The Planning Inspectorate

Appeal Decision

Site visit made on 22 November 2022

by P. D. Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/R4408/D/22/3307845
28 Tenters Green, Worsbrough, Barnsley S70 5HG.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Chris Field against the decision of Barnsley Metropolitan Borough Council.
- The application 2022/0316, dated 11 March 2022, was refused by notice dated 14 September 2022.
- The development proposed is proposed garage alteration.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application description was amended to clarify that the alteration to the garage involved a single storey front, side and rear extension of the existing garage and an upward extension to the roof height. During the course of the Council's consideration of the application the appellant indicated that the front extension was not required and that he would be prepared to amend the design. However, no revised plans were submitted either prior to determination of the application or in submitting this appeal. I must therefore determine the appeal as set out in the submitted plans and cannot consider the alternative scheme the appellant refers to whereby the front extension is omitted.

Main Issue

3. The main issue is whether there would be a detrimental effect on the character and appearance of the host dwelling and its surroundings on Vernon Road and Tenters Green.

Reasons

4. The appeal site sits on the north side of the junction of Tenters Green and Vernon Road and forms the corner plot. In style the appeal property and its neighbour on Tenters Green relate more to the houses on Vernon Road being 2.5 storey detached properties unlike most of the properties in Tenters Green. The appeal property is built in red brick under a tile roof. A detached brick built double garage sits on the north side of the house accessed off Vernon Road.

5. Although the application includes a rear extension to the garage to create storage rooms this was already constructed on site at the time of my visit and appeared to have been completed some time ago reportedly under a previous permission.

6. I have been referred to another property in the vicinity (31 Vernon Road) where a large detached garage has been built adjacent to the main house which the

appellant considers justifies the appeal proposal. I took the opportunity of the site visit to view this garage but I am not persuaded that the cases are sufficiently comparable to have any relevance. I accept the garage at No 31 is to the front but it is also to the side of the main house and set at right angles to it with extensive landscaping. Because housing to the south is set at a much lower level below the landscaping there is not the visual relationship between properties nor is there the impact on the streetscape that there would be in the appeal proposal. I will therefore determine the appeal proposal on its own merits.

7. The garage as currently built is a double garage with the front elevation aligned with the building line established by the appeal property and No 39 Vernon Road and with a reasonable side separation to the main house. The effect of the appeal proposal would be to construct a forward extension of about 1.7 metres, a side extension of about 4 metres in width and nearly a 1 metre increase in height. The result would be an outbuilding extending close to the main house which would be disproportionate to the house and the plot.

8. The appellant considers that there is a valid 'fallback' position in that permitted development rights under the *General Permitted Development Order* (GPDO) at Schedule 2, Part 1, Class E would allow the proposed alterations had the roof been flat rather than pitched. However, I am not persuaded that the 'fallback' exists because the GPDO expressly excludes the development of an outbuilding forward of the building line of the principal elevation of the main house. Although the house is addressed as 28 Tenters Green its entrance is on the Vernon Road frontage which I therefore take to be the principal elevation. Even if I were to consider Tenters Green as the principal elevation I still have to weigh whether there is a reasonable likelihood that the 'fallback' would be implemented and the appellant's statement makes it clear that he considers the pitched roof to be visually superior. I therefore conclude that the likelihood of the 'fallback' being implemented is very low and therefore the weight I give to the 'fallback' position in my determination is minimal.

9. I have been invited to conclude that the height of the houses at No 39 Vernon Road and on the appeal site means that the higher garage would not appear out of proportion. However, it is not just a function of height in relation to the neighbouring dwellings, it is the overall increase in scale and mass of the garage, its forward projection and impact on the space between the houses that would be adverse on the character and appearance of Vernon Road and the neighbouring properties.

10. In views from both north and south on Vernon Road the extensions would result in an obtrusive outbuilding, highly prominent in the street scene, instead of appearing as a proportionately-scaled ancillary building. As stated above I note the appellant's position that the front extension can be deleted but alternative plans demonstrating this are not before me and such an amendment cannot be made by condition. In any event it is not a function of the appeal process to redesign proposals. A redesign without the front extension would have to be considered afresh but even with this element removed the increase in width would still appear excessive.

11. It has been put to me in the appellant's statement that the mature sycamore on the Vernon Road frontage would help to screen the garage and provision of landscaping along the plot boundary to Vernon Road would help to assimilate the extended garage into the surroundings which could be conditioned. However, I noted on the site visit that the sycamore had been removed and whilst I accept that a landscaping condition could meet the tests set for conditions, I am not

persuaded, given the height and scale of the proposed garage and the width of the entranceway from Vernon Road that landscaping would provide a significant screen.

12. Paragraph 130 of the *National Planning Policy Framework* (the Framework) requires development to be sympathetic to local character to create high quality buildings and spaces amongst other things and in these respects the proposal fails. Policies GD1 and D1 of the *Barnsley Local Plan* (BLP) are consistent with the Framework in looking to minimise the adverse effects of development and seeking to achieve a high quality of design that takes opportunities to reinforce local character and distinctiveness. The Council has prepared the *Barnsley House Extensions and Other Domestic Alterations Supplementary Planning Document* (SPD) to guide householders in designing change. The guidance on detached garages states that they "*should relate sympathetically to the main dwelling in style, proportions and external finishes.*" For the reasons above the design fails to respond positively to its context by being overlarge and dominant and would result in a disproportionate addition to the original dwelling and detrimental to its character and appearance and that of Vernon Road. As such the proposal conflicts with Policy D1 of the BLP and the SPD guidance.

Other Matters

13. I understand the appellant's wish to achieve additional garage accommodation to allow for the storage and repair of cars and motorcycles and in that way make sustainable and effective use of housing land, an objective which is encouraged by the Framework in Section 11. However, paragraph 124 in the same section of the Framework states that this should not be at the expense of maintaining an area's prevailing character and setting. As such, sustainable and effective use of the dwelling would not outweigh the harm to the character and appearance of the dwelling and its surroundings as a result of the proposal.

14. The Council did not raise matters relating to the effect on living conditions but it was apparent from my site inspection that the result of the significant increase in width of the garage would place the southern flank wall much closer to the rear facing patio doors of the house and at an elevated position. The increased height and the proximity of the garage, at just over 4 metres distance approximately, would be overbearing on these windows. Even if I was to agree with the Council that there would be no adverse impact on the living conditions for future occupants of the main house, this would not outweigh the harm in terms of character and appearance. My decision would therefore be no different.

C**onclusion**

15. In reaching my decision I have had regard to the matters before me but, for the reasons above, the appeal should be dismissed.

P. D. Biggers

INSPECTOR