2022/0587

Mr W Frost

Demolition of existing conservatory and erection of a single storey rear extension with a rear projection of 6m and a flat roof having a maximum height of 2.9m (Prior Notification - Householder)

95 Intake Crescent, Dodworth, Barnsley, S75 3NW

Site Location & Description

Intake Crescent is a residential road located within a residential area of Dodworth and is characterised by semi-detached two storey properties constructed from red brick.

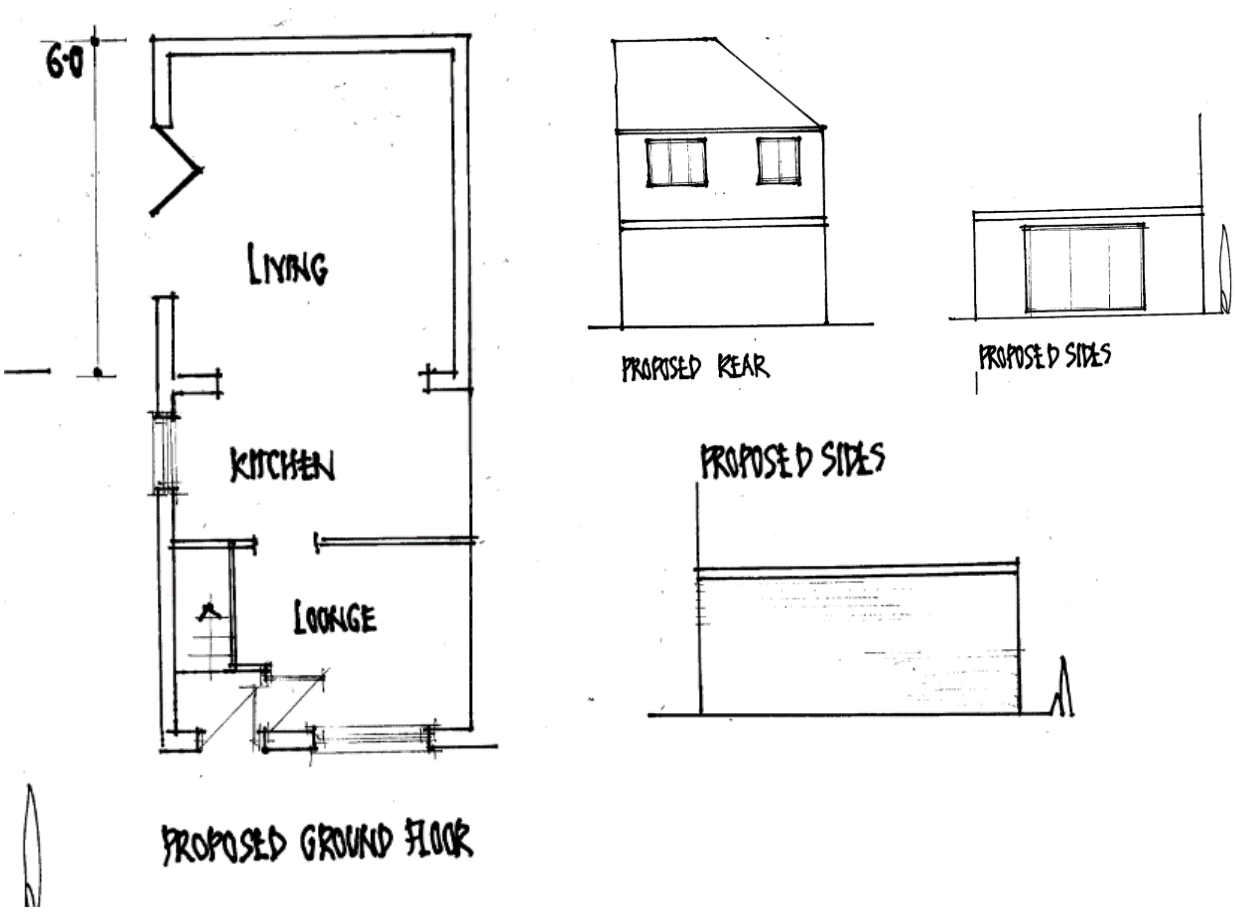
The application relates to a two-storey, semi-detached brick-built, dwelling located on the northern side of Intake Crescent, the dwelling is located at a bend in the road resulting in the dwelling being located in a corner plot and at 90 degrees to the neighbouring property 97 Intake Crescent, to the northwest.
The property currently benefits from a single storey conservatory extension to the rear elevation.





Proposed Development

The applicant seeks prior approval for the erection of a single storey rear extension, which would project 6m from the rear elevation, extending the full width of the property with a height of 2.9m. The existing conservatory is to be demolished to allow for the extension.



Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the National Planning Policy Framework 2021 (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted by the Council in January 2019 along with a series of Supplementary Planning Documents.

Local Plan

The site is allocated as Urban Fabric within the Adopted Local Plan, which has no specific land allocation and therefore the following policies are relevant:
Policy GD1 General Development
Policy D1 High Quality Design and Place Making
Policy SD1 Presumption in favour of Sustainable Development

Supplementary Planning Document: House Extensions and Other Domestic Alterations

The Supplementary Planning Document (SPD) sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations and indicates that these developments:

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.

