The Planning Inspectorate

Appeal Decision

Site visit made on 3 September 2019

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th November 2019

Appeal Ref: APP/R4408/D/19/3231829
27 Spruce Avenue, Royston, Barnsley S71 4JL

- 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 and Mrs Holliday against the decision of Barnsley Metropolitan Borough Council.
- The application Ref:2019/0314, dated 8 March 2019, was refused by notice dated 15 May 2019.
- The development proposed is an alteration to garage to provide games room above.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this appeal are:

   - The effect of the proposed development on the character and appearance of the area; and
   - The effect of the proposed development on the living conditions of the occupiers of nearby residential property.

Reasons

Character and appearance

3. 27 Spruce Avenue is a modern, semi-detached, house located on the corner of Spruce Avenue and Sitka Close. It has a detached double garage sited to the side and rear of the property. The appeal relates to this building. The garage is brick built with a tiled, pitched, roof. As a result of the corner location of the house, the gable end of the garage faces onto Sitka Close and the ridge of the roof runs perpendicular to this road. A prominent, metal, external flue is attached to the present gable wall adjacent to the footway of Sitka Close. The appeal proposal would increase the eaves of the garage from a height of 2.5m to 2.9m and raise the roof ridge from 3.8m to 5.75m to accommodate a first floor within the appeal building. Three rooflights would be installed in the northern roof slope. The appeal site is part of a development of similar two storey semi-detached and detached houses arranged around cul-de-sacs leading from a distributor road.

4. Policy D1 of the Barnsley Local Plan 2019 (the Local Plan) expects new development, among other matters, to be of a high design quality that respects

local character and the scale, layout, building style, and materials in the locality. Further advice in respect of outbuildings is set out in the Barnsley House Extensions and Other Domestic Alterations Supplementary Planning Document 2019 (the SPD). The SPD sets out that detached garages should be single storey structures and that the eaves height should not normally exceed 2.5m from ground level.

5. Due to its location at the entrance to Sitka Close and its positioning adjacent to the road, the appeal building is very visible. The configuration of the roads in the area is such that the appeal building is conspicuous in views down Spruce Avenue from the north and along Sitka Close from the south. The proximity of the current gable end to the back of the footway on Sitka Close also results in the gable of the building being visually prominent in the street scene. The presence of a large metal flue on the gable increases the prominence of the gable, and, taken together, these do not currently make a positive contribution to the appearance of the area.

6. Whilst, due to its lower height and the shallow pitch of the roof, the appeal building presently has the appearance of an ancillary building, the proposal would substantially increase the overall height of the garage which, combined with its width, would greatly increase its visual presence at the entrance to Sitka Close and diminish its appearance as an ancillary building. The proposal would also increase the size of the gable elevation adjacent to Sitka Close, introducing a larger expanse of blank brickwork immediately adjacent to the footway. The submitted drawings show the existing flue being increased in height to take account of the increased height of the building. The combination of the increased extent of blank wall and a much taller flue would result in an anomalous feature within an otherwise attractive street scene and added to the overall increase in the massing of the building, would be harmful to the character and appearance of the area.

7. Both the eaves height and the ridge height of the resulting building would be lower than those of the host property and the surrounding houses. Nevertheless, I observed during my site visit that, within the near vicinity, where garages or outbuildings are present, these are single storey and in general conform to the guidance in the SPD that eaves heights should not exceed 2.5 metres. The appeal proposal would therefore be inconsistent with other garages and outbuildings in the surrounding area.

8. I have noted the point that the building on the opposite side of the junction at 25 Spruce Avenue has been extended to the side. Whilst I accept that this extension may be of a similar height to the appeal proposal, this extension is directly attached to the building in question, rather than being freestanding, and additionally, is much narrower, has a lower eaves height, and is set further back from boundary. All these factors reduce its relative effect. I do not consider that it is analogous to the appeal proposal and give little weight to this point.

9. My attention has also been drawn to several other examples of garages that have been extended upwards, and I was able to see those within Royston when I visited the site. However, I do not have the full details of these schemes, the policies which were in place at the time, or the circumstances that lead to these being accepted. Consequently, I cannot be certain that they are directly comparable to the case before me. From what I saw during my site visit, the

built context of these other examples and their relationship to surrounding properties and road are not the same as the appeal case. As a result, I can give very little weight to these other examples and, in any event, each planning application or appeal must be determined on its own merits.

10. I conclude that the proposed development would cause harm to the character and appearance of the area. It would not comply with the relevant requirements of Policy D1 of the Local Plan or the SPD.

Living conditions

11. The only neighbouring property identified in the Council Officer's report that may be affected by the proposed development is the neighbouring property at number 2 Sitka Close. The appeal building is located directly adjacent to the common boundary between 27 Spruce Avenue and this house. Number 2 Sitka Close is a detached house that is set back from the highway and, consequently, the appeal building is located in front of this property. This results in a blank brick wall presenting itself to the driveway of 2 Sitka Close. The appeal proposal would increase the eaves height of the garage by approximately 0.4 metres.

12. Whilst this increased height would undoubtably be noticeable to the residents of the adjacent property, I saw when I visited the site that this house has a projecting integral garage and porch at ground floor level closest to the boundary and a small window at first floor level. The main wall of the house is set back by some distance from the gable end of the appeal building and the configuration of the house is such that, due to this distance, the increased height of the appeal building would not have any significant effect on the internal accommodation. The majority of the frontage of 2 Sitka Close is open and the side boundary adjoins a dedicated footway which separates it from the front garden of number 4. Despite the presence of the appeal building the frontage of the house has an open and spacious aspect. This would not be significantly eroded by the increase in eaves height of the appeal building.

13. The present roof of the garage slopes away from the common boundary and would continue to do so following the proposed development. As a result, although the ridge height would be increased by approximately 2 metres and the roof plane would become steeper, this increase in height would be less noticeable. Within this context I do not find that the proposed alterations to the appeal building would have an unduly overbearing effect on the occupiers of the house.

14. The appeal building is situated to the north of 2 Sitka Close, although located further to the east. Due to this and the relative positions of the buildings any overshadowing that may occur at the front of the property in the early part of the day would not be noticeably different following the development. For the greatest part of the day, overshadowing will not occur.

15. I therefore find that the proposed development would not cause harm to the living conditions of the occupiers of nearby residential properties. It would comply with the relevant requirements of Policy GD1 of the Local Plan which seeks to ensure, among other matters, that new development does not have a significant adverse effect on the living conditions and residential amenity of existing residents.

Other matters

16. I have noted that representations have been made in support of the proposal from the occupier of the adjoining property at 25 Spruce Avenue. This representation merely sets out generalised support for the proposal and, consequently, I can give it little weight.

Conclusion

17. Section 38(6) of the of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications and appeals must be made in accordance with the development plan unless material considerations indicate otherwise.

18. I have found that the proposed development would cause harm to the character and appearance of the area and conflicts with Policy D1 of the Local Plan. Due to the permanent nature of the development this harm would be significant and enduring. Whilst I have found that the proposed development would not cause harm to the living conditions of the occupiers of neighbouring dwellings, this does not outweigh the lasting harm that would be caused to the character and appearance of the area. No other material considerations have been identified that would justify granting planning permission for a development that is contrary to the development plan.

19. For the above reasons, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR