

2024/0026

Applicant: Mr R Law

Address: 12 Badsworth Close, Wombwell, Barnsley, S73 0YR

Description: Retrospective application for the erection of a detached car port to front of single storey semi-detached dwelling

Two objections to this Retrospective application

Site & Location Description:

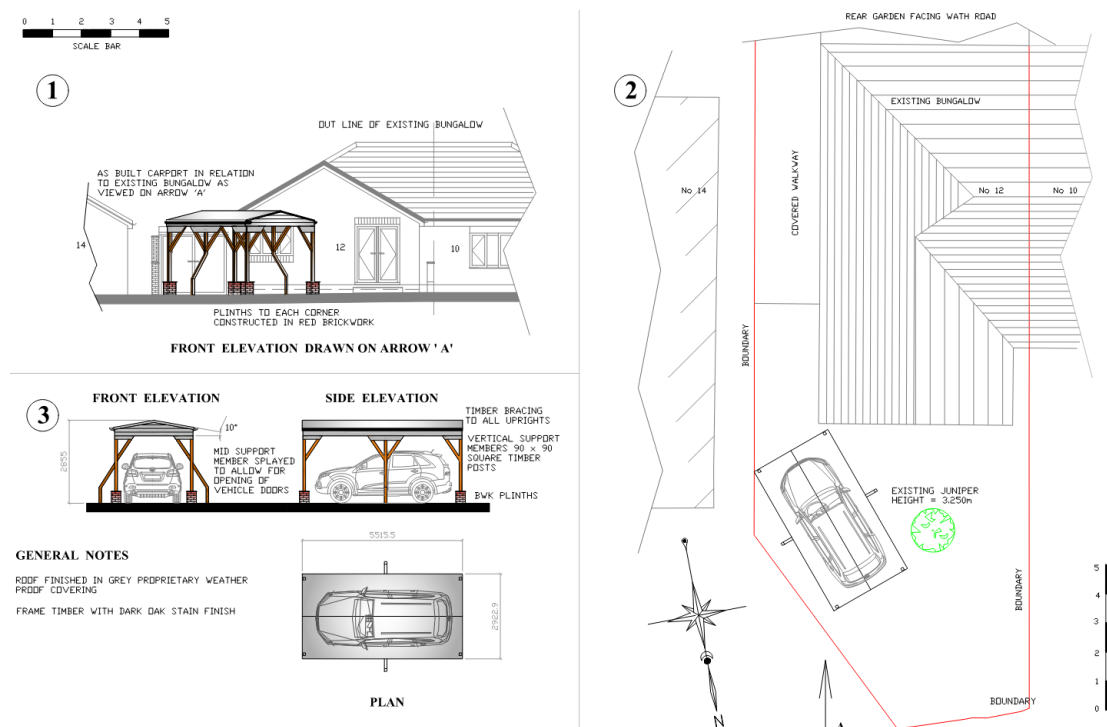
The application site is a buff brick built, semi-detached bungalow, located on a quiet cul-de-sac on the edge of the Wombwell, towards the eastern borough boundary with Rotherham. The dwelling features both a rear garden and a reasonably good-sized front garden with a driveway leading to the side of the bungalow. Additionally at the side of the bungalow is an existing garage, whilst the front elevation of the bungalow has previously been extended.

Planning History:

- B/05/1111/WW Erection of front extension to dwelling - Approved with Conditions 16th August 2005
- B/05/0568/WW Erection of front conservatory extension to dwelling – Refused 13th May 2005

Proposed:

The proposal is for retrospective approval of a timber framed car port which has been erected on the front driveway. beyond the principle front elevation of the dwelling.



Measurements:

- **Width: 2.93m**
- **Length: 5.52m**
- **Eaves height: 2.38m**
- **Maximum roof height: 2.86m**

Local Plan Designation: Urban Fabric

Conservation Area: No

Neighbour Representations:

Letters were sent to nearby addresses; Two objections were received, and three letters confirming no objections were also received. The objections outlined how the car port is 'ridiculous', 'unnecessary' and that it is an 'eyesore' and degrades the community. One commentor also mentions that they were not notified about the proposal, as detailed in the application form.