Consultations

None

Representations

Neighbour notification letters were sent to surrounding properties; one letter of objection has been received in relation to noise and disturbance and dirt and debris passing over the boundary fence.

Assessment

Principle of development

PART 1 Development within the curtilage of a dwellinghouse
Class A –enlargement, improvement, or other alteration of a dwellinghouse
Permitted Development
The enlargement, improvement, or other alteration of a dwellinghouse.

Development is not permitted by Class A if—
(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA, or Q of Part 3 of this Schedule (changes of use);
(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
(c) the height of the part of the dwellinghouse enlarged, improved, or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
(d) the height of the eaves of the part of the dwellinghouse enlarged, improved, or altered would exceed the height of the eaves of the existing dwellinghouse;
(e) the enlarged part of the dwellinghouse would extend beyond a wall which—
(i) forms the principal elevation of the original dwellinghouse; or
(ii) fronts a highway and forms a side elevation of the original dwellinghouse;
(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height
(g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height;

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i)extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii)be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i) exceed 4 metres in height, (ii)have more than a single storey, or(iii)have a width greater than half the width of the original dwellinghouse;

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration, or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.; or

(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Conditions

Development is permitted by Class A subject to the following conditions—

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1 (f) but is allowed by paragraph A.1 (g)

(1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(2) Before beginning the development the developer must provide the following information to the local planning authority—

(a) a written description of the proposed development including—

(i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;

(ii) the maximum height of the enlarged part of the dwellinghouse; and

(iii) the height of the eaves of the enlarged part of the dwellinghouse;

(iv) where the enlarged part will be joined to an existing enlargement of the dwellinghouse, the information in sub-paragraphs (i) to (iii) must be provided in

respect of the total enlargement (being the enlarged part together with the existing enlargement to which it will be joined);

(b) a plan indicating the site and showing the proposed development and any existing enlargement of the original dwellinghouse to which the enlarged part will be joined;

(c) the addresses of any adjoining premises;

(d) the developer's contact address; and

(e) the developer's email address if the developer is content to receive communications electronically. together with any fee required to be paid.

(3) The local planning authority may refuse an application where, in the opinion of the authority

(a) the proposed development does not comply with, or

(b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations, or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(4) Sub-paragraphs (5) to (7) and (9) do not apply where a local planning authority refuses an application under sub-paragraph (3) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(5) The local planning authority must notify each adjoining owner or occupier about the proposed development by serving on them a notice which—

(a) describes the development by setting out the information provided to the authority by the developer under paragraph A.4(2)(a);

(b) provides the address of the proposed development;

(c) specifies the date when the information referred to in sub-paragraph (2) was received by the local planning authority and the date when the period referred to in sub-paragraph (10)(c) would expire; and

(d) specifies the date (being not less than 21 days from the date of the notice) by which representations are to be received by the local planning authority.

(6) The local planning authority must send a copy of the notice referred to in sub-paragraph (5) to the developer.

(7) Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.

(8) The local planning authority may require the developer to submit such further information regarding the proposed development as the authority may reasonably require in order to determine the application.

(9) The local planning authority must, when considering the impact referred to in sub-paragraph (7)—

(a) take into account any representations made as a result of the notice given under sub-paragraph (5); and

(b) consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.

(10) The development must not begin before the occurrence of one of the following—

(a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;

(b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or

(c) the expiry of 42 days following the date on which the information referred to in sub-paragraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.

(11) The development must be carried out—

(a) where prior approval is required, in accordance with the details approved by the local planning authority;

(b) where prior approval is not required, or where sub-paragraph (10)(c) applies, in accordance with the information provided under sub-paragraph (2), unless the local planning authority and the developer agree otherwise in writing.

(12) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premise

Assessment

The proposed extension falls within the parameters of the larger home extension, as outlined above, however where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. Whilst objections have been received, they are not from an adjoining premises, therefore the proposal falls within the parameters of the larger home extension and prior approval is not required.
Despite this, the objection relates to noise and disturbance during the construction period and dust and debris falling over the boundary, with noise and disturbance being a material consideration and therefore it is considered prudent to assess the proposal.

It is acknowledged that there would be some noise and disturbance during the construction period, and the concerns of the objector are noted, however the works involved in the construction of the proposed extension would not be significantly greater than what would occur during the construction of an extension which falls fully within the parameters of permitted development and therefore it is not considered sufficient to warrant refusal of the application nor the imposition of a condition limiting construction hours.

There are no windows proposed on the side elevation facing the adjoining property and those on the north-western elevation are located a sufficient distance from the boundary with 97 Intake Crescent, in addition the existing boundary treatment would provide sufficient screening of the neighbouring dwelling.

In light of the above, it is therefore considered that the proposal would not result in a significant increase in overlooking, overshadowing or reduce levels of outlook of neighbouring properties to a detrimental level and is acceptable.

Conclusion

Based on the assessment above it is considered that the proposed development would not have a significant adverse impact on the amenity of neighbouring residents by means of overshadowing, overlooking or loss of outlook, nor would it have a detrimental impact on the character of the street scene or upon highway safety and as such is in compliance with Local Plan Policies GD1, D1 and T4 and is acceptable.

Recommendation

Prior Approval Granted subject to conditions