2021/0338 Householder Application

Applicant: Mr Ian Clifton

Proposal: Conversion of garage into annex including associated external alterations and erection of detached outbuilding

Location: 152 Intake Lane, Pogmoor, Barnsley, S75 2HU

Site Location & Description

The applicant's property is a detached bungalow in a backland location within designated TPO'd woodland (Intake Lane TPO). The dwellinghouse is accessed via a gated private drive that extends west from Intake Lane and forms a hardstanding that surrounds the eastern, northern and western sides of the house. The dwelling is of a dual-pitch roof construction set over a rectangular footprint that is oriented so that its gable ends face north and south. The bungalow has some architectural merit with mid-20th Century design features and materials. A large pitched roof garage is situated in the north west corner of the plot with a slight pent angle to the roof inclusive of two garage doors and two pedestrian doors on the southern elevation and a window on the eastern side elevation. Some landscaped garden areas are located east of the outbuilding and south of the southern elevation of the main dwelling Most of the larger specimens of trees are located on the northern and eastern boundaries of the site.







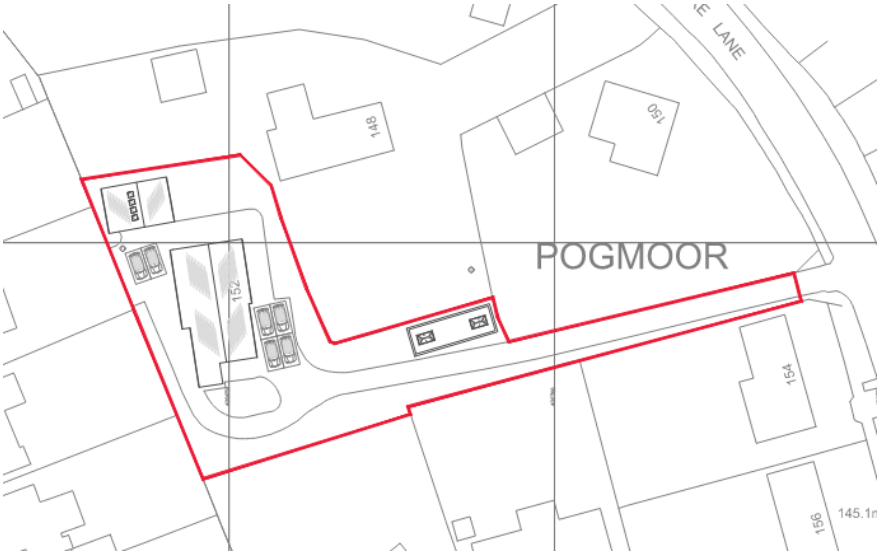




Proposed Development

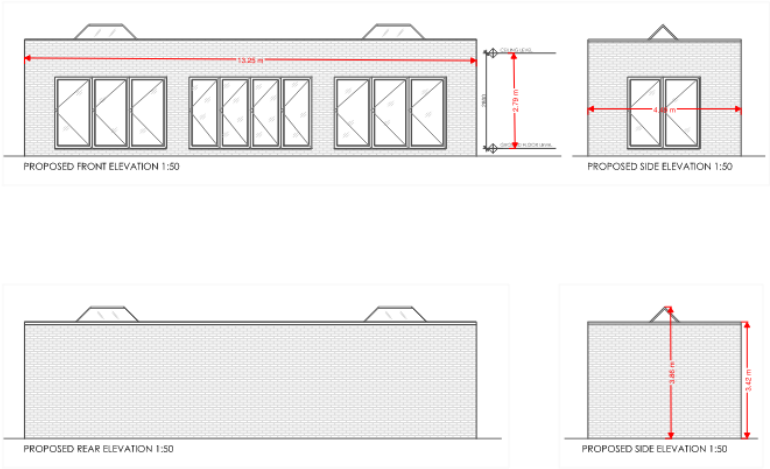
The applicant is seeking approval for the erection of a single-storey detached outbuilding, alterations to the existing garage outbuilding and fenestration alterations to the main dwelling.

Site Plan



The proposed outbuilding is to be sited on the northern side of the private drive, between the dwellinghouse and Intake Lane, where it will back onto the boundary shared with 148 Intake Lane. The development in this location shall be designed with a rectangular footprint provisioned with a flat roof and lantern rooflights. The structure shall have a length of 13.25m a depth of 4.5m and an eaves and total height of 3.4m and 3.9m respectively. Three sets of bi-fold doors shall be installed on the southern elevation while a double bi-fold will be positioned on the western elevation. The proposal is to accommodate a gym, a W.C/Shower Room and a wet room. Materials are to be matching brickwork similar to those used in the existing garage.

Outbuilding



The other element of the proposal is conversion of the internal layout and external appearance of the existing double garage/office building in the northern part of the plot to a two bedroom annex. Externally, the development will remove both garage doors and the right hand pedestrian entrance to enable the installation of a bi-fold door and window on that elevation as well as a further window on the eastern elevation to one of the bedrooms. The western door will remain in situ to provide access into the building and four roof lights are to be installed on the western roof slope. The internal layout will remove the store, garage and office space and convert it to an open living space inclusive of a kitchen, living room and dining area, a W.C shower room and two bedrooms. The size of the internal layout cannot be understood as the elevation and floor plans do not scale with the width of the garage on the site plan (the same inconsistency is not present in respect of the proposed outbuilding). New materials to the southern elevation are to match the existing.

