

2021/0774

Cary Lord

Churn Barn, Haigh Head Road, Hoylandswaine, Sheffield, S36 7LY

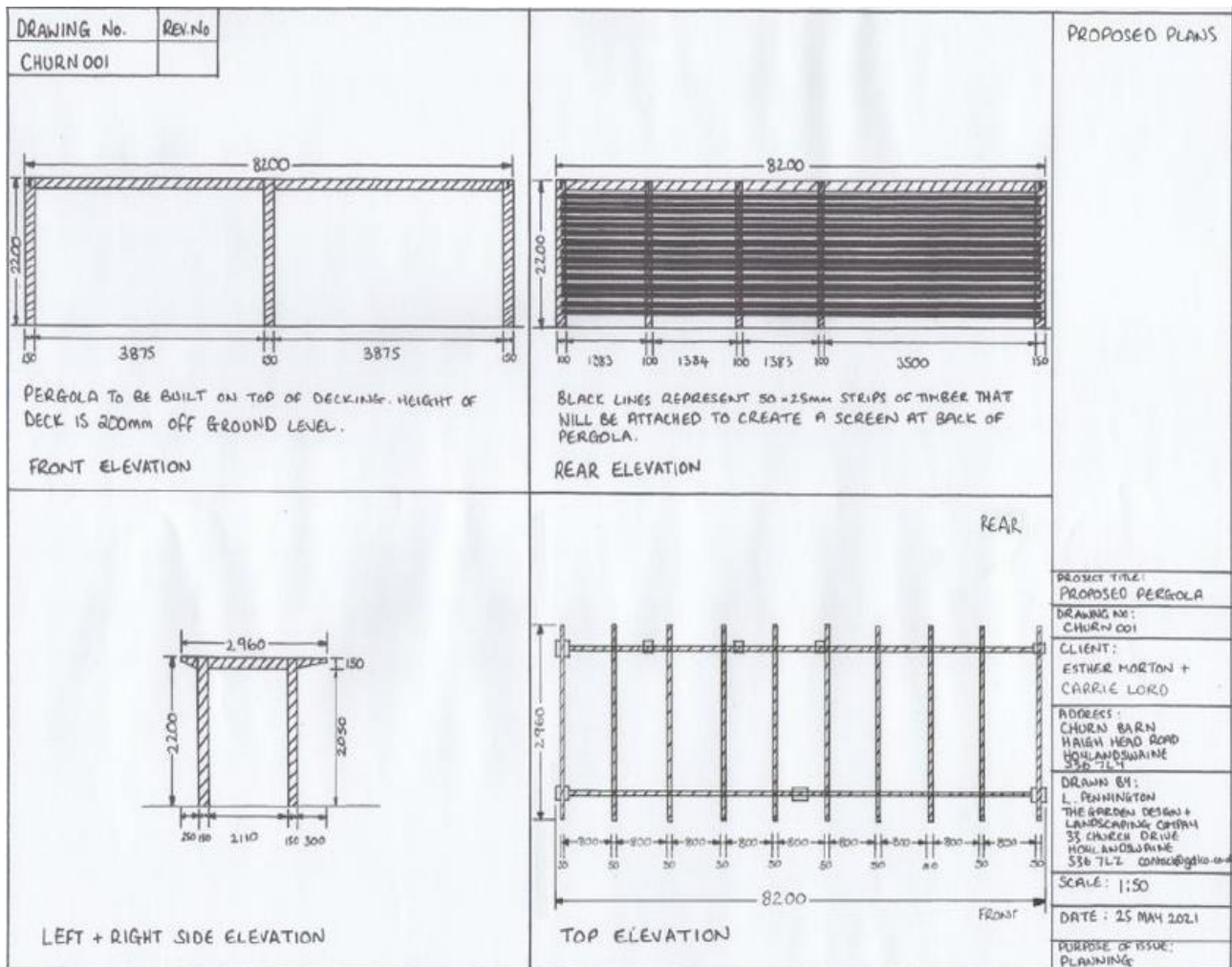
Erection of garden pergola on decking in front of garage

Site Description

The dwelling is a single storey dwelling located in Hoylandswaine. Surrounding the dwelling to the north west is a building forming part of Hunger Hill Farm. To the east, bungalows back onto the site with a dry-stone wall boundary. There are open views to the west to adjacent agricultural fields, and screening from the south west by a raised embankment. Access to the site is from Haigh Head Road and an access track. The dwelling has an existing garage to the rear.

Proposed Development

The applicant is seeking approval for the erection of a garden pergola and raised decking. The pergola will have a length of 8.2 meters and a width of 2.96 meters. The pergola will feature a flat roof with a height of 2.2 meters. The decking will be 0.2 meters in height and encompass the same area as the pergola. The materials used will be treated wood decking and timber.



