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**2024/1009**

**Applicant:** Mr M Hanwell

**Address:** 5 Carrs Avenue, Cudworth, Barnsley, S72 8FY

**Description:** Erection of single storey rear extension to adjoin existing detached garage, and conversion of garage to habitable space, to 2 storey detached dwelling.

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### Site & Location Description:

Situated within the contemporary Salters Brook housing development at the edge of the settlement of Cudworth, the dwelling is one of three identical dwellings on the odd numbered side of the road, before the dwelling styles change. The opposite side of the road is unconventionally laid out with a large gap between two dwellings before it extends right into a large private driveway populated by two pairs of semi-detached dwellings and left continuing the street but lined on the even side with detached bungalows. The dwelling itself is a detached red brick house with a grey tiled, cross gable roof, and detached garage at the end of the driveway running down the side of the dwelling. Permitted development rights were not removed from this dwelling at time of construction.



**Planning History:** None since construction of the estate.

### Proposed:

The proposal is for a rear extension, which would also attach to and internally link into the detached garage. The detached garage would be converted to a habitable space, with the garage door being replaced with brick and a new window.

### Approximate Measurements:

Except for the rear extension, there are no external structural changes to the dwelling proposed. The external footprint of the garage, excluding the attached extension remains unchanged

#### Extension

- **Rear Projection 3m**
- **Width 6.54m** (same as rear elevation)
- **Maximum Roof height (Flat Roof): 3m**

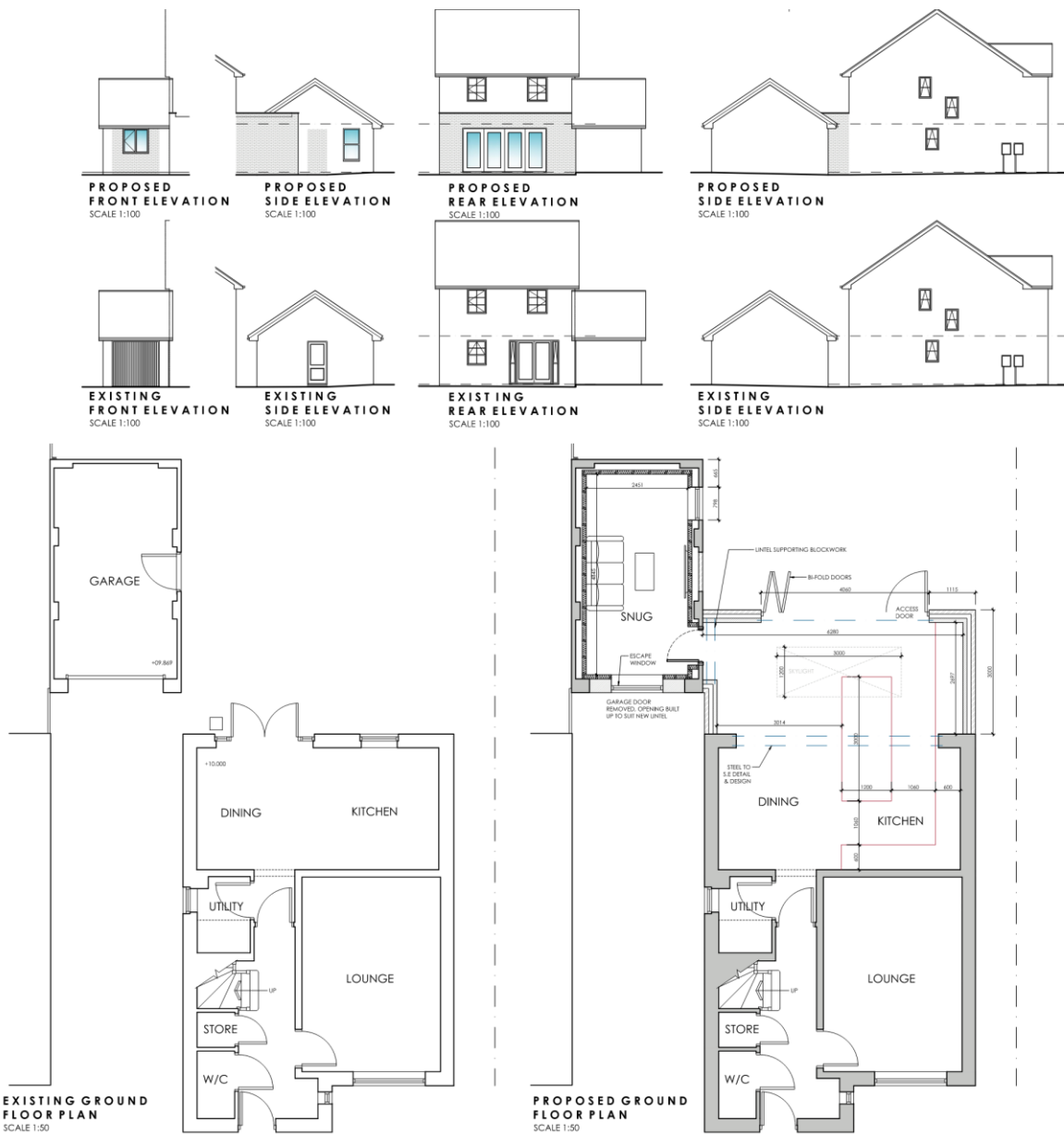
#### Original Garage (Unchanged)

