

2021/0713

Mr Mahipal Vemula

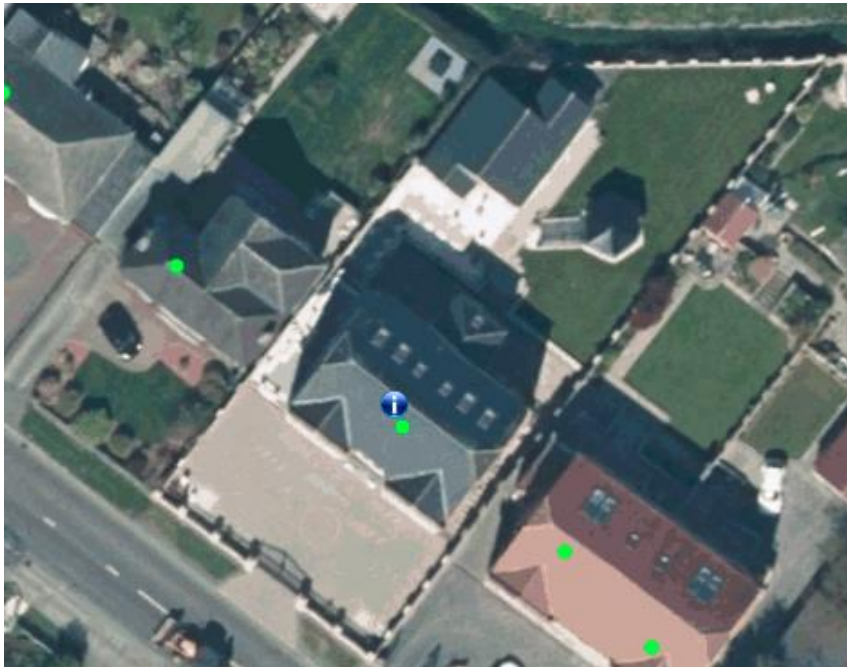
Wrap around balcony to rear of dwelling

34 Staincross Common, Staincross, Barnsley

Description

The applicant's property is a large detached split-level brick built dwelling. Due to the slope of the land, the dwelling is two storeys from the front elevation and three storeys from the rear elevation. The property has a two storey rear projecting element.

The property has neighbours to either side, number 36 to the north east and number 32a to the south west and faces onto agricultural fields at the rear. Along the side boundaries are brick built walls with timber panels.

