

**Application Reference:** 2024/0689

**Site Address:** 12 Lakeland Close, Cudworth, Barnsley, S72 8SL

**Introduction:**

This application seeks planning permission for the erection of single storey outbuilding to rear, and detached garage to side of 2 storey detached dwelling

**Relevant Site Characteristics**

Located within a position at the end of a small cul-de-sac leading off Sunny Bank Drive in Cudworth, the dwelling is a relatively large, extended, and red brick detached house with a tiled gable roof. The dwelling sits within a very large curtilage which is entirely enclosed by boundary treatments including a large wall and set of gates which fill much of the front boundary treatment. A large area of hardstanding driveway sits between the front boundary and the front elevation of the house, in contrast the enclosed rear garden is lawned.

**Site History**

Application Reference	Description	Status (Approved/Refused)
B/03/1768/CU	Erection of side detached double garage/ workshop.	Approved

**Detailed description of Proposed Works**

The application has been amended during the course of the application. The first part of the reduced size proposal is for a detached, single storey garage with an attached utility room located adjacent to the eastern elevation of the dwelling but projecting by approximately 6.38m beyond the line of the front elevation of the dwelling, The whole structure would be approximately 6.5m in width and 9.7m in length, and is proposed to be constructed of brick. Individually the double garage, with a single large garage door has an area of approximately 42 sqm whilst the utility room would be approximately 21 sqm. The combined roof would be dual pitched roof and has an approximate eaves height of 2.5m and a ridge height of 4m. The garage would feature a single garage door of approximately 5.35m wide by 2.35mm high and be located on the front elevation looking towards the house and driveway. The rear side elevation would look into the rear garden and feature a smaller entrance door/shutter whilst the front elevation facing Lakeland Close would be a blank brick elevation, no other windows are proposed.

The second part of the proposal is for a detached outbuilding, in replacement of an existing smaller outbuilding, located in the rear garden, adjacent to the western boundary with a neighbouring rear garden, and a small area of southern boundary with a different neighbouring rear garden. Similarly to the garage, the proposed outbuilding has been reduced in scale and would also be constructed of brick and feature a tiled, dual pitched roof. The approximate length of the proposal running along the western boundary would be approximately 15.42m, whilst the proposed width would be 6m. Due to possible differences in ground level, the eaves vary in height between 2.35m and 2.5m high, but the roof remains at a constant height of 4m. Internally the proposal would feature two sections, the first, a kitchen and entertaining space,

and a separate room, more akin to a storage area, for the installation with a hot tub. The front elevation overlooking the garden would feature full height window and a separate Bi-fold glazed doors, but the section including the hot tub would feature roller shutters or similar.

## **Relevant policies**

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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.

The following Local Plan policies are relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy D1: High Quality Design and Place Making.
- Policy GD1: General Development.

### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written

ministerial statement states that local planning authorities should take it into account when taking decisions.

### **Consultations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website. .

No representations have been received.

Highways DC: With more than adequate parking provision for two cars and with no impact on these spaces caused by the proposed garage (or by default the outbuilding), no objection was made about the proposal.

Forestry Officer: Following consultation with the Forestry Officer over concern about the impact on some trees/shrubs, which were assessed as being of little arboricultural value by the Forestry Officer, options were presented to the applicant, which resulted in the trees/shrubs being removed. Photographic evidence was provided of the removal, ensuring that if approval was granted, work could start.

### **Planning 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**

Extensions and alterations to a domestic property, including outbuildings, are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

### Scale, Design and Impact on the Character of The Dwelling

Both outbuildings have been reduced from their originally proposed heights of more than 4m high, and eaves height over 2.5m. The new size of the proposals, as they included dual pitched roofs would potentially have met requirements for Class E of General Permitted Development and would meet local policy requirements for height. However, the location of both structures

would prevent them from being eligible for permitted development as they are located within 2m of a boundary. As the proposed garage is also set forward, although at the side of the front elevation of the dwelling, and not directly in front, this is not allowed for permitted development and generally not permitted within local policy guidance. Furthermore, whilst area size for permitted development is based on curtilage size, with no more than 50% (after excluding the house) can be utilised for outbuilding and extensions, local policy guidance advises that outbuilding should be no more than 39sqm in size. Both the garage and outbuilding would easily meet the permitted development requirements but both exceed local House Extension and Other Domestic Extensions SPD guidance considerably.