Planning History

2007/0623 – Erection of detached single storey garage

2010/1158 – Erection of a detached two storey dwelling

2013/1005 – Erection of 1 no. detached dwelling

2020/0247 - Discharge of conditions 3 and 5 for application 2013/1005 - Erection of 1 no. detached dwelling

Policy Context

Planning decisions should be made in accordance with the Local Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) does not change the statutory status of the Local Plan as the starting point for decision making. The Local Authority (LPA) has also adopted a series of Supplementary Planning Documents (SPD) and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan Allocation – Green Belt

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

The Barnsley Local Plan (BLP) was adopted at the full Council meeting held 3rd 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 the decision-making process as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in 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 – 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.

Policy GB1: Protection of Green Belt – In accordance with the NPPF, the erection of new buildings within the green belt will be classed as ‘inappropriate’ development with sites in the green belt being protected from such. Exceptions to this are:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries;

- The extension of alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs; and
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land).

All such buildings will still be considered in terms of their impact on the openness of the green belt and whether they cause other harm.

In accordance with the NPPF and as set out in GB1, the Council will not allow proposals for 'inappropriate' development in the Green Belt unless it can be shown that there are very special circumstances that justify setting aside local and national policy.

Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt – Provided that it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we will allow the following development in the Green Belt:

- Replacement buildings where the new building is in the same use and is not materially larger than that which it replaces;
- Extension or alteration of a building where the total size of the proposed and previous extensions does not exceed the size of the original building;
- Dividing an existing house to form smaller units of accommodation.

All such development will be expected to:

- Be of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials; and
- Have no adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety.

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***
- ***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.

Where a Local Plan is absent 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. This is assessed against the policies in the NPPF as a whole; or where specific policies in the NPPF indicate development should be restricted or 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 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to enhance the opportunities available for improving the character and quality of an area and its functionality.

Consultations

Penistone Town Council were consulted and had no objections.

The LPA's Planning Enforcement department were consulted and provided no response.

Representations

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

Assessment

Principle of development

The site falls within Green Belt as such, extensions, roof alterations, outbuildings and other domestic alterations will be considered against the general principles from the SPD and the following criteria;

- ***The total size of the proposed and previous extension should not exceed the size of the original dwelling***
- ***The original dwelling must form the dominant visual feature of the dwelling as extended***

Permitted Development rights for the property were removed as a result of application 2013/1005. If not for this the proposal would be applicable to erected using permitted development rights because the proposal does not exceed 2.5 meters in height, is not forward of the principle elevation, is single storey and does not encompass over 50% of the dwelling's curtilage. Also, the proposed decking is to be 0.2 meters in height and up to 0.3 meters is allowed by using permitted development rights. Therefore, the main issue to consider is the impact upon the Green Belt.

For the purpose of this assessment the pergola will be classed as an outbuilding and will therefore be assessed against the outbuildings and annexes section of the SPD.

Impact on the Green Belt

The starting point to assess extensions and alterations for sites within the Green Belt is identifying how the original dwelling stood in 1948, or whenever the house was built, whichever is later. In this case, the dwelling is a new build dwelling.

- Original dwelling = 150.75sqm
- Existing garage = 44.55sqm
- Proposed outbuilding (pergola) = 24.27sqm
- Existing + proposed = 68.82 sqm

As such, the proposal along with the existing outbuildings does not exceed the size of the original dwelling and is in compliance with Local Plan Policy GB2.

Visual Amenity

The property although adjoining its neighbour to the north (The Spires, Haigh Head Road) is set on a higher ground level. This ground level continues to rise to the south of the property as well. Due to the rise in ground level it reduces the visibility of the proposal from the neighbouring property and approximately only the top half of the pergola will be visible.

When viewed against the Green Belt land to the south although visible it is screened by the increase in ground level, the boundary wall and existing outbuilding (under the ownership of The Spires, Haigh Head Road) which although a smaller structure would still be taller than the pergola due to the increase in ground level. Furthermore, the view isn't open, and the pergola would not be visible from land south of the existing outbuilding.

The proposal is screened from the Green Belt land to the west by the existing garage which has a height approximately the same as that of the proposal. This garage will also screen the proposed single timber side elevation as that faces against the pitched roof of the garage. Additionally, the proposal will not be visible from Haigh Head Road therefore, it will have little impact upon the character of the street scene.

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 outbuilding "*should be single storey structures and the eaves height should not normally exceed 2.5m from ground level*". The proposal is smaller than this with a height of 2.2 meters. Overlooking will be only slightly increased from what is existing due to the small height of the proposed decking at only 0.2 meters. The proposed pergola will not have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing.

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.

Recommendation

Approve with conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out strictly in accordance with the plans (Proposed Pergola Dwg. No. Churn 001) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.