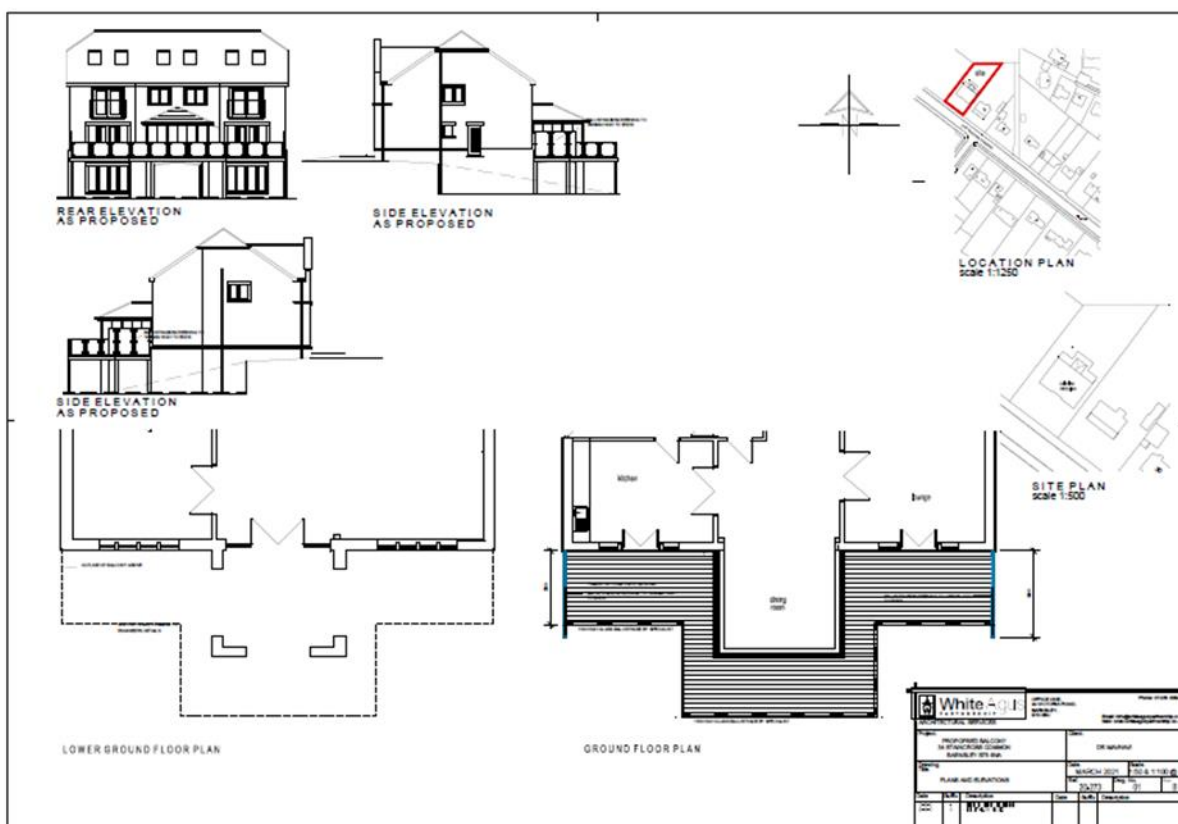




Proposed Development

The proposal involves the erection of a metal and glass framed balcony which wraps around the rear elevation of the existing dwelling. The platform would be constructed of timber or composite decking. The plans have been amended during the course of the application to show a reduction in the size of the balcony.

The balcony projects approximately 2.5m to the rear of the dwelling and a further 2m from the rear of the two storey element in the centre of the dwelling. Overall, the structure would project some 5.6m from the rear elevation of the dwelling. The applicant proposes 1.8m high screens to the sides of the balcony closest to the neighbouring properties. No screens are proposed to the central element of the balcony.



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.

Local Plan

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding 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

No consultations.

Representations

Neighbour notification letters were sent out to surrounding properties; no comments were received to the LPA.

Assessment

Principle of development

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

Residential Amenity

There is no specific guidance within the SPD: House Extensions for balconies on residential properties, however typically the presence of such is normally only considered acceptable on detached properties in remote locations, where no neighbouring properties would be overlooked. In this case, clearly the dwelling is not remote and has neighbours at close proximity to either side, number 36 to the north east and number 32a to the south west.

The proposed balcony is of a large size (around 40sqm) and is set less than 2m from the side boundary with number 32a and approx. 4m away from the boundary with number 36. Whilst the applicant has proposed two 1.8m high glazed screens to the closest sides facing the neighbouring dwellings, the central portion of the balcony is not screened and given its height and location, would allow for future residents using the balcony unobstructed views over existing boundary treatments and into the neighbouring gardens. The proposal would result in a loss of privacy and a significant detrimental impact upon the residential amenity enjoyed by these neighbours. Additionally, a balcony would potentially give rise to a significant increase in noise and disturbance from its users. The presence of a balcony would allow users to sit and socialise on a raised platform of approx. 2.4m in height, which would mean a significant level of noise and disturbance to the neighbouring properties with no limit to what time any potential activity could cease.

For the reasons about, the proposal would have a significant impact upon the privacy and amenity of the adjacent residents, contrary to Local Plan Policy GD1: General Development and SPD: House Extensions and other Domestic Alterations. The proposal is therefore considered unacceptable in terms of residential amenity.

Visual Amenity

The proposed balcony, whilst it is large it is set to the rear of the site and would not be visible from the Staincross Common street scene. When viewed from the agricultural land to the rear the balcony would blend in with the existing property due to its glazed design. On balance the proposal is considered acceptable in terms of the impact upon visual amenity.

Recommendation

Refuse for the following reason:-

In the opinion of the Local Planning Authority, the balcony is excessive in size and is located in very close proximity to neighbouring residential properties and would result in significant levels of overlooking over these properties and an increase in noise and disturbance to residents. The proposed development would have a significant detrimental impact upon the residential amenity enjoyed by neighbouring properties, particularly nos. 32a and 36 Staincross Common and is contrary to Local Plan Policy GD1: General Development, SPD: House Extensions and Other Domestic Alterations.