In mitigation of the outbuilding's size is its location and subservience to the main dwelling. It is out of view of the street scene and would take up less than 20% of the rear garden area leaving a large private amenity space remaining. Given the two storey nature of the existing dwelling the size of the outbuilding would remain subservient to the main property and, if located approximately 1m further away from the boundary, would be classed as permitted development. The materials and design are in keeping with the existing property so it would not appear as a prominent or discordant feature, Whilst it's size is not in line with the SPD, in this instance the circumstances of the site mean the large size does not cause any significant detriment to the site or its surroundings to warrant refusal of the application. However, a condition is recommended so it remains ancillary to the main dwelling.

The garage is also of a substantial size, but again site characteristics mean that it does not appear overly dominant. The existing dwelling is large and the garage would be positioned towards the eastern elevation behind the building line of the adjacent dwelling at No.10. Whilst the garage including the utility room also exceeds the recommended size for outbuildings, in similarity with the outbuilding, whilst SPD guidance remains important, the garage's scale is proportionate in relation to the host dwelling and front garden, and whilst it exceeds SPD guidance, it does not introduce significant negativity. With some of the proposed garage being located behind the front elevation, rather than all on front of it, and with a significantly high front boundary treatment, on this specific occasion and despite exceeding the SPD guidance, the proposed garage would be of a satisfactory scale and would have a limited effect on the design and character of the dwelling or the street scene. However, a condition is recommended so it remains ancillary to the main dwelling.

#### Impact on Neighbouring Amenity

There is potential for the garage to have a negative impact on the amenity of neighbouring dwellings, particularly for the dwellings whose rear gardens back on to the application dwellings. With the adjacent neighbour of No.10, there would be less concern over impact as the dwelling sits at a 90-degree angle to the application dwelling, and the proposed garage would be located adjacent to their garage, and first floor extension above. Despite the height of the garage, it would not be expected to have anything more than insignificant impact to their amenity, potentially only overshadowing their garage and a side entrance door. Returning to the neighbouring dwellings which back on the location of the garage, the garage would be higher

than the existing fence but remaining as a single storey , and one at a reduced height than what was originally consulted on, with no objections received, there should not be any significant impact to the light levels of their rear gardens. There may be some impact to their outlook, but their current outlook is of the application dwelling, a caravan or its driveway. Because of some potential impact, the proposal has been consider as having a modest impact on neighbouring amenity.

With the proposed outbuilding being of a size allowable through permitted development, the only thing preventing the application being constructed through this method is its location within 2m of the boundary treatment. With a high hedgerow separating the proposed outbuilding from the neighbouring garden, and an approximate 1m distance from the rear boundary treatments, it would seem unreasonable to request the proposal was removed 1m further into the garden when it would have no positive impact on the amenity of the neighbouring dwellings. Moreover, whilst the proposal is larger than the existing outbuilding, the existing outbuilding is situated directly adjacent to the boundary. With the proposed used of the outbuilding for entertainment and leisure purposes, whilst there may be some additional noise created, it would not be expected to be above anything experienced by other leisure activities undertaken within a garden. In consideration of all aspects, the proposal would be expected to have no more than a limited impact on the neighbouring amenity of neighbouring dwellings.

In regard to the impact on the broader street scene, with the outbuilding within the confines of the private and predominately enclosed rear garden of the application dwelling, there would be no impact within the street scene, For the garage, some of its bulk is adjacent to the side elevation of the dwelling, and some may be diffused by the neighbouring garage. Together with a varied street scene of front and rear gardens, the dominant nature of the application dwelling and its front boundary treatments, the addition of the proposed garage would have a limited impact on the amenity of dwellings within the street scene.

#### Highway Safety

The proposal does not alter the access and provides sufficient off street parking.

#### Vegetation

The Council's Tree Officer has confirmed that the trees and shrubs affected are of little arboricultural value.

#### 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 applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- The eaves height, ridge height, and area of both the proposed garage and outbuilding have been reduced in amended plans. Additionally, the garage has been separated into a double garage, with an enlarged garage door, and an attached utility room.

**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.**