

2022/0947

Mr Carl Denton

85 Shield Avenue, Worsbrough, Barnsley, S70 5BL

Erection of replacement detached garage to the rear of dwelling (Retrospective)

Site Description

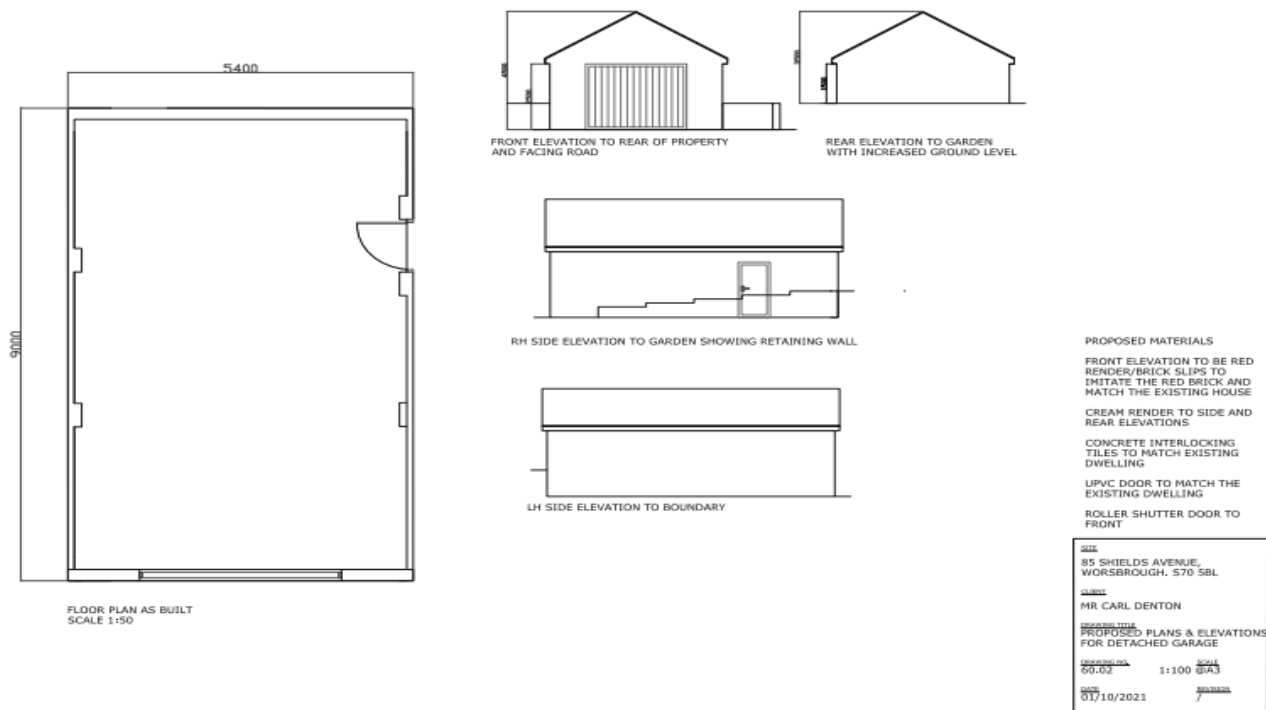
The dwelling is a two-storey semi-detached dwelling located in Worsbrough. Shield Avenue has a consistent residential street scene featuring other similar dwellings. The dwelling has a driveway to the side which leads to the garage to the rear hence the application is retrospective.

Planning History

2005/1614 - Erection of rear two storey extension and conservatory to dwelling (Approve with Conditions)

Proposed Development

The applicant is seeking approval for the erection of a detached garage. The garage will be located to the southeast of the site. The garage has a length of 9 meters and a width of 5.4 meters. The garage will feature a pitched roof with a ridge height of 4.5 meters and an eaves height of 2.5 meters. The materials used will be rendered brick slips with cream render and matching roof tiles.



Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise. The recently revised National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy D1: High quality design and place making – Supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the borough. Policy D1 States that 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.

Supplementary Planning Document: House extensions and Other Domestic Alterations

This document establishes 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;

- Be of a scale and design which harmonises with the existing building;
- Not adversely affect the amenity of neighbouring properties;
- Maintain the character of the street scene; and
- Not interfere with highway safety

The above principles are to reflect the revised principles in the NPPF, which promote high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved 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 inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 134 states that *“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”*.

