

2023/0447

Mr Laszlo Ordogh

36 Walton Street, Old Town, Barnsley, S75 2PE

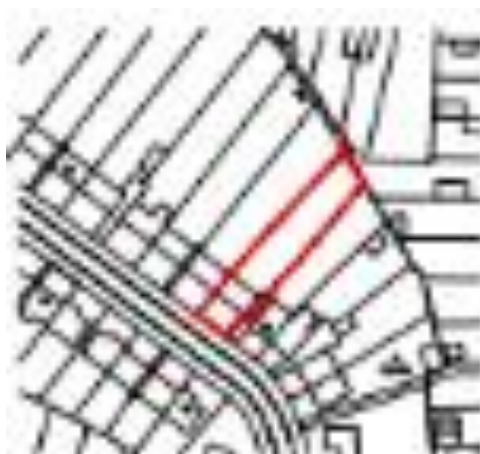
Erection of single storey extension to rear of dwelling, decking areas in rear garden and a detached outbuilding to rear intended for storage purposes.

Site Description

36 Walton Street is a two-storey end-of-terrace property located in Old Town and in an area that is principally residential. Beyond the immediate residential setting, Green Belt land can be found to the North, Barnsley Town Centre to the East, Barnsley Hospital to the South and land proposed for mixed use to the West.

Walton Street comprises of other two-storey dwellings, including terraced and semi-detached properties. On the section of Walton Street where the site is located, dwellings are of a similar scale and appearance, featuring hipped roofs and the use of external materials such as red brickwork, render, and slate roof tiles. Dwellings in this location are fronted by garden space and low boundary treatments with the occasional formation of a driveway. Beyond these spaces, parking can be seen to be utilised at either side of the street allowing the free movement of traffic without obstruction.

The applicant dwelling is located on a large, narrow plot fronted by garden space and a sloped driveway. Access to the rear is gained via its Eastern side and leads onto an extensive rear garden that continues to slope before gently levelling off and stepping down towards the Northern most point of the site. Boundary treatments to the rear of the dwelling and along its Eastern and Western boundaries are relatively poor, comprising of timber fencing that is damaged and missing in places. The Northern boundary treatment also comprises of timber panelled fencing; however, this is of an improved quality. A small number of mature tree specimens can be found close to the North-East of the site, and an small existing area of decking can be found adjacent to the Western boundary.



Planning History

2019/0343 - Erection of single storey rear extension, rear decking areas, and detached store (amended plans) – Approved with Conditions.

Proposed Development

The applicant is seeking approval for the erection of a single storey extension and detached outbuilding to the rear of the dwelling alongside decking areas.

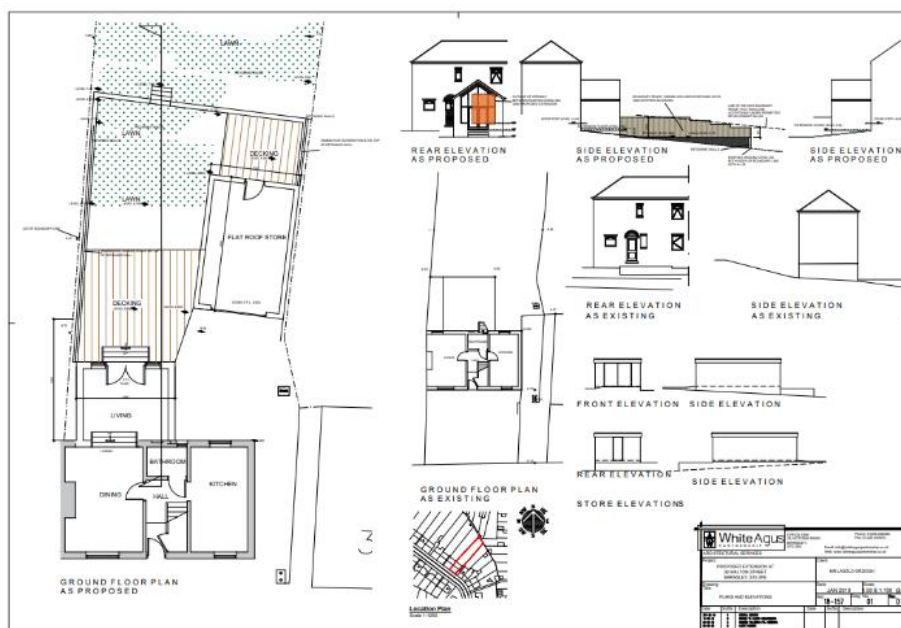
The proposed extension would project from the rear elevation of the original dwelling by approximately 3.5 metres and have a width of approximately 4.4 metres. Positioned on an area of the curtilage that slopes, the proposed extension would feature an apex roof with an approximate eaves and ridge height of 3.4 metres and 5 metres respectively (measured at the furthest point) – these measurements would reduce to approximately 2.7 metres and 4.6 metres respectively where the extension would meet with the original dwelling.

