

2024/0537

Mr Nathan Dudley

31 Cedar Crescent, Kendray, Barnsley, S70 3LP

Change of use of grass verge (land to south of 31 Cedar Crescent) to domestic curtilage and erection of rear outbuilding, single storey rear extension, erection of boundary wall, and erection of a single storey canopy and bay window to the front elevation (retrospective) and the erection of a two storey side extension, erection of a hip-to gable extension and the installation of a rear dormer window.

---

### Site Description

The application relates to a semi-detached dwelling located on a residential street, Cedar Crescent. The property is constructed of brown brick with a tiled pitched roof. An existing rendered flat roofed extension is to the rear incorporating a roof lantern. A rendered single storey outbuilding with a pitched roof is located to the rear of the garden. A stone bay window is located to the front elevation along with a canopy. A substantial driveway is located to the south of the site surrounded by a stone boundary wall with wooden infill panels. The surrounding area is characterised by semi-detached dwellings consisting of brown brick with tiled pitched roofs.



## **Planning History**

2011/0484 – Erection of two storey side and rear extensions to dwelling. – Withdrawn Decision Type.

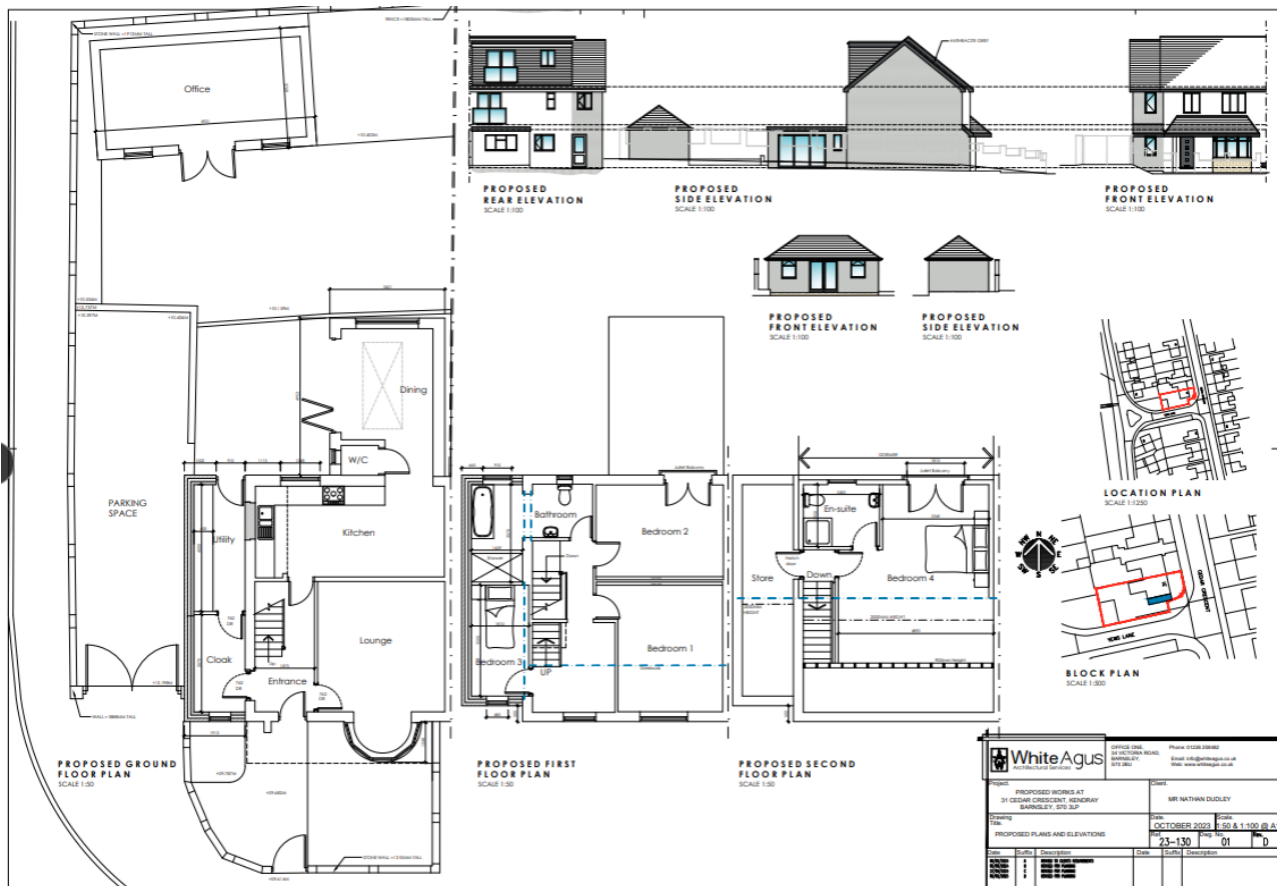
## **Proposed development**

The applicant is seeking permission to change the use of land to the south of 31 Cedar Crescent currently classed as grass verge to be domestic curtilage. The applicant is also seeking retrospective permission for the erection of a boundary wall, a bay window and canopy to the front elevation, a flat roofed single storey extension to the rear and a hipped roofed outbuilding to the rear.

A two-storey side extension is proposed by the applicant to the south of the dwelling along with a dormer to the rear elevation. This results in a hipped to gable roof alteration. The side extension would have a sideward projection of approximately 1.9 metres. The extension would have an approximate length of 7.8 metres at single storey level and approximately 7.3 metres at second storey level. A setback of approximately 0.5 metres is therefore proposed to the second storey of the front elevation. An eaves height of approximately 4.9 metres is detailed along with a ridge height of approximately 8.2 metres. The ridge of the side extension is set down by approximately 0.4 metres. Windows are detailed to the front elevation to service a cloakroom at ground floor and a bedroom at first floor. A door is located at ground floor level to the rear elevation of the proposal providing access to a utility room. A window is detailed at first floor level servicing a bathroom to the rear elevation. Three windows are detailed to the side elevation at first floor level. One window serves the bathroom with the remaining two servicing a landing space. A window is detailed to the front elevation at first floor level servicing the landing. Matching brickwork and roof tiles are proposed.

