
2022/0082

Mr Chris Batley

Erection of single storey extension to rear with underbuild and dormer roof extension to rear of dwelling – Amended details compared with planning permission 2021/0145 (Retrospective)

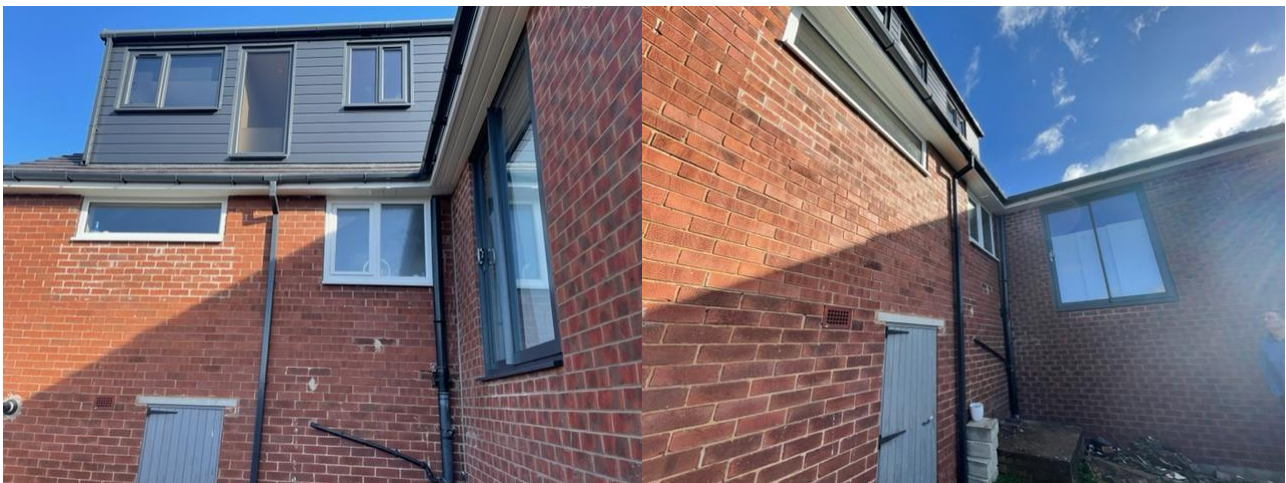
13 Bell Bank View, Worsbrough, Barnsley, S70 5HS

Site Location & Description

The applicant's property is a detached bungalow located at the head of a residential cul-de-sac – Bell bank View. The surrounding area is mixed in terms of topography, generally with a North to South slope which results in the dwelling being at a lower level than the road with a distinctive drop down to the garden to the West/Side of the dwelling itself. There is a 1.3m high laurel hedge along the South-Western boundary shared with 12 Manor End. To the front of the dwelling is a hard surfaced driveway which has a gentle slope down to the frontage of the dwelling.

The site has recent planning permission (outlined below) which has been constructed and is nearing completion, albeit with various unauthorised changes including the installation of a floor-to-ceiling window on the rear elevation of the dormer and installation of UPVC cladding on the exterior walls of the dormer instead of the previously approved matching roof tiles. The surrounding area is entirely residential with Bell Bank View being made up entirely of detached bungalows, similar in appearance to the applicant's property.

Original frontage – Google image (2012):





Planning History

2017/0190: Erection of decking area to side of dwelling and 2m fencing on Southern boundary of curtilage (Approved with conditions)

2021/0145: Erection of single storey extension to rear with underbuild and dormer roof extension to rear of dwelling (Approved with conditions)

Proposed Development

The proposal follows on from 2021/0145 after a neighbour complaint flagged various unauthorised changes which had occurred on the new build. The applicant is seeking to regularise the following alterations to the initial approval:

1. The addition of a full-length, vertical-orientated window on the rear dormer. At the time of submission, the window included a frosted section on the lower third of the window but an amended plan was submitted increasing the frosted section to half of the window.
2. The reduction of 2 x rooflight on the rear-facing roof slope to 1 rooflight, which serves bedroom 2.
3. Dormer finished in anthracite grey cladding instead of previously approved matching tiles.