Consultees:

Highways DC: Based upon the photographic evidence provided, a car can pass through the car port and consequently there are no concerns about parking provision or Highway Safety.

Planning Enforcement: An original complaint was received by the planning enforcement team, after a site visit, they advised that a retrospective planning application would be required.

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 and beautiful 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

Assessment

Principle of development

The site is located within land designated as Urban Fabric. Outbuildings or other structures which exceed the size limitations of Permitted Development within the curtilage of residential properties may be considered acceptable if they comply with relevant national and local policies and where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and on highway safety.

Residential Amenity

Due to the open nature of its design, the proposal does not cause any significant harm to the residential amenity of any neighbouring dwelling, such as overshadowing or to the broader street scene but a moderate amount of harm to the outlook of the unattached neighbouring dwelling must be considered. In line with paragraph 8.9 of the Local Plan policy GD1 which mentions in “consideration of whether structures in close proximity to windows are considered visually over dominant”, as the structure is considerably close to the boundary between the two dwellings and is also located close to the side and front windows of the same neighbouring dwelling, there would be some loss of outlook caused by the car port.

Visual Amenity

In Local planning policy, the House Extensions and Other Domestic Alterations, Paragraph 8.6 of subheading Front Extensions states:

The front elevation of a building is the most important for its contribution to the street scene. Generally, therefore, such extensions need to be of a high standard of design and will not be considered acceptable where they detract from the quality of the existing dwelling or character of the street scene or cause overshadowing to neighbouring dwellings. Large extensions and conservatories are likely to appear particularly intrusive and will not normally be acceptable.

And paragraph 8.25 and 8.26 of subheading Outbuildings and Annexes states:

Detached garages 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 should be single storey structures and the eaves height should not normally exceed 2.5m from ground level. It is not considered appropriate for detached garages to include dormer windows as a way of accommodating rooms in the roof space but in some circumstances (e.g. where the garage is set within a large curtilage) it may be possible to utilise the roof space for ancillary accommodation/storage but not as an

annex/granny annex. Where the privacy of neighbouring residents would not be compromised it may therefore be possible to install roof lights

The above policy outlines the importance of the impact of any structure in front of the principal elevation of a dwelling, and particularly in the relation to garages located within the area between the principal elevation and road. Whilst the structure in question is a car port, as mentioned above whilst it is not possible to define every type of structure, the nature of car port and specifically its purpose would be akin of that of a garage. Regardless of the determination of the structure itself, any extension, which again may relate to something not physically attached to the dwelling would “not be considered acceptable where they detract from the quality of the existing dwelling or character of the street scene”. Policy D1 further requires that “Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley” and “Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and detail”. In this instance, it is considered that the scale and siting of the car port alters the character of the original by overwhelming it in an unsympathetic manner

Although the street scene is secluded, in the respect it resides in isolation with a single point of access of the main road, the majority of dwellings on the small cul-de-sac are bungalows of a similar design with garages, including at the application dwelling, located at the side and to the rear of the principle elevation. Furthermore, except for the small terrace of three houses, all the bungalows feature a similar front elevation, with no door or porch on the front elevation. There is therefore nothing of similar design and scale within the street scene which could mitigate the dominance of the structure and as such it appears a prominent and discordant feature to the detriment of the character of the street scene. es.

Highway Safety

The structure as erected has no hindrance to the existing parking provision and with no changes proposed changes to the site access, there is no impact upon Highway Safety.

Summary

Following assessment of its potential impact upon the amenity of the neighbouring dwellings, particularly the effect of loss of outlook for the unattached adjacent neighbour, and with the overall negative impact the structure would have on the visual amenity of the street scene, the proposal would be significantly out of character and has the potential to cause significant harm to character of the original dwelling and the street scene, especially if allowed to set a precedent for similar structures to be erected beyond the front elevation of neighbouring dwellings.

Recommendation: Refuse