A flat roofed dormer is proposed to the rear elevation of the existing dwelling. The dormer would have an approximate width of 6.1 metres. An approximate height of 2.7 metres is proposed with a projection of approximately 3.5 metres. The dormer would be set back from the eaves by approximately 0.4 metres and set down from the ridge by approximately 0.4 metres. A window is proposed to the rear elevation servicing an ensuite along with a Juliet balcony servicing a bedroom. A Juliet balcony is also proposed to replace the rear elevation window of a bedroom at first floor level.

The boundary wall has an approximate height of 2 metres on the west boundary and south boundary. The wall leads down to the east of the site reaching the driveway entrance which features an approximately 2 metres high metal and composite gate. A wall is located to the front of the dwelling following the curvature of the boundary at an approximate height of 1.3 metres. The front wall features metal railings between pillars and a composite gate matching the driveway gate. The boundary walls are constructed from stone. A tarmac driveway has been formed to the south of the site approximately 11 metres in length. A bay window is located to the front elevation projecting approximately 1.2 metres with a width of approximately 2.4 metres. The lower part of the bay window is constructed from stone. A hipped canopy is found to the front elevation with an approximate projection of 1.2 metres. A single storey extension is located to the rear of the dwelling with an approximate rearward projection of 4.9 metres and an approximate width of 3.6 metres. A roof lantern is located centrally to the rear extension servicing a dining room. A window is located to the rear elevation along with bifold doors facing south. The extension is constructed from white render. The outbuilding to the rear of the dwelling has an approximate width of 6.9 metres and an approximate length of 3.7 metres. A hipped roof is utilised with matching tiles on the dwelling. The outbuilding has an approximate ridge height of 3.4 metres and an approximate eaves height of 2.2 metres. French doors are located to the east elevation of the outbuilding facing the dwelling along with two windows, one either side of the doors. The outbuilding is constructed from white render.



## Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

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.

### Local Plan Allocation – Urban Fabric

The site is allocated as urban fabric in the adopted Local Plan which has no specific land allocation. Therefore, the following policies are relevant:

- ***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.***

### Supplementary Planning Document(s)

- ***House Extensions and Other Domestic Alterations.***
- ***Parking.***

### National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

- ***Section 12: Achieving well-designed places.***

### **Consultations**

Highways – No Objection

### **Representations**

Neighbour notification letters were sent to surrounding properties. No representations were received.