The proposed outbuilding would be approximately 4 metres wide and 6 metres in length creating 24 sqm of floor space to be used for storage ancillary to the dwelling. The proposed outbuilding would feature a flat roof with a total height of approximately 2.5 metres (measured from raised ground level).

The proposals would use external materials that matched those used in the construction of the original dwelling, including brickwork and slate roof tiles.

The proposals also show two areas of decking that would be created to the North of both the proposed extension and outbuilding, covering an area of approximately 24.3 sqm and 9.5 sqm respectively. A retaining wall is proposed to form a lower and upper section to the garden with the upper section using a raised ground level.

The proposals are a like-for-like resubmission of an amended scheme that was previously approved under planning permission 2019/0343. Works to raise the ground level and to erect a retaining wall to form a lower and upper section to the rear garden have been completed and were seen during a site visit.



Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (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 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 which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 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 – Urban Fabric

The site is allocated as Urban Fabric within the adopted Local Plan, which has no specific land allocation and therefore, the following 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 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; reflecting the principles of 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.***

Consultations

No consultees were consulted on this application.

Representations

Neighbour notification letters were sent to surrounding properties, one representation was received objecting to the proposals due to the risk of increased overlooking and overshadowing. Concerns were also raised regarding appearance, previous uncompleted works, and the applicant's behaviour.

Issues regarding the behaviour of individuals are not a material planning consideration – though acknowledged, this issue will not form part of the assessment of the proposals.

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

Residential Amenity

Proposals for extensions, outbuildings, and decking (raised platforms) are considered acceptable where they do not adversely affect the amenity of neighbouring properties.

The SPD states that *'single storey extensions to the rear of terraced houses should not project more than 3.5-metres and where the extension would project beyond 3-metres, the eaves height should not exceed 2.5-metres.'*

In this instance, the proposed extension would project from the rear elevation of the original dwelling by approximately 3.5 metres, with an approximate eaves height of 2.7 metres where the extension meets with the original dwelling, increasing to 3.4 metres at its furthest point due to the slope of the ground. The proposed extension would be located South-East of an adjoining neighbouring property; as such, It is acknowledged that the proposed extension would have some impact regarding overshadowing; however, this is likely to occur early in the morning and not at peak times for activity in a rear garden. Further mitigation is provided as a result of the extension adopting a restrained rear projection.

Regarding overlooking resulting in a loss of privacy, the SPD states that *'12 metres should be maintained to a blank gable wall and 10 metres should normally be provided between rear-facing windows on the first floor (and above) and the rear boundary.'*

In this instance, the proposed extension would be of a single storey and would maintain a distance of approximately 30 metres between the rear facing windows of the extension and the rear boundary. The expected maintained distance is considered sufficient to mitigate impacts regarding overlooking associated with the higher profile of the extension within the plot caused by differences in ground level. Additionally, the proposed extension would not have any windows in either side elevation and would be set-forward of the windows on the rear elevation of the adjoining neighbouring property to the West. With a single doorway located on the rear elevation of the proposed extension, impacts regarding overlooking are not considered to significantly increase from those that are currently experienced and tolerated.

The proposed extension would, therefore, be considered acceptable regarding residential amenity. The SPD states that *'detached outbuildings should be single storey structures and the eaves height should not normally exceed 2.5 metres from ground level.'*

In this instance, the proposed outbuilding would be of a single storey, featuring a flat roof with a total height of approximately 2.5 metres, therefore, meeting the guidance of the SPD. The proposed outbuilding would be positioned directly adjacent to the Eastern boundary where an existing mature tree specimen is located within a neighbouring garden, and existing boundary treatments are

relatively poor, comprising of low timber fencing with missing sections. It is acknowledged that the proposed outbuilding would have some impact regarding overshadowing; however, this is likely to occur later in the evening and not at peak times for activity in a rear garden. Additionally, the existing tree and surrounding vegetation is likely to provide some screening – they are also likely to contribute to existing impacts regarding overshadowing which are currently experienced and tolerated – the proposed outbuilding, therefore, is not considered to significantly increase impacts beyond existing levels. Furthermore, additional screening could be provided, if necessary, as boundary treatments of up to 2 metres (from pre-existing ground level) could be erected without the need for planning permission, providing further mitigation, and lessening impacts further to some extent.

The proposed outbuilding would not have any windows in either side elevation and is, therefore, not considered to significantly increase levels of overlooking beyond impacts that are currently experienced and tolerated, especially in the context of existing poor boundary treatments, where suitable boundary treatments of up to 2 metres could be erected without the need for planning permission.

The proposed outbuilding would be relatively modest in scale in the context of the size of the plot in which it would be situated; however, the proposed outbuilding would still be large enough to form ancillary accommodation, therefore, to prevent this it will be conditioned to be used solely as an outbuilding ancillary to the residential use of the original dwelling.