- **Width 3.17m**
- **Length: 5.63m**
- **Maximum Eaves Height: 2.47m**
- **Maximum Roof height: 4.65m**

Combined Section (including approx. 4cm gap between original house and garage)

**Width: 9.75m Length: 2m**

## Existing and Proposed Floor Plans and Elevations



**Local Plan Designation:** Urban Fabric

**Conservation Area:** No

**Neighbour Representations:** None

Letters were sent to nearby addresses; No comments were received.

**Consultees:** None

## **Policy Context**

Planning decisions should be made in accordance with the development 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 Local Plan was adopted in January 2019 and is also 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 and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 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.

## 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 creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Within section 12, paragraph 139 is the most relevant which indicates:-

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

#### Local Plan

In reference to this application, the following Local Plan policies are relevant:

**GD1 - General Development** – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

**SD1 - Presumption in favour of Sustainable Development:** When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

**D1 - High Quality Design and Place Making:** Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

**T4 - New Development & Highway Safety:** 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.

#### Supplementary Planning Documents (SPD)

House Extensions and Other Domestic Extensions

#### Principle of development

The site is located within land designated as Urban Fabric. 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

As the dwelling is detached, the driveway is not shared, and the extension would be broadly hidden by the existing garage, there would be no impact to the amenity of neighbouring dwelling No.3. Equally, with the extension being single storey and the distance to the boundary from the new extension being almost 9m from the rear boundary, there would be no impact to the dwellings to the rear. For the adjacent neighbour of No.7, the impact on residential amenity may be moderate and not strictly in accord with local policy regarding the 45-degree angle rule.

If the proposed extension was not attached to the existing garage, either externally or internally, then the proposed extension would meet the criteria for permitted development, and the 45-degree rule in regard to the extension's location breaching an imaginary 45-degree line from the centre of the closest ground floor window of the neighbouring dwelling, would be irrelevant, as this is not a consideration in permitted development rights. However, as the proposal is attached to the garage, regard to the 45-degree rule, as outline in the 'House Extension and Other Domestic Extensions' SPD must be considered. On this occasion there is strong mitigation for not enforcing the 45-degree rule. Firstly, no comment of objection has been raised by the neighbouring dwelling, but this alone does

not emit the requirement to comply with the SPD. Secondly, and more significantly is that although the extension is not considered as permitted development, if the link to the garage was removed, to make the extension eligible for permitted development, it would make no difference to the breach of the 45-degree rule as the link to the garage is at the opposite side of the affected section of the extension. Finally, although the proposal may have an impact on sunlight into the neighbouring northwest facing garden, with a height of 3, the extension would only be approximately 1m higher than the existing boundary fence but 5m lower than the height of the application dwelling. As such whilst the extension may have an impact on the afternoon and evening sun, the application dwelling itself, especially in consideration of the neighbouring dwelling's location, would have much more of a significant impact on sunlight levels.

The garage conversion into to habitable accommodation would have an insignificant impact on residential amenity. There possibly may be a slight noise increase compared to a garage used for storage or parking of a vehicle but that should not exceed noise levels associated with a domestic dwelling or its curtilage. There is a window proposed in replacement of the garage door but this is setback 10m from the front elevation and between the blank brick side elevations of No3. and the application dwelling. The removal of the side gate does restrict external and accessible access to the rear garden, but a narrow external passage remains on the opposite side elevation, between the elevation and the No.7's side boundary treatment.

Although the rear garden of the dwelling is relatively modest, there would still be adequate garden space remaining following the construction of the extension. Furthermore, as outlined above, a similar sized extension, not attached to the garage, could be built under permitted development rights.

#### Visual Amenity

For the extension itself, excluding some neighbouring dwellings, the extension would not be prominently visible by the public or from the street scene. The proposed brick construction and flat roof design of 3m high would also be compatible with permitted development guidance (if not attached to the garage), and with local policy. The most significant issue of the proposal is the link attachment. For visual amenity purposes, a similar result, although possibly visually worse outcome would be achieved if the extension was constructed but maintaining a minimal gap between the garage and the extension.

Whilst a wall would be created in replacement of the current side entrance gate, this would not be overtly visible due to the approx. 10m+ extent of the driveway. The proposed window within the garage, in replacement of the existing garage door would have a modest impact upon the street scene but with the distance of the driveway, this impact would not be significant. Whilst the proposal would alter the appearance of one of a set of three identical dwellings, the broader street scene is very varied and to an extent unconventional.

#### Highway Safety

Although the garage would be lost, there remains sufficient parking provision for at least 2 vehicles, which is in line with local policy guidance, there are no further proposed changes to vehicle access or parking arrangements, which consequently means there is no impact upon Highway Safety.

**Recommendation:** Approve with conditions