

2022/1153

Mr Daniel Lowe

398 Manchester Road, Millhouse Green, Barnsley, S36 9NS

Detached garage to replace existing garage

Site Description

The dwelling is a two-storey terraced dwelling located in Millhouse Green. Manchester Road (A628) is set within open countryside with the run of terraced dwellings somewhat isolated with an access road serving the rear of the dwellings. Also to the rear is a parking area and a separate parcel of land featuring an existing garage and outbuilding.

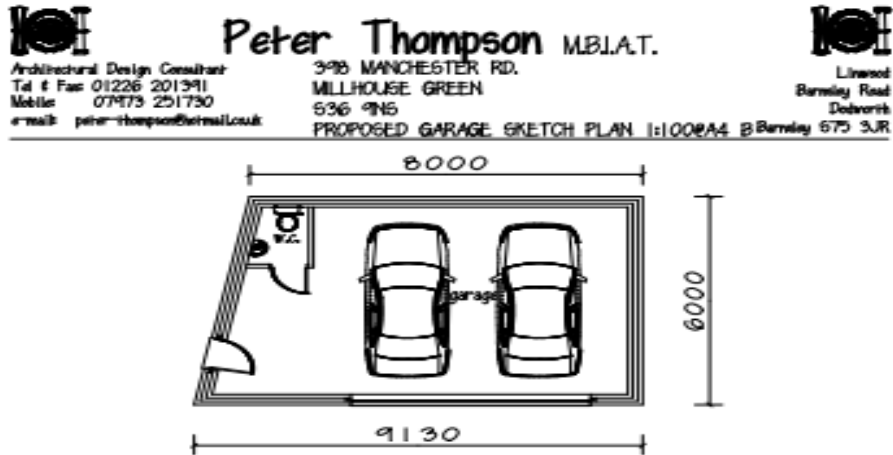


Aerial shot of site

Planning History

2021/0832 - Replacement of detached garage (Withdrawn)

Proposed Development



The applicant seeks approval for the erection of a detached double garage with a maximum length of 9.13 metres and a width of 6 metres. The garage will feature a flat roof with a total height of 2.65 metres and an eaves height of 2.4 metres. The materials used will be timber boarding.

Policy Context

Planning decisions should be made in accordance with the development 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 Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Allocation – Green Belt

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). 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 – Development will be approved if 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 D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other 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 or 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; and
- 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.

Policy GB3: Changes of use in the Green Belt – Change of use or conversion of buildings in the Green Belt will be allowed provided that.

- The existing building is of a form, scale and design that is in keeping with its surroundings;
- The existing building is of a permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use;
- The proposed new use is in keeping with the local character and the appearance of the building; and
- The loss of any building from agricultural use will not give rise to the need for a replacement agricultural building, except in cases where the existing building is no longer capable of agricultural use.

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;
- Have no adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety; and
- Preserve the openness of the Green Belt.

In addition to the above, when a residential use is proposed, we will allow the change of use provided that:

- There are not strong economic reasons why such development would be inappropriate; and
- Residential use would be a more appropriate way of maintaining and improving the character and appearance of the building than any other use.

We will not generally allow the change of use of Green Belt land to extend residential curtilages for use as gardens.

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 and beautiful places
- Section 13: Protecting Green Belt land

Consultations

Highways Development Control (DC) were consulted and raised no objections.

Penistone Town Council were consulted and raised no objections.

Representations

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

Assessment

Principle of Development

The location of the garage does not fall within the direct curtilage of the dwelling rather its set within a separate piece of land (under the same ownership) that was previously inaccessible due to the boundary of the curtilage.

The applicant has provided evidence that the access to the existing garage was opened up in 2014. Satellite imagery shows an existing building in said location in 2013 and Google Street View shows the existing garage in 2015.

The LPA has no information to dispute the evidence that was provided by the applicant that the land was opened up in 2014 and since then has been used as part of the curtilage of the dwelling. Nonetheless this application does not regularise that breach of planning control but instead concerns a replacement building, regardless of if the building (garage) required planning permission due to the date of its erection.

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

The proposed garage will remain subsidiary to the host dwelling and is of a scale and design which is appropriate to the host property. The original dwelling will still be dominant. 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.

Impact upon 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 was first shown accurately on the 1960 map to which the size of the original dwelling will be taken from.

- Original ground floor = 42sqm
- Original first floor = 42sqm
- Original dwelling = 84qm
- Existing outbuilding = 15sqm
- Proposed garage = 51sqm
- Original dwelling + existing outbuilding + proposed garage = 150sqm

As such, with the addition of the proposed garage 100% of the size of the original dwelling is not exceed and is in compliance with Local Plan Policy GB2. However, permitted development rights will be removed for further development and any new outbuildings or extensions would require a planning application to be submitted.

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 be timber boarding which matches the existing garage. This is considered acceptable in this circumstance as it also fits with the rural setting and given the length of time the existing garage has been erected it is not unreasonable for the design to be retained.

The garage utilises a flat roof of which flat roofs are usually not a supported roof type due to being an inferior form of construction however in this circumstance it is acceptable because it is akin to the flat roof on the existing garage and because of the reduced roof height lessens the impact upon the neighbouring properties as its set in the rear garden.

The SPD states that "*detached garages and outbuildings 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 sited to the rear of the dwelling and is not seen to significantly detract from the character of the host dwelling.

The proposed garage partially conforms to the SPD in terms of its external materials, roof type and siting, however it will have little impact upon the character of the street scene due to its similarity to the existing garage and being set to the rear of the property. The proposed garage will not be seen as an anomalous feature. 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

No objections were received from neighbouring properties. The SPD states that "*detached garages and outbuildings should be single storey structures and the eaves height should not normally exceed 2.5 metres from ground level, whilst the ridge height should not exceed 4 metres*" and "*for double garage proposals a standard floor area size is considered to be 6.5m x 6.5m*".

The proposed garage has a flat roof with a maximum height of 2.65 metres and an eaves height 2.4 metres which is acceptable. With regards floor area the size of the garage is larger than the above recommendation however it is not unreasonable and would not impact detrimentally upon residential amenity.

The proposed garage will not have a significant detrimental impact on any neighbouring property by way of overshadowing or being overbearing and the garage is set in the same location as the existing garage. The use of the garage will be conditioned for domestic use only. 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 significant impact upon highway safety as the proposal replaces an existing garage.

Recommendation

Approve with conditions