

2023/0266

Applicant: Mr John Mee

Erection of detached double garage to side/front of dwelling

79 Barnsley Road, Dodworth, Barnsley, S75 3JS

### Site Description

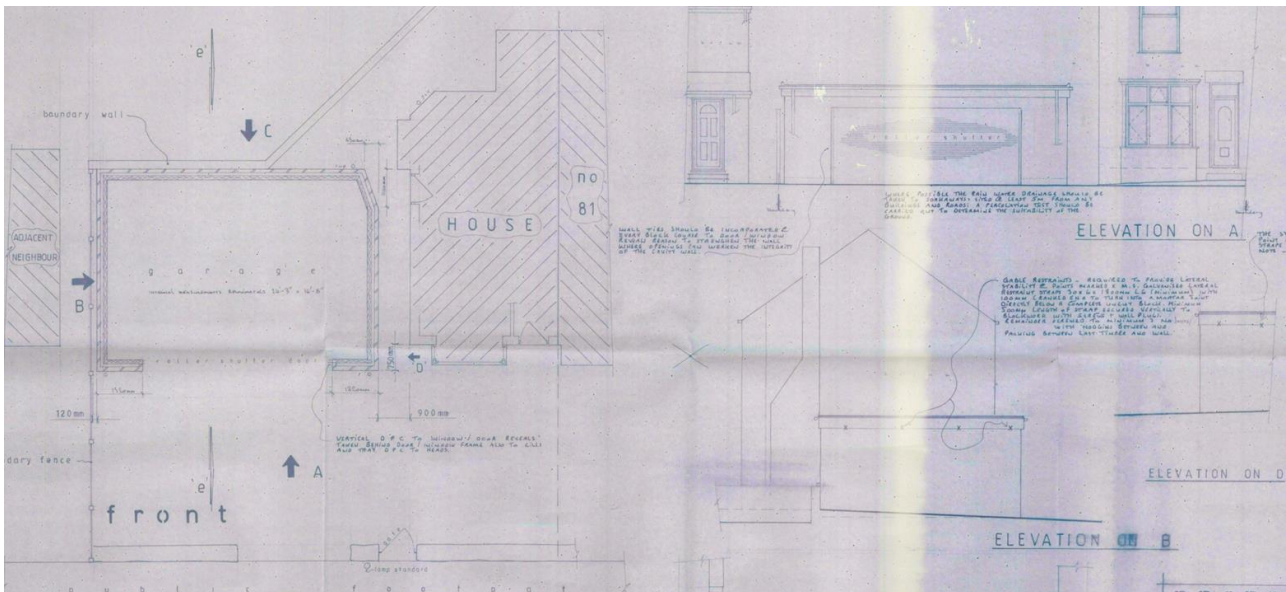
The applicant's property is an end terrace residential dwelling located on Barnsley Road in Dodworth. The dwelling is red brick, slightly set back from the road by 5.4m with a hard surfaced/gravelled area to the side which is used for parking and as amenity space. On the front boundary line is mixed boundary treatment with a low red brick wall, a low stone wall and a metal fence. The site is located in the Urban Fabric in what is a primarily residential area however there are other uses nearby including St John Baptists school immediately adjacent and Bannatynes Health and Holiday Inn around the corner to the East.

### Relevant Site History

None

### Proposed Development

The applicant is seeking approval for the erection of a flat roofed detached garage located to the side/front of the dwelling. The garage has a width of 8.05m, a length (front to rear) of 5.8m and a height of 2.9m when measured from the base of the front elevation to the roof. The garage is to be constructed from brick, with unspecified flat roof materials and a white roller shutter door on the frontage.



### 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 development plan consists of the Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

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

The new Local Plan was adopted at the full Council meeting held 3rd 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).

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Relevant Local Plan policies include:

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. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

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.

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 and Transport 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.

## NPPE

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.

Paragraph 7 – the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 – achieving sustainable development has three overarching objectives:

- a) An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure
- b) A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently,

minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 38 – Local planning authorities should approach decisions on proposed development in a positive and creative way.

Paragraph 111 – Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network should be severe.

Paragraph 119 – Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 126 - 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.

Paragraph 134 – 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.

#### 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**

*Highways DC* - The property currently has off-street parking provision for at least two vehicles and a dropped kerb is already in place. The proposals provide the required 5.5m driveway length between the roller shutter garage door and the public highway. The proposed garage has an internal length of 5.1m which is less than the generally required 6m minimum to be counted as a parking space, however, given the overall size of the garage it is considered to be of sufficient size to be counted as one parking space. The proposals are therefore considered to maintain the two off-street parking spaces required and are therefore acceptable from a highways point of view subject to a condition.

#### **Representations**

Neighbour consultation letters were sent to neighbouring residents; no comments were received.

#### **Assessment**

##### Principle of development

The site falls within the urban fabric which has no specific land allocation, however the site and immediate surrounding area is made up principally of housing. Extensions, alterations to residential properties (and outbuildings) and the erection of new domestic outbuildings are considered acceptable in these areas where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety.

##### Visual Amenity

The Council's SPD has a dedicated section for detached garages which 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'.*

The proposed garage is considered to be largescale for a modestly sized two-bed property on what is a fairly small curtilage area. The proposed width of the garage (8.05m) is almost double the width of the existing dwelling (4.25m) and the proposed footprint (46.5sqm) is larger than the host dwelling (35.5sqm). It is appreciated that the proposed garage is single storey but the overall size and scale is not considered to be in line with the SPD in that it is not sympathetically sized compared to the existing dwelling. The garage is located in a very visible location both within the site, and in the street scene – on a main road, as well as the garage being set slightly forward (750mm) of the front elevation of the dwelling. When constructed, it will be form an excessively sized and visually incongruous feature within the street scene.

Additionally, a more general assessment is also required against the Council's other policies on design, most pertinently Local Plan Policy D1: High Quality Design and Place Making which states:

*'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

*'Through its layout and design development should: Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment'.*

Additionally, NPPF paragraph 134 of the NPPF states that development, which is not well designed should be refused, especially where it fails to reflect local design policies.

Proposed development is therefore expected to represent high levels of design quality, with design features and characteristics which successfully reflect the area, complement the existing pattern of development or lead to an increase in the architectural quality of the local area. The proposed garage is not only excessively sized but is considered to be poorly designed with a flat roof which is seen as inferior compared to pitched/sloped roofs and does not match the existing dwelling. Likewise, there are no visible examples of flat roofs anywhere else nearby and the introduction of such is not considered to be acceptable, nor will it improve the design/architectural quality of the local area.

The proposed development is contrary to the Council's SPD for House Extensions, Local Plan Policy D1 and NPPF paragraph 134 in that it is of an unsympathetic size compared to the host dwelling, with a much larger width, larger footprint and featuring an unsuitable flat roof style which does not match or relate successfully to the host dwelling. Given that the garage will be visible and prominent from the street, slightly set forward of the host dwelling's front elevation and will form an intrusive and unattractive building within the street scene, not having a positive impact on the visual amenity of the local area. The proposed development is therefore considered to be unacceptable in terms of visual amenity.

#### Residential Amenity

The application site is awkwardly-shaped, with very little rear garden area with no boundary treatment. The proposed garage is located to the Southern side of the dwelling in an area which is utilised for amenity space/parking. Given the awkward shape of the curtilage area, the proposed rear elevation of the garage is positioned on what forms a section of the rear boundary line of the property. The rear elevation would therefore be in close proximity to a neighbouring property (no. 46 Mitchelson Avenue) which shares a boundary line with the said neighbouring property. The proposed rear elevation of the garage is located 10m from the nearest window of no. 46 Mitchelson Avenue which is less than the minimum 12m separation distance expected between habitable room windows and blank gable walls. It is unclear as to whether the neighbouring window is indeed habitable, but this serves a ground floor extension and therefore it is very likely that this serves a habitable room. In any case, the only outlook from the rear elevation and garden area of the neighbouring property is through the existing gap that is located between the side elevation of the dwelling and the neighbouring flats (nos. 77a and 77b Barnsley Road) to the South. The presence and positioning of the garage would clearly obstruct this outlook and lead to a much greater sense of enclosure for the neighbouring property to the rear of the site. Further, the garage is positioned to the South-East of

no. 46 and will lead to a significant overshadowing impact, especially at earlier points in the day. The proposed development is therefore contrary to Local Plan Policy D1 and the SPD for House Extensions in that it does not protect the amenity enjoyed by the existing and future residents of the area.

