2023/0460

Applicant: Mrs C Honey

Address: 34 Salters Way, Penistone, S36 6UE

Description: Demolition of conservatory and detached garage and erection of 2 storey side extension and single storey rear extension with raised patio

Objections: There is one objection from neighbouring dwelling.

Site & Location Description:

Salters Way is a road located in a purpose-built housing estate which gained planning consent in 1993 and consisted of 48 three and four-bedroom houses, many with garages. The estate itself is part of a larger late 1980/1990's development of new housing constructed towards the south of Penistone town centre on land located off Mortimer Road, situated between Cubley Brook and Moorside Road. Although most dwellings across the wider estate are similar, in the fact they are of modern style, predominantly red brick or buff-coloured detached houses with integrated or detached garages; houses constructed along with those on Salters Way feature faux Tudor design aspects such as divided windows, front elevation beams or beams and render at the top of their front elevation.

Located in a reasonably large plot of land at the end of small cull-de-sac spur of Salters Way, the dwelling itself is a three bedroomed, red brick, detached house with a cross gable, red tiled roof, and faux Tudor feature on the front gable. A detached garage was part of the original development, but a rear conservatory appears to have been a later permitted development addition. The windows are white UPVC and feature cross-division, in keeping with the wider street scene.

A cross hatch fence erected by No.32 provides the rear garden boundary treatment to the right side of the dwelling (perspective from the front elevation) whilst the left boundary treatment with No.36 is further away and features combination of hedging a semi-open style fence, and an additional and reasonably high, conifer style hedge. Additional screening is provided by shrubs in both gardens. The rear boundary comprises of a stepped fence, reducing in height towards No.36. However, as the fence gets closer to No.36, the conifer style hedge becomes higher than the fence and creates a corner hedge boundary with the rear dwellings and No.36



Relevant History: None

Proposed:
The proposal is for a two-story side extension which wraps around to the rear to create a single storey rear extension and raised patio. The proposal would include the demolition of the existing detached garage and rear conservatory, the garage would be replaced by an integrated garage on the ground floor of the proposed two-story side extension. The existing ground floor would be partially reconfigured with a utility room and study in replacement of the existing kitchen and a new bay window in the lounge, on the front elevation. The rear extension would provide a contemporary open plan style kitchen/dinning/living area with bi-fold doors to the outdoor raised patio area. Additional new windows include two on the proposed rear elevation of the new rear extension and one on the side elevation. A ground floor level door is proposed for the side elevation of the integrated garage.

On the first floor, the proposal would include reconfiguration of the existing layout including the loss of a bedroom, but two additional bedrooms would be created above the proposed garage, increasing the total number of existing bedrooms by one. One window in the front and rear elevation of the first floor are proposed but in keeping with the ground floor, no side windows are proposed.

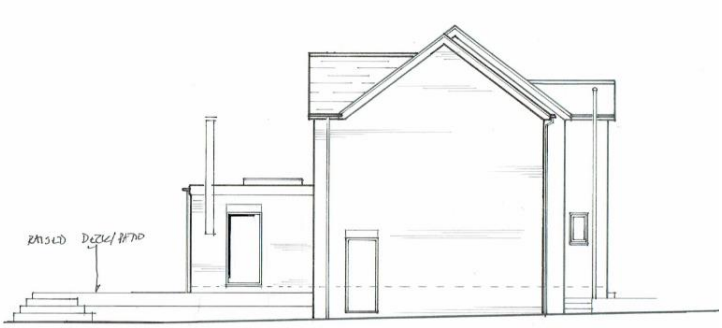
The proposal also includes a proposal for a flue, and a rear area of raised patio or decking area of approximately 64 sqm located adjacent to the proposed rear extension and in replacement of an existing area of decking. The final plan is in relation to existing drainage provision within the site.