The proposed outbuilding would, therefore, be considered acceptable regarding residential amenity.

The SPD states that *'decking and raised platforms will only be allowed where the privacy of neighbouring residents is not detrimentally affected by significantly increased overlooking 20 (e.g. where the decking is located away from the boundary and where there is sufficient permanent screening, such as a high boundary wall or an outbuilding in an adjacent garden).'*

In this instance, the proposed decking would improve access between the proposed extension and outbuilding and the rear garden and be used as outdoor amenity areas. The proposed decking along with works to raise the ground level would result in some overlooking, especially to the rear garden of a neighbouring property West of the site where the proposed decking would be positioned directly adjacent to the boundary line. The proposed decking positioned to the North of the proposed outbuilding would be much more screened by existing trees and surrounding vegetation; as such, this decking is likely to have a lesser impact regarding overlooking with the potential to erect suitable boundary treatments without the need for planning permission if necessary.

It is acknowledged that the proposals to raise the ground level of the garden along with decking would have some impact regarding overlooking, especially to the West; however, the proposals under consideration are a like-for-like resubmission of those approved under planning permission 2019/0343. The previously approved proposals have been partially implemented, with works including the creation of a retaining wall and the raising of the ground level of the garden carried out. As such, some impact is now likely to be experienced by neighbouring properties. The addition of decking is unlikely to significantly exacerbate these impacts beyond what is currently experienced and tolerated, and in any case, the applicant could continue to implement the proposals as approved under the aforementioned permission.

The proposed decking would, therefore, be considered acceptable regarding residential amenity. The proposals, considered together, would not be overbearing resulting in increased overshadowing and overlooking or reduced levels of outlook, that would be significantly beyond existing levels of impact that are currently experienced and tolerated.

The proposals, are therefore, considered to comply with Local Plan Policy GD1: General Development and would be acceptable regarding residential amenity.

Visual Amenity

The SPD states that *'materials should normally be of the same size, colour and texture as to the existing house or as close a match as possible'*.

In this instance, the proposed extension would use external materials that would match or would be of a similar appearance to those used in the construction of the original dwelling, including brickwork and roof tiles. The proposed extension would feature an apex roof, though this would not directly reflect the style, design, and pitch of the hipped roof of the original dwelling, it would be a sympathetic addition that would not be visible from public realm, therefore, not adversely impacting the character of the street scene.

The proposed extension would, therefore, be considered acceptable regarding visual amenity.

The SPD states that *'detached outbuildings should relate sympathetically to the main dwelling in style, proportions and external finishes.'*

In this instance, the proposed outbuilding would use external materials that would match or would be of a similar appearance to those used in the construction of the original dwelling, including brickwork. It would be relatively modest in scale and would not be overbearing to the original dwelling. The proposed outbuilding would feature a flat roof – such roofs are generally considered to be an inferior form of construction and aesthetic; however, the outbuilding would be located to the rear of the property and not immediately visible from public realm, therefore, the use of a flat roof is considered acceptable as it is unlikely to adversely impact the character of the street scene.

The proposed outbuilding would, therefore, be considered acceptable regarding visual amenity.

The SPD states that *'decking and raised platforms should not have a significantly detrimental impact on visual amenity and for this reason decking will not be allowed where it is prominently located and can be easily viewed from public vantage points.'*

In this instance, the two areas of proposed decking would be located to the rear of the property and not visible from public realm; as such, the proposed decking is not prominently located and would not have a significant detrimental impact to visual amenity.

The proposed decking would, therefore, be considered acceptable regarding visual amenity.

The proposals, considered together, are considered sympathetic to the main dwelling and consistent with the character of the street scene and are considered acceptable and in compliance with Local plan Policy D1: High Quality Design and Placemaking and would be acceptable regarding visual amenity.

Highway Safety

The dwelling benefits from an existing driveway located to the front of the property. There is also a scheme in place where vehicles must park on pavements either side of the road. There is no requirement for additional parking provision as a result of the proposed works and there would be no changes to the existing provision; as such, it is considered that the proposals would not result in any detrimental loss of existing off-street parking provision that would adversely affect highways safety.

As such, the proposals would be considered acceptable and in compliance with Local plan Policy T4: New Development and Transport Safety.

Other Considerations

The proposals under consideration are a like-for-like resubmission of those approved under planning permission 2019/0343. The previously approved have been partially implemented, with works including the creation of a retaining wall and the raising of the ground level of the garden carried out. Aerial imagery shows this work to have commenced in 2021; as such, the works would fall within the 3-year timeframe to make a material commencement to the implementation of the approved proposals. As a result, those proposals (2019/0343) could continue to be implemented as approved without the need for further planning permission. A resubmission in this instance was, therefore, not necessary.

Recommendation

Approve with Conditions