Additionally, the proposed garage has a footprint size of 46.5sqm which takes up 32% of the available/undeveloped space within the entire site, or 43% of available space in the side/rear garden area (i.e. not ahead of the front elevation of the dwelling). The SPD for House Extensions (section 7.8) states that extensions and outbuildings should not take up a disproportionate amount of private rear garden space with the general principle being that over half of the amenity space should be retained. The garage is to be located to the side of the existing dwelling so the rear garden area is not being affected, however the general principle is that the dwelling retains a suitable amount of undeveloped area within the site to ensure a good standard of living for existing and future residents. The garage will be positioned in a section of the site which clearly served as the primary amenity space for the site, which has already been significantly reduced/disrupted by the presence of hard surfacing and formation of a parking area. This is visible through comparison of Street View Images through the years with the 2011 and 2016 images showing that the side garden was solely used as amenity space before the parking space was formed. Still, the existing situation shows a mixed side garden area with a parking area and graveled area used for sitting. The graveled area will be removed to make way for the development which effectively results in the amenity space on site being significantly reduced to the bare minimum. In the opinion of the Local Planning Authority, the resultant undeveloped space on site would not be large enough to allow for suitable, healthy or attractive amenity space on site which would have a detrimental impact on residential amenity. This is in conflict with the SPD for House Extensions and Local Plan Policy GD1 in that the development does not protect or enhance the living standards of the existing and future residents.

The proposed development is therefore considered to be unacceptable in terms of residential amenity.

#### Highway Safety

The proposed garage does not meet the minimum internal space standards expected for garages to be considered a parking space, as it falls short on the internal length. The minimum internal length of a garage should be 6m with the proposed garage being 5.15m. Further, there should be a 5.5m separation between a roller shutter door on a domestic garage and the highway, which is not met in this case.

Despite the above, the fundamental requirement of domestic parking provision is to ensure that domestic properties have an adequate number of parking spaces for that particular dwelling type/bedroom number which can be safely accessed and egressed, without detrimentally impacting on other road users, highway safety and visibility. Highways DC have been consulted on the proposal and have not objected despite the shortfall given that the bedroom number of the dwelling is 2 and therefore the Council's parking requirement is 1 space which is met. The proposed garage will allow for sufficient space for the parking of one vehicle, albeit at an angle and Highways DC have not objected to the proposal.

#### Conclusion

The proposed development is for the erection of a domestic garage on a residential dwelling – 79 Barnsley Road – in Dodworth. The garage measures 8m x 5.8m (total footprint of 46.5sqm), constructed from brick with a flat roof. The height measured from the base of the front elevation to the roof will be 3m.

The proposed development is not in line with the Council's SPD for House Extensions and Other Domestic Alterations, Local Plan Policy D1 or NPPF Paragraph 134 in that it is considered to be an excessively sized garage compared to the host dwelling in that it is significantly larger in terms of width and footprint, and it features a roof design which does not match or relate well to the existing dwelling. The garage is considered to be of poor design, in a prominent and very visible location, slightly forward of the principle elevation of the dwelling on a main road, and does not contribute positively or successfully to the visual amenity of the area. The development is therefore considered to be unacceptable in terms of visual amenity.

Additionally, the proposed garage is located in close proximity to the rear elevation of the neighbouring property to the rear (no. 46) which is less than the minimum separation distance expected between blank gable walls and habitable room windows (12m), and will significantly obstruct the outlook enjoyed by this property and the levels of natural light reaching the rear garden area of no. 46 and will detrimentally impact the amenity enjoyed by the residents of this neighbouring property, contrary to Local Plan Policy GD1 and the Council's SPD for House Extensions and Other Domestic Alterations.

Further, the proposed garage is positioned to the side of the dwelling, in what is an area which is used for amenity space which will be removed to make way for the development. The curtilage is awkwardly shaped and the development will effectively remove the primary undeveloped space within the site which is used as amenity space for the dwelling. This in turn will take up a disproportionate garden area and will have a detrimental impact on the amenity of the existing and future residents, as well as worsening the living conditions at the property, contrary to Local Plan Policy GD1.

For the above reasons, the proposed development is recommended for refusal.

**Recommendation**

**Refuse**