Garage Alterations



The alterations to the dwellinghouse include internal partition of bedroom 3 to create a fourth bedroom (each 9.4sqm in size) and the replacement of the existing double casement window with two square windows to serve each bedroom. The infill between the windows will be composed of matching patterned stone.

Existing Elevation



Proposed Elevation



Policy Context

Planning decisions should be made in accordance with the local 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 Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

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 Government attaches great importance to the design of the built environment. 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.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Local Plan

The new Local Plan was adopted at the full Council meeting held 3th 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). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – sets out principles when considering development proposals.

Policy GD1: General Development

Policy D1: High quality design and place making

Policy H9: Protection of Larger Dwellinghouses

Policy BIO1: Biodiversity & Geodiversity

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 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.

The following section of the SPD is particularly relevant to this application:

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.

SPD Parking:

Housing and Flats	1 space for dwellings with 1 or 2 bedrooms 2 spaces for dwellings with 3 or more bedrooms	1 space for dwellings with 1 or 2 bedrooms 2 spaces for dwellings with 3 or more bedrooms	All development

Other:

South Yorkshire Residential Design Guide

Consultations

Forestry Officer – 1no Condition required.

Representations

Neighbour notification letters were sent out to surrounding properties; no comments were received.

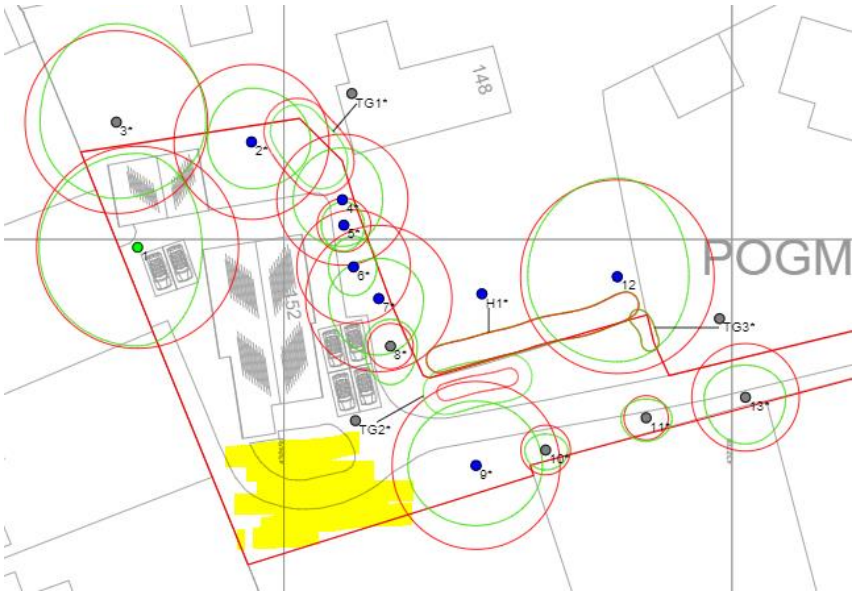
Assessment

Principle of development

The site falls within urban fabric which has no specific land allocation, however the site and surrounding area is made up principally of housing. 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 and Visual Amenity

The proposed outbuilding is contrary to guidance contained in the SPD House Extensions and other domestic alterations in that it is located between the house and the road and greater than 2.5m in eaves height in close proximity to a shared boundary. It is appreciated that in respect of the former issue, the outbuilding is unlikely to be visible from the road, and with the latter, that the surrounding foliage will largely offset the proposal's impact. Nevertheless, there is a requirement for the development to have a close physical relationship to the dwellinghouse, be located in a rear garden and reflect the style and proportions of the host dwelling. Indeed the proposed outbuilding is to be located 23m from the original dwelling and there is ample space to the south of the plot where the proposal could be sited closer to the dwelling with less impact on the root protection area of a tree (T12 – Turkey Oak) (as highlighted in yellow in the graphic below).



Likewise, the outbuilding is to have a flat roof and does not take the opportunity to relate in an architecturally sympathetic way to the main dwelling. The use of the outbuilding is also a concern for the LPA as it has not been substantiated or justified despite a request for further information at the validation stage. Given the outbuilding's size and gym/wet room utilities, are such facilities not able to be accommodated within the main dwelling and why is such a large building required for these uses? Cumulatively, the distance of the outbuilding from the main dwelling and its position upon the private drive alongside its overall size lend credence to the concern of the LPA that the outbuilding could potentially be used as a separate dwellinghouse.