Policy Context

Planning decision 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 Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes 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 – sets out appropriate proposals for development.

Policy D1: High quality design and place making – sets overarching design principles for the borough to ensure that development is appropriate to its context, and improves what needs improving, whilst protecting what is good about what we have.

Policy T4: New Development and Highway Improvement - 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.

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

None

Representations

Neighbour notification letters were sent to neighbouring residents, one comment was received from a resident raising the following points:

1. The extra-large door-shaped window placed on the dormer contravenes the original planning permission and no consideration has been given for neighbouring privacy.
2. The aforementioned window currently has frosted window film on the lower quarter of the window, and this should be extended, or the window replaced by an obscure glazed window which would give additional privacy to neighbours.
3. The existing plan dated Dec 2020, the side decking area is shown as the actual size to the current/actual build. On the new plans, the decking area looks to have been extended by 1m to 1.5m approximately which would be 890mm from the rear elevation of the applicant's property. Given the height difference in the gardens, this would completely overlook into the neighbouring property and there is no mention of the decking being extended.

Note – The Case Officer responded to the above resident explaining that the plans had been changed since they were originally consulted with the additional obscure film to the dormer window. Additionally, in relation to the third point, there was no difference in the approved and proposed size of the decking on the plans.

Assessment

Principle of development

The application seeks to regularise the several unauthorised changes to the previously approved application reference 2021/0145, however the changes still fall under what is a domestic extension/alteration and do not change the character of the dwelling. 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 the erection of 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.

Residential Amenity

The proposed development is retrospective and is to regularise several unauthorised changes to the dormer and the roof plane including installing the dormer with dark grey UPVC cladding rather than roof tiles, adding a floor-to-ceiling window to the rear elevation of the dormer and the reduction of 2 x rooflights to 1 on the rear roof slope.

The most notable change to the proposal in terms of residential amenity is the addition of a full length, vertical window added to the rear elevation of the flat roofed dormer which has already been installed to the rear roof slope of the dwelling. The dormer also includes 2 windows serving bedrooms, but these have already been considered under 2021/0145 and will not be considered during this application. The full-length window is at a close proximity to the rear boundary line of the dwelling and neighbouring properties to the rear but serves the staircase leading up to the newly formed first floor of the bungalow. Concerns have been raised from a neighbour in relation to the presence of this window which results in overlooking into neighbouring properties. The proposed window added to the rear elevation is fairly large, being full-length, and is close to the rear boundary line at a distance of approximately 6.5m. There is no specific separation distance covered in the Council's SPD for House Extensions and Other Domestic Alterations which covers the expected distance between rear facing dormer windows and the rear boundary line. More generally, the SPD does state that habitable room windows on the first floor of residential dwellings should be at a distance of at least 10m from the rear boundary line. Additionally, the proposed window has a separation distance of approximately 15m to the neighbouring dormer window located to the rear of the site at 12 Manor End. This is less than the minimum 21m separation distance expected between habitable room windows. However, the above separation distances are not considered to be relevant requirements as the proposed window serves a staircase and not a habitable room. The dormer also features 2 x habitable room bedroom windows on the rear elevation with the same separation distance and have been approved under 2021/0145 – with the officer's report indicating that it the dormer was permitted development during this time. The unauthorised changes have triggered an application being required for the dormer, and the proposed window is not contrary to any of the above separation distances given the fact that it serves a non-habitable room window.

An obscure glazed film has since been added to the lower quarter of the window after its installation, in an attempt to ease the privacy concerns raised by a neighbouring property. During the site visit, the Case Officer undertook an assessment of the internal area of the dwelling including taking a view from the top of the staircase. Whilst the addition of the film to the lower quarter is welcomed as this obscures the view into the neighbouring gardens (most notably 12 Manor End), there is still a direct view into no. 12's dormer window to the rear. The neighbouring dormer window was just below the midpoint of the proposed staircase window. As such, it was requested and agreed with the applicant that the obscure glazed film was increased to halfway up the window. This is considered to be sufficient in order to protect privacy into neighbouring properties and whilst the upper half of the window is not obscured, this will act as a high-level window simply to allow for light into the staircase and not for outlook. Additionally, the window does not serve a habitable room and will likely be used at intermittent points throughout the day and not as intensively as a habitable room would (such as a bedroom).