### **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 of Development

Extensions and alterations to a domestic property and the erection of detached outbuildings in a domestic curtilage are acceptable in principle if they 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

Extensions and alterations to a domestic property are considered acceptable if the proposal would not adversely affect the amenity of neighbouring properties.

The grass verge has already been utilised as domestic curtilage and is encompassed within the boundary wall which is being retrospectively applied for within this application. The grass verge previously served little purpose to the neighbouring amenity. The loss of this is therefore not impactful on neighbours.

The side extension is proposed to the south of the dwelling. Given the site is a corner plot, no neighbours are located to the south of the dwelling, the side extension therefore has no impact in terms of dominance or overshadowing. Windows are details to the south side elevation of the side extension. Two of the three windows proposed do not service a habitable room. Furthermore, given the substantial distance of approximately 24 metres is maintained to the nearest neighbour, potential

for overlooking would not be detrimental. Substantial trees and bushes are also located across Yews Lane to the south of the site which screens the proposal. The window detailed to the side elevation which services a bathroom will be conditioned to be obscured glazing along with the window to the rear elevation of the side extension in order to protect the privacy of both the applicant and the public.

The proposed rear dormer could cause some levels of overshadowing given the proposal is to the south, however given this is to the roof space, overshadowing is not likely to be detrimental as shadowing will be predominantly to the neighbouring roofscape which is not occupied. The placement of a Juliet balcony to the rear dormer is acknowledged, however is not considered to have any greater impact than a rear window in terms of overlooking to rear neighbouring amenity space. The rear window detailed to service the en-suite of the rear dormer will be conditioned to be obscured glazing in order to protect the privacy of both the applicant and the public. A Juliet balcony is also proposed to the second floor of the rear elevation. This is also not considered to have any more detrimental impact than the existing window it replaces.

The boundary wall is located to the south and west of the site at approximately 2 metres. No neighbouring properties are located to the south or west and so the wall has little to no impact on the residential amenity of neighbours. The boundary wall approximately 1.3 metres in height to the front of the dwelling does not provide any residential amenity impact.

The bay window and canopy erected to the front of the dwelling are considered to have a minor forward projection at approximately 1.2 metres. Given the canopy is to the south, there is some opportunity for loss of sunlight to the north, however this would be considered to be very minimal. Furthermore, the projection does not intersect the 45-degree angle of adjoining 29 Cedar Crescent to the north.

The single storey extension erected to the rear of the dwelling provides a substantial rearward projection of 4.9 metres. Some loss of light is acknowledged however significant boundary treatment already screened to the north with a similar effect. Although this projection is considered large, the extension has not received any objections and so could be erected under a prior approval application should matching materials have been used. Given a similar extension could be erected under permitted development, it would not be prudent to restrict this development. No windows are detailed facing the boundary and so no overlooking issues are a concern.

The existing outbuilding to the rear of the dwelling is substantially distanced from the nearest neighbouring boundary to the north at approximately 10 metres. This reduces any dominant impact from the outbuilding. Directly to the rear of the site is council owned grass verge along with substantial trees and bushes. The outbuilding therefore has little impact on neighbouring properties to the west (rear) of the site. A hipped roof form is utilised allowing the elevation nearest to the boundary to be at a reduced height than the ridge line, lessening the impact further. No windows are evident to the side and rear elevations preventing overlooking. Windows and French doors are placed to the front elevation facing the site dwelling, however given the substantial boundary treatment on site, there is little opportunity for overlooking towards 29 Cedar Crescent.

It is therefore considered that the proposal would not result in a significant increase in overlooking, overshadowing or reduce levels of outlook to a detrimental level and is in compliance with Local Plan Policy GD1 General Development. This carries significant weight in favour of the application.