Indeed the same concern is levelled at conversion of the detached double garage. An annex is required to have one bedroom (as set out in the SPD) whereas this proposal has two bedrooms and has all the facilities reasonably necessary to function as a standalone dwellinghouse. Indeed annexes need to have a reliance on the main dwelling in some respect, need that be for hygiene or catering facilities, and the proposed conversion is clearly capable of providing such facilities independently. Again, a validation request was made for further information to evidence/justify the need for the garage conversion to an annex but a simple sentence response was received stating the following*: 'I can confirm all outbuildings on the site/annexes are intended wholy as attached to the existing dwelling for ancillary use & not separate dwellinghouses'*. This is insufficient to allay the LPA's concerns in respect of the motive for conversion of the garage and it is perceived as highly likely that the annex will be sublet without gaining the requisite planning permission to ensure that the occupants of the structure have sufficient amenity impacts.

A further issue in respect of the annex conversion is the impact upon the amenity of the larger main dwellinghouse through potential severance of the existing outbuilding either by sale or sublet. Indeed the potential creation of a new dwelling at the rear of the existing could lead to a situation where mutual privacy levels are threatened alongside an increase in vehicular movements across two or more elevations of the original dwellinghouse. The same assessment could also be made in respect of the proposed outbuilding as its use has also not been justified and is of a size that could comfortably accommodate several occupants. The LPA are committed to ensuring the retention of the housing mix within the Borough and policy H9 is intended to ensure that garden grab development that threatens the amenity and setting of existing larger dwellings are resisted.

In respect of visual amenity, the alterations to the garage to form an annex have no issues in respect of the new door and fenestration layout though there are concerns with the erection of such a large flat-roof structure on the private drive that, though mostly obscured from the highway, could still be used as a precedent for copycat proposals on smaller surrounding plots. The latter proposal therefore fails to relate sympathetically to the main dwelling in respect of roof form and location to the detriment of the locality.

Other Considerations

Forestry – It is acknowledged that the Forestry Officer has indicated that further assessments could reasonably overcome the issues pertaining to siting of the new outbuilding proximate to T12, however there are other locations on the site which would pose less (or even 'no') harm to a significant natural asset that is covered by a TPO. The development is consequently perceived to be a threat to the ecological and aesthetic characteristics of the local area through potential damage to the root stock of the mature Turkey Oak contrary to LP Policies BIO1 and D1.

Scaled Plans – The annex conversion plans are incorrect in their scale as they indicate that it is significantly wider and longer than suggested on the site plan. The same inconsistency is not present when comparing the site plan to the proposed new outbuilding which infers that there is an issue with the elevation and floor plans of the existing garage in respect of their

scale. A full and accurate assessment of the size of the new annex could not therefore be made.

Conclusion

The proposal is considered to be contrary to Local Plan Policies GD1: General Development and H9 Protection of larger dwellinghouses as the size of both the proposed annex conversion and new outbuilding have not been justified and have the potential for ulterior uses that could impact the amenity and setting of the existing dwellinghouse and its occupants. Likewise the proposed outbuilding is contrary to the SPD: House Extensions and Other Domestic Alterations as well as Local Plan Policies D1: High Quality Design and Place Making and BIO1 due its unsympathetic roof form and harmful location relative to a mature tree within a Tree Protection Order.

Recommendation

Refuse

RfR

In the opinion of the Local Planning Authority the proposed annex and the proposed outbuilding do not constitute ancillary accommodation to the host dwelling (152 Intake Lane) due to their substantial size, the separated relationship with the host dwelling and as the number and type of internal rooms would facilitate independent living and prevent reliance upon the host dwelling, contrary to the requirements of the Supplementary Planning Document (SPD) - House Extensions and LP Policy GD1 - General Development

The proposed annex would be capable of being used as an independent dwellinghouse which would significantly and irreversibly erode the curtilage of a larger dwellinghouse (152 Intake Lane) by means of a 'garden-grab' that would result in the loss of an incidental outbuilding and curtilage along its vehicular access in combination with the potential introduction of a separate planning unit set opposite within an existing private curtilage. The development would therefore be a significant detrimental impact upon the amenity of existing and future occupants of the site counter to the principles of LP Policies GD1 - General Development and H9 - Protection of Larger Dwellinghouses. In addition the proposed relationship between the occupants and the host dwelling has not been explained meaning that insufficient information has been submitted to seek to justify the proposal.

The proposed outbuilding is contrary to the SPD House Extensions as well as LP Policy D1 – High Quality Design and Placemaking and would have a negative effect upon the visual amenity of Intake Lane through its unsympathetic roof form relative to the main dwellinghouse in a position between the house and road that could incur a precedent for similar negative additions to the streetscene that the Local Planning Authority would struggle to resist to the detriment of the local area.

Mature trees are an asset and their loss or the potential for their loss is to be resisted to ensure that important habitats and biodiversity as well as soft landscaping are retained which are not easily replaced. It is the opinion of the Local Planning Authority that this planning application fails to explore alternative siting locations to reduce the proposal's impact upon the adjacent tree (T12 – Turkey Oak) covered by a Tree Preservation Order that would otherwise safeguard its retention and it is therefore found to be contrary to LP Policies D1 - High Quality Design and Placemaking as well as BIO1 - Biodiversity and Geodiversity