Consultations

Planning Enforcement were consulted and provided no response.

Representations

Neighbour notification letters were sent to surrounding properties, one objection was received and in summary raised the following points;

- They made clear upon moving in that they were close friends with their other neighbours already and seemed confident about altering the property with no need to consult anyone other than their friends. There are more of us living here and being affected by their choices and no attempt has been made to resolve this.
- Purposefully and knowingly gave no opportunity for consultation prior to construction or making an application for planning.
- We have no idea how safe the work is that has been done, nor the impact on our property, for example the owner has trespassed on multiple occasions to alter things to his liking, and we have no idea what he's done.
- We have suffered a loss of privacy as we have had them building while noseying through our windows and having them wander around our property without permission. They have made it clear that they think this is funny.
- The level of noise during construction has been ridiculous and caused a great deal of stress to myself and my children, not to mention other elderly neighbours.
- The increase in traffic has caused problems at various points throughout this construction taking place, some of these large vehicles have also damaged the pathways outside the property because of their weight, no warning or attempt to fix damage has been made.
- The building itself has a rather imposing and generally negative visual impact, it does not match surrounding buildings and is quite an eye sore, it has changed the way we feel comfortable using or own garden space.
- Myself and other residents on the street including those who wouldn't necessarily have been involved in the planning process, have all commented frequently on the noise, disturbance, affect air quality (the amount of dust from construction or this has been vast) and lack of consideration we have witnessed while this garage has been built.

Unfortunately issues regarding the construction of the garage, lack of communication between neighbours, trespassing and other disturbances as mentioned above cannot be controlled by this planning application and are private civil matters between the two parties.

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 and alterations to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

Visual Amenity

The SPD states that *'materials should normally be of the same type, colour and texture to the existing house or as close a match as possible'*. In this case, the proposed materials will partially match the existing dwelling with rendered brick slips giving the garage a finish similar to that of the existing dwelling when viewed from the street scene. The garage utilises a pitched roof which is acceptable for the use. The SPD states that *"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"*. In this case the garage is set to the rear of the dwelling at the end of the driveway and is acceptable in terms of its design.

The garage is of a large size and scale when compared to that of a traditional domestic garage however in this circumstance the size of the garage is acceptable due to the precedent set by the existing detached garage at the neighbouring dwelling (83 Shield Avenue) which is also large. Therefore, the inclusion of another large garage cannot be deemed detrimental to the character of the area as it is already punctuated.

The footprint of the proposed garage is similar to that of the neighbouring garage and whilst the proposed length of 9 meters is beyond conventional spacing standards for a garage, given the size of the rear garden and the length of the neighbouring garage (approximately 10.5 meters) the proposed 9-meter length is therefore acceptable in this circumstance.

The proposed garage conforms to the SPD in terms of the external materials and roof type used, therefore it will have little impact upon the character of the street scene due to being predominantly set to the rear of the property. The proposed development is therefore not considered to be contrary to Local Plan Policy D1: High Quality Design and Place Making and is considered acceptable in terms of visual amenity.

Residential Amenity

The SPD states that *"detached garages should be single storey structures and the eaves height should not normally exceed 2.5 meters from ground level"*. The proposed garage has an eaves height of 2.5 meters which is therefore acceptable. The impact on the neighbour to the southwest (83 Shield Avenue) will be minimal due to the presence of the garage at that property which is also adjacent the boundary between the two properties as is the case with the proposed.

The garage is sited approximately 3.15 meters from the boundary with the adjoining dwelling. Using permitted development rights an outbuilding with a height of 4 meters could be erected at that distance, and the extra 0.5 meters in height is not deemed to be significantly detrimental. Both dwellings have large rear gardens which although narrow are not overwhelmed by the structure. The proposal is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Highway Safety

There will be no impact upon highway safety.

Conclusion

Although the proposed garage is large the detrimental impact upon the visual amenity of the area is already established by the garage at 83 Shield Avenue which is not enforceable and therefore established within the street scene. It is deemed that the proposed garage is not more harmful than what is existing and though unacceptable on its own the site context must be taken into account.

Recommendation

Approve with conditions