#### Scale, Design and Impact on the Character

Extensions and alterations to a domestic property are considered acceptable if they would not significantly alter or detract from the character of the street scene and would sympathetically reflect the style and proportions of the existing dwelling,

The House Extensions and Other Domestic Alterations SPD states that Detached garages and outbuildings should relate sympathetically to the main dwelling in style, proportions and external

finishes. In most cases, it will not be appropriate for a garage to be sited between the house and the road. Detached garages and outbuildings should be single storey structures and the eaves height should not normally exceed 2.5 metres from ground level, whilst the ridge height should not exceed 4 metres.

The House Extensions and Other Domestic Alterations SPD states that a side extension should reflect the design of the existing dwelling in terms of roof style, pitch, materials and detailing and should not have an excessive sideways projection (i.e. more than two thirds the width of the original dwelling), and that all two-storey side extensions should have a pitched roof following the form of the existing roof. In addition, to prevent a terracing effect and to avoid detrimental changes to the character of the street scene, it will be desirable to provide a setback of at least 0.5 metres from the main front wall of the dwelling, and where practicable, a side extension should also be set in by one metre from the side boundary with an adjacent property to further avoid the terracing effect and to give the benefit of external access to the rear of the property.

The proposed side extension provides a projection to the south of approximately 1.9 metres. The existing property provided a hipped roof form; this has been altered to a gable roof in order to facilitate the dormer and extension. The hipped to gable change can be erected under permitted development. The use of the gable roof form is therefore considered to match the site and would not provide a detrimental effect to the visual amenity of the street scene. The side extension is set down at the eaves and set back from the front elevation. This allows the proposal to remain subordinate to the existing dwelling. Access is maintained to the rear of the property via the newly formed driveway to the south. There should therefore be no issue in terms of bin storage space to the front of the dwelling. Matching brickwork is proposed which allows the proposal to remain in keeping with the character of the street scene.

The loss of the grass verge is acknowledged to cause a loss of some greenspace within the area, however given substantial greenspace remains within the area with the grassed verge to the rear of the site and grass verge adjacent to the site, across yews lane, the loss is not considered to detrimentally detract from the street scene.

Although a pitched roof dormer would be preferred, the proposed dormer is considered acceptable given this can be erected under permitted development. The use of matching roof tiles is welcomed and allows the proposal to remain in keeping with the site and street scene.

The outbuilding is single storey and features a hipped roof form. An eaves height of 2.2 metres is within the parameters of the House Extensions and Other Domestic Alterations SPD. The roof type allows the structure to remain in keeping with dwelling. The use of render is considered acceptable given other properties within the street scene have utilised this material.

Various boundary wall materials have been used on the street scene. Given this, the use of stone is not preferred but is of high quality and so is not considered to be detrimental to the character of the street scene. The Height of the boundary wall is significant but does assist in screening the site from the street scene. The use of pillars and wooden panels lessens the impact of the wall. The wall located to the front of the dwelling is reduced in height to 1.3 metres: a similar height to other front walls on the street. Similarly, to the side and rear boundary wall, the use of pillars and wrought iron infill assists in lessening the impact of the wall.

Although the rear extension exceeds 4 metres, an extension of similar size could be erected under permitted development. The use of render is not preferred however does match the existing outbuilding. Additionally, the extension is to the rear of the property and is therefore less prominent. The use of render is also evident on the street scene. A pitched roof form would be preferred, however when balancing against the effects of neighbour amenity, a flat roof provides a reduced impact.

It is therefore considered that the proposed extension is acceptable in terms of visual amenity and in compliance with Local Plan policy D1: High Quality Design and Place Making and as such carries significant weight in favour of the application.

#### Highway Safety

The proposal would provide an additional bedroom taking the property from 3 bedrooms to 4 bedrooms. 2 parking spaces is considered a requirement for 4-bedroom dwelling houses. The proposal increases the parking spaces on site to 3. This has been considered a positive by highways as this reduces street parking in the area. In addition, given the street is a relatively quiet and the current parking arrangements have not caused any issues to date, the highway safety of the driveway is not considered to have a detrimental impact on highway safety.

As such the proposal is considered acceptable in terms of its impact on highway safety and in compliance with Local Plan Policy T4 New Development and Transport Safety. This carries significant weight in favour of the application.

#### Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

#### **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 has worked with the agent to find solutions to issues that arose whilst dealing with the planning application:

- Reduction in the size of the rear dormer

**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.**