Photograph taken by Case Officer during site visit (February 2022):



The other changes (reduction of 2 rooflights and addition of cladding to dormer) have no detrimental impact to residential amenity, are permitted development and are acceptable.

All things considered, the addition of the large window serving the staircase has the most notable impact on residential amenity – specifically as this has the potential for overlooking into neighbouring properties at a short distance to both the rear boundary line (6.5m) and to the dormer on the neighbouring property at 12 Manor End (15m). However, an obscure glazed film has been added to the lower quarter of the window with the applicant agreeing to increase this film to the lower half of the window. A site visit was undertaken which indicates that the film would successfully obscure the view from the top of the staircase to the neighbouring dormer at 12 Manor End. Despite the close proximity of the window, the film will adequately protect the privacy of the neighbouring property. This will be covered under a condition requiring the applicant to place the film on the window within one month of the decision date. This has also been shown on an amended plan provided by the applicant and has been added to the file, allowing for the LPA to reference the amended plan should it be minded to approve the application. All things considered, the amended plan is considered to be in compliance with Local Plan Policy GD1: General Development and the SPD for House Extensions and Other Domestic Alterations and is acceptable in terms of residential amenity.

Visual Amenity

The proposed development seeks to regularise a couple of alterations which make visual external changes, most notably to the installed dormer. The original plan (in 2021/0145) showed 2 x rooflights installed on the existing rear roof slope to accommodate for the loft conversion. Only one rooflight was placed on the rear roof slope which was slightly re-positioned. It's considered that the rooflight makes a very minor change to the visual amenity/design of the dwelling and 1 or 2 rooflights would have been permitted development in any case. As such, no further assessment of the reduction in the rooflights will be necessary in the report.

The most notable external alterations which the applicant is seeking to regularise is the installation of the dormer using grey UPVC cladding rather than concrete roof tiles to match the existing, and also the installation of a large floor-to-ceiling window located on the rear elevation. The addition of UPVC cladding is not ideal as this clearly doesn't match the existing roof tiles, but UPVC cladding is much more common on modern dormers and the applicant has provided other similar examples nearby. The closest example would be application reference 2018/1424 on the adjacent road to the rear – 9 Manor End. This includes a rear dormer installed with grey UPVC cladding similar in appearance to the one proposed. Additionally, the dormer is positioned on the rear roof slope and only on half of the roof plane, being naturally screened from the North and East by the existing dwelling. Further, the dwelling is located at the very head of a residential cul-de-sac and the dormer is only visible from a very limited number of nearby dwellings. Notwithstanding the above, high levels of design is expected for all developments no matter how visible they are, or how minor the development is. But, as mentioned above, the UPVC cladding is similar in colour to the existing/original roof tiles and is similar in appearance to the cladding that was found on the original frontage – see screenshot provided above (2012):

All of the above considered, the installation of UPVC cladding for the dormer is a notable step down in quality from the originally approved matching concrete roof tiles and is not ideal. However, the cladding is similar in colour to the existing and is similar in appearance to other dormers nearby, some of which have been approved by the LPA and some were considered to be permitted development. The large window, again is not ideal, but is on the rear elevation and is visible from a very limited number of properties and has little impact on the street scene of either Bell Bank View or Manor End. All in all, whilst the proposed scheme is considered to be somewhat of a step down in quality, the LPA considers that the development largely blends into the existing dwelling and the area with numerous examples of similar approved developments nearby. For this reason, it is considered that the LPA would be struggling to justify an approval based on the fact that UPVC cladding is proposed and the installation of the largely screen window serving the staircase. The proposed development is therefore acceptable for this reason.

Highway safety

The extension is to create additional space in the existing bedrooms and will not form additional bedrooms which may have required additional parking spaces to be created on site. The extension does not result in the removal of parking spaces and the proposal is in compliance with the Council's SPD on Parking and is acceptable in terms of highway safety.

Recommendation

Approve with conditions