Existing and Proposed Elevations & Floor Plans





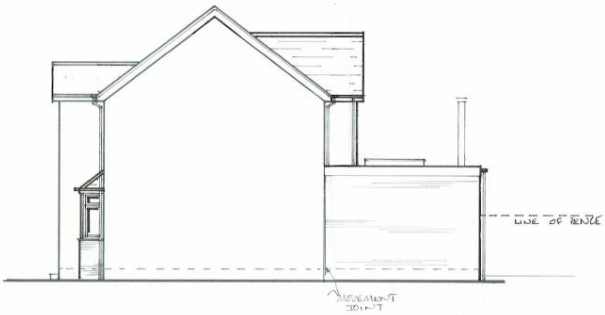
FRONT (NORTHERLY)



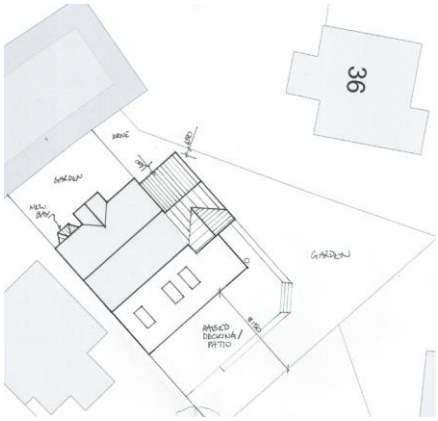
SIDE (EASTERLY)

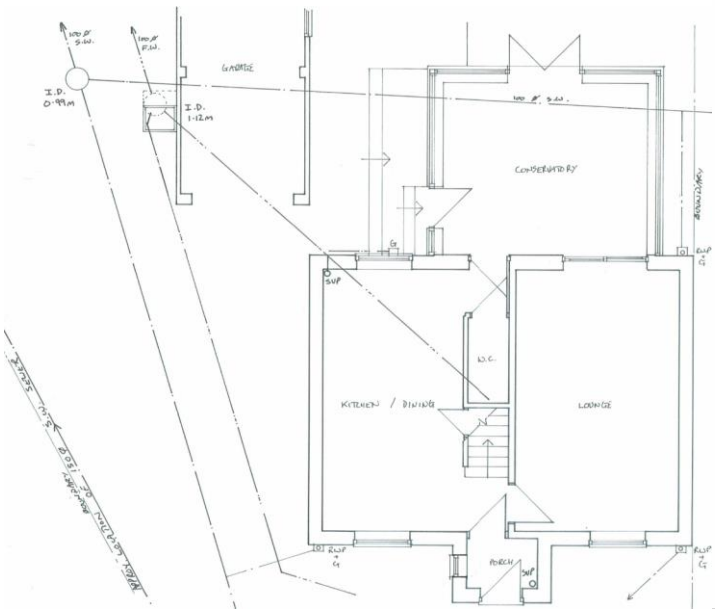


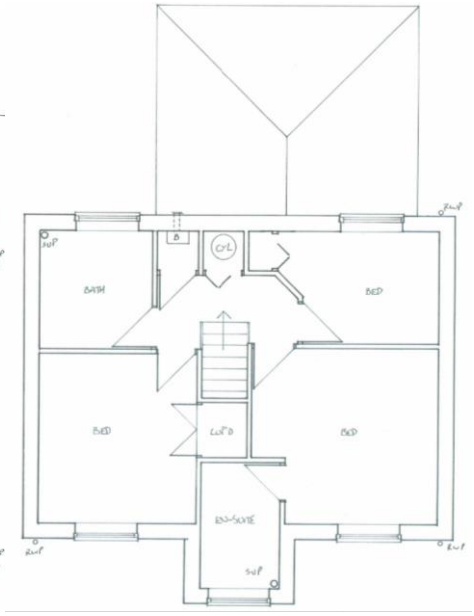
REAR (SOUTHERLY)

