residential properties and the erection of domestic outbuildings are considered acceptable in these areas where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety.

## Residential Amenity

The SPD for House Extensions and Other Domestic Alterations is the main document used to assess domestic extensions. The SPD states that single storey rear extensions usually result in the problem of overshadowing and loss of outlook for neighbouring properties, and therefore the rearwards projection needs to be strictly controlled. Semi-detached properties should not project more than 4m from the rear elevation. The proposed extension features a rearwards projection of 6m which is clearly in excess of the maximum stated in the SPD of 4m. However, the Local Authority considers that there are some mitigating circumstances in this case.

Firstly, the extension is for the sole use of a disabled person with a downstairs bedroom and toilet clearly shown on the plan. The LPA did initially request that the rearwards projection was reduced to bring it more in line with the limitations of the SPD given that the rear projection exceeded 4m, however the agent confirmed that the internal space was required for pulleys and to allow for a turning area within the toilet. There is a kitchen window on the rear elevation of the existing dwelling which restricts the potential to widen the extension to allow for a reduced projection, whilst allowing sufficient space for the disabled requirements.

Secondly, despite the rear projection being excessive, the attached neighbouring property (no. 52) also has an extension which projects 3m which is considered to significantly reduce the overbearing and overshadowing impact of the extension to this property. There is a rear facing window on the attached neighbour's extension, but it is unclear what this window serves – i.e., whether it is a habitable room or not. However, given the layout of the applicant's property, it is highly likely that this is for a habitable room. There will undoubtedly be some overshadowing impact to this downstairs window on the neighbouring rear elevation, but the local authority has used the 45-degree rule to help determine whether this is severe. The 45-degree rule draws a 45-degree line from the mid-point of the nearest habitable room window on the neighbouring property, and if a significant section of the neighbouring extension falls within this angle, it can be considered to have a significant overshadowing and overbearing impact. When assessing, a section of the extension did indeed fall within the 45-degree angle, but this is a relatively small part of the extension and is not considered excessive or significant. The area falling within this part of the extension is an area measuring 1.35m x 1.3m. The extension is set to the East of the attached property and therefore will have some overshadowing impact, but this will be limited to the early mornings rather than all of the day. Given the extension is single storey with a roof sloping away from the attached neighbour, the overshadowing and overbearing impact is not considered to be excessive.



There is a natural separation between the extension and the other neighbouring property to the East of the dwelling (no. 48) with the extension not projecting across the entire rear elevation of the applicant's property. This leaves a 3.5m separation between the side of the extension and the side elevation of the main dwelling, and a separation distance of 6m to the mutual boundary line shared with no.48. The separation distance of 6m is considered significant enough to ensure that any overshadowing impact caused by the extension in the afternoon and evening would largely fall on the applicant's own rear elevation and garden area. The garage located in the rear garden provides further obstruction to ensure that the rear elevation and rear garden of no. 48 will largely remain unaffected. Likewise, the extension does not fall within the 45-degree angle when drawn from the mid-point of the nearest habitable room window on no. 48 and therefore is not considered to be overbearing.

The extension features a fairly large window/door on the side elevation, facing onto the neighbouring property at no. 48. There is a separation distance of 6m from the window to the mutual boundary line which is fairly close, however there is no defined separation distance expected from ground floor windows to boundary lines, or neighbouring rear gardens. Given the nature of the development and the use of the extension as a downstairs bedroom, it would be in the interest of the applicant themselves to ensure that adequate privacy levels are maintained, shutting curtains where necessary etc. The window is at the ground floor with some boundary treatment (a 1m-1.5m high fence) on the mutual boundary line with the option of this being potentially increased to 2m in height without planning permission. At the moment, the area where the extension would be is used as an outdoor sitting/socialising area and there is a clear fallback position in that an extension could be built across the entire rear of the dwelling containing side-facing habitable room, without planning permission. The neighbouring property (no. 48) also has planning permission (2021/0656) for the erection of a single storey side/rear extension with a blank gable wall almost on the boundary line. This is a slightly separate matter as work has not started on this development so there is certainty that this will be erected, however there is the possibility that the proposed window will be facing onto a blank gable wall in any case. All of these things considered, given the window is at ground floor level, it is not likely to result in significant overlooking or privacy issues given the existing relationship, boundary treatments and potential for the neighbour to erect an extension which would completely obscure the view into the garden area.

Finally, the attached neighbour (at no. 52) has not objected to the proposal, in fact indicating his support stating that it has no detrimental impact on his property.

As such, despite the application not fully conforming with the SPD in that it has an excessive rear projection, it is felt in this case that some clear mitigating factors exist and the impact on the neighbouring properties is not considered to be significant enough to refuse the application on residential amenity grounds.

### Visual Amenity

The proposed extension largely follows the same design principles as the existing dwelling, designed with an apex roof however the rearwards projection is excessive at 6m which is not in compliance with the SPD which places a restriction of 4m for single storey rear extensions on semi-detached properties. Despite the rearwards projection being excessive, it is single storey and set to the rear of the dwelling and will be fully screened from the front by the existing property and neighbours. The width of the extension is also restrained as it does not project across the entire rear elevation of the dwelling, which somewhat mitigates the large rearwards projection from dominating the rear of the dwelling. Additionally, the extension is single storey and features suitable design principles which reflect the host dwelling and surrounding area. It is designed with an apex roof with a height of 2.55m to the eaves and 3.75m to the roof ridge which is considered to be acceptable.

All in all, the proposed extension is in line with the design principles of the existing dwelling, in line with the SPD for House Extensions and is considered to be acceptable in terms of visual amenity.

#### Highway safety

The existing parking arrangement is not being altered in any way with the hard surfaced parking area to the side/rear still retaining at least two parking spaces which is in line with the Council's Parking SPD.

#### **Recommendation**

**Approve** with conditions