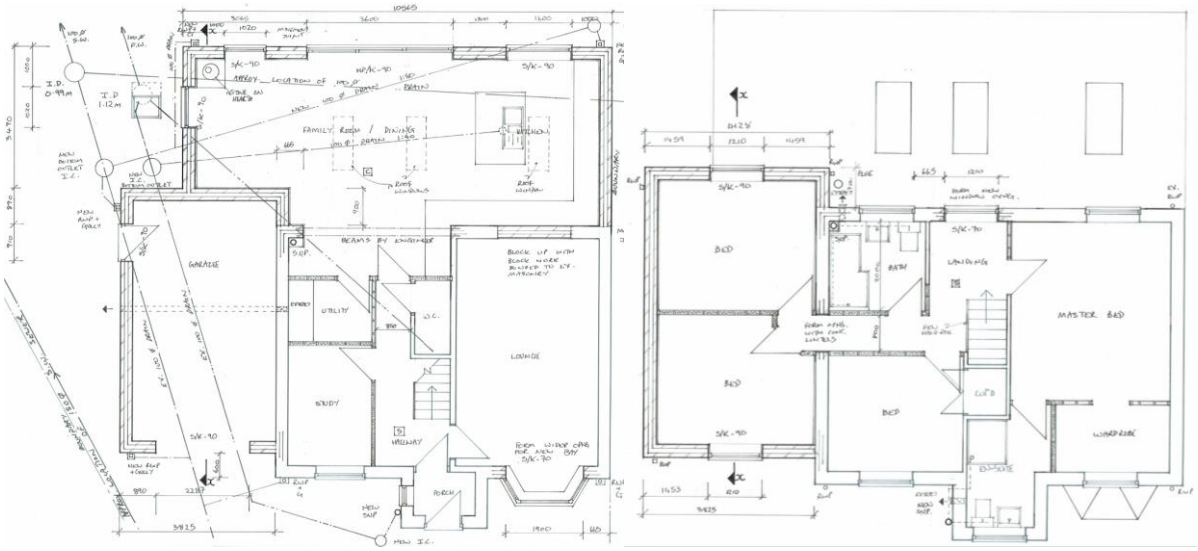


SIDE (WESTERLY)









Local Plan Designation: Urban Fabric

Conservation Area: No

Consultees:

Highways DC: Highways have no objections as the proposal, including the new integrated garage retains two off-street parking spaces and other access arrangements remain unchanged.

Drainage – No objections, happy for it to be checked at building control stage

YW – No objections raised

Neighbour Representations:

Letters were sent to nearby addresses. One neighbour objected on multiple grounds of:

- Drainage and existing planning condition from 1993
- Proximity, overbearing nature and loss of light caused by proposed side extension
- Overlooking and loss of consequential loss of privacy
- Loss of parking provision and potential on-street parking issues

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.

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 significant 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

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

Policy SD1: Presumption in favour of Sustainable Development
Policy GD1: General Development
Policy D1 High Quality Design and Place Making
Policy T4: New development and Transport Safety

Supplementary Planning Documents (SPD)
House extensions and Other Domestic alterations

Assessment

Principle of development

The site is located within land designated as Urban Fabric. Extensions to residential properties are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and on highway safety.

Residential Amenity

A number of concerns were raised by a neighbour which included the overshadowing and consequently loss of light caused by the proposed side extension. Once completed, a minimum distance of 9m would be maintained at the closest point between extension and the corner of the neighbors front and side elevation. In relation to the boundary, at the single closest point, the proposed side extension would feature a gap of 0.65m between it and the boundary treatment. As the angled boundary treatment drifts away towards the neighbour's rear garden, the gap increases to 4.65m. Although the House Extensions and other Domestic Alterations Supplementary Planning Document (SPD) recommends a minimum 1m gap to be maintained between a two-story side extension and the boundary, this guidance is in relation to avoiding a terracing effect. In this instance a terracing effect does not occur as the neighbour's detached dwelling, at its shortest point is 4.9m from the boundary treatment. With a gap of 0.65m, access between the extension and the rear garden would be maintained, adequate for a wheelie bin to pass through. In relation to overbearing and loss of light, the only potential overshadowing would be to a hard standing driveway in the front and side garden, and the blank brick side elevation. Additional loss of light would be minimal as the front elevation of the neighbour's garden faces northwesterly, so any potential loss of light would be minimal and occur in the late afternoon/evening, no habitable windows would be directly affected. Furthermore, the two-story side extension poses no overshadowing or loss of light issues for any other dwellings whilst the proposed ground floor rear extension would only have a minimal effect on light levels or overshadowing on the other neighbouring rear extension.

The neighbour has raised concerns about loss of privacy, due to the proposed raised terrace overlooking their rear garden. To ensure a full assessment of the situation, a site visit was undertaken. It was noted that there was a sizeable distance between the neighbouring dwellings, a situation which continued in the rear garden. Currently there is a large garage between the side elevation of the dwelling and the boundary, this is due to be removed but not greatly increase the overlooking of the rear garden but may increase the potential for overlooking of the neighbour's driveway and blank wall side elevation. The proposed raised terrace/decking area would be constructed within the constraints of the land levels, which currently slope down from the front to the rear of the dwelling and unfortunately gently downwards towards the objecting neighbour's garden. Having used the existing decking as a reference, despite being over six feet tall, I could not explicitly see into the neighbor's garden or could not see their windows. The same applied to the gardens to the rear of the dwelling but less so to the other adjacent neighbour. However, the hatched and medium height fence, erected by the neighbour assisted this.

Usually, it may be a requirement to request a higher or closed fence as part of a planning application for a raised platform. However, as the hatched fence was installed by the neighbour and adjacent to the existing raised decking, and that they made no planning comment, I do not feel a fence would currently be required. In the future a suitable closed board or higher fence may be able to be constructed without planning consent to improve privacy for the current or future residents of either dwelling. In relation to the neighbour who objected, even in considering a slightly increased height and proximity of the proposed raised terrace or decking area, I do not believe that significant overlooking of the rear garden or rear windows would occur, even with the existing boundary

treatment, although as mentioned, some overlooking of the side driveway may occur. Similar to the opposite neighbour, a new boundary treatment may be installed by either party if required, and the neighbour has suggested they may do this in their objection, but I feel the current boundary is adequate in preventing significant overlooking.

In relation to parking concerns, two off street parking spaces are maintained, and Highways DC have provided no objection or concern about parking arrangements, subject to current access being maintained, which there is no proposed plan to alter this.

Visual Amenity

As many dwellings on the wider estate feature integrated garages, I do not believe the proposal would be out of character with the immediate street scene or wider area. The proposed two-story extension features a set back and set down of the roof on the front and rear elevations. The rear ground floor aspect of the extension is similar to other rear extensions located on the street and estate and on its own may have met the requirements of permitted development. The proposed raised terrace would have minimal effect on the visual amenity of the area as it would be largely unseen from the street scene.

In relation to the bay window, although uncommon within the street scene, front extensions are more common within the estate and do not distract from the street scene. As the proposed protrusion of the proposed bay window would be modest, and the window design would be in keeping with the crossed design of the windows of the dwelling and the street, the proposal would not be harmful to the character of the dwelling or street scene.

The proposed flue, whilst not in an ideal location visually, would be allowed under permitted development rights as it less than 1m above the ridgeline of the dwellings roof.

Drainage & Existing Conditions

There was an original planning condition on the planning consent B93/1520/PU, granted on 30th December 1993, which imposed a condition that no building or structure should be constructed within 3m of a sewer. This condition applied to the whole estate and not a specific plot. There is not currently, nor does there appear to have been an easement on the dwelling or adjacent neighbouring dwellings.

Whilst this condition has not been specifically removed, the condition is 30 years old and was originally intended to protect the sewage pipes. In contrast to the condition, both Yorkshire Water and BMBC Drainage have both been consulted on this application and have not objected to the proposal. Yorkshire Water have provided information about what would not be allowed and what would be required if a sewer was to be diverted. They have stated that “In this instance, Yorkshire Water would look for this matter to be controlled (by Requirement H4 of the Building Regulations 2010).”

BMBC Drainage (Operational Services) have similarly stated that “I would confirm that in my opinion the details provided are sufficient and that I have no further observations to make with respect to land drainage. I am happy for the details to be checked by building control.”

Whilst the concerns of the neighbour have been considered, from a planning perspective and based upon the up-to-date advice of the BMBC Drainage and Yorkshire Water, issues relating to the drainage on this occasion would be controlled by building control.

Highway Safety

Highways DC confirmed there would be no impact upon highway safety and would be compliant with Policy T4.

Summary

With minimal effects upon visual and residential amenity, no impact on highway safety, along with design requirements of the House Extension and Other Domestic Alterations SPD being met, I believe the proposal satisfies the criteria of the policies D1, GD1, SD1 and T4, and am satisfied that any drainage issues would be managed by building control.

Recommendation: Approve with conditions