

2023/0630

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Moorland Lea, Royd Moor Road, Thurlstone, Barnsley, S36 7RD

Proposed ground and first floor extensions to dwelling including attached garage

Site Description

The dwelling is a single storey detached dwelling located in Thurlstone set to the side of Royd Moor Road. There is a garden area that encompasses the entire dwelling, and it is accessed from an access track off Royd Moor Road via the neighbouring dwelling Royd Moor House Farm.

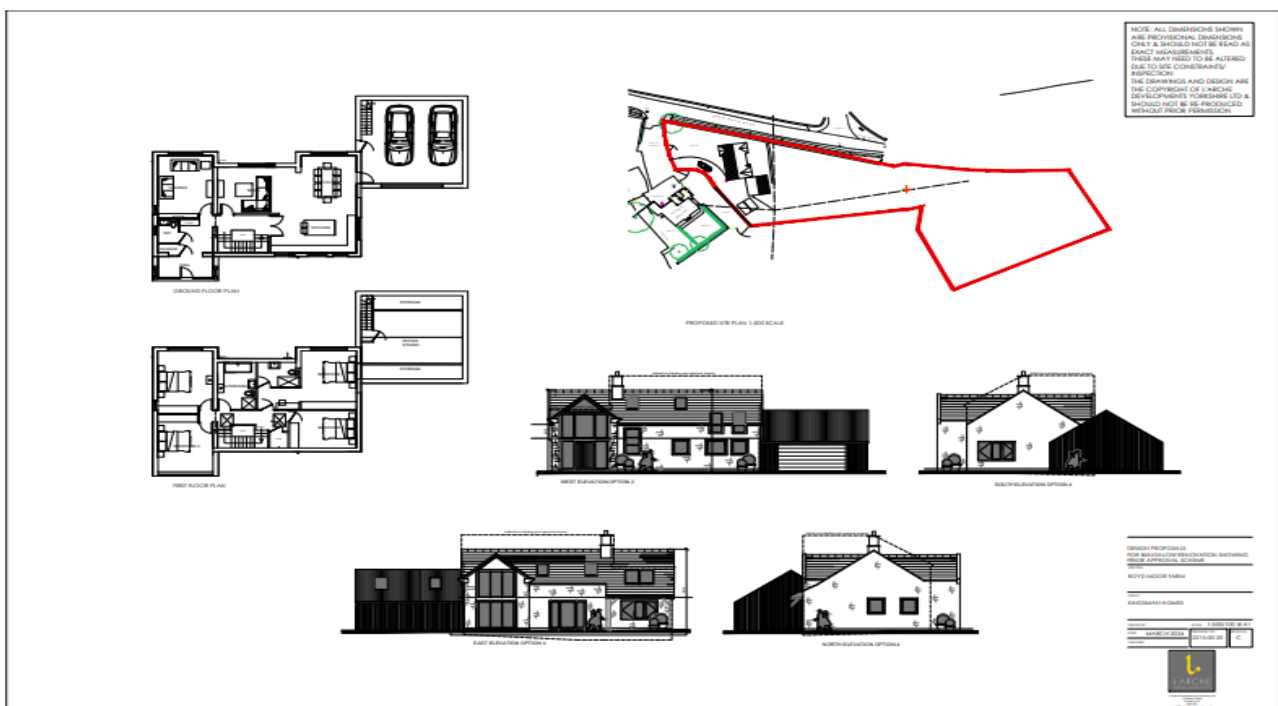
Planning History

2022/0185 - Single storey side extension (Approved with Conditions)

2022/0648 - Erection of detached garage and rendering of house (Approved with Conditions)

2024/0017 - Enlargement of dwellinghouse by construction of an additional storey (Prior Approval)
(Prior Approval – Granted)

Proposed Development



The applicant is seeking approval for the erection of proposed ground and first floor extensions to the dwelling including an attached garage. The erection of a first floor will increase the ridge height of the dwelling 0.75 metres from 5.75 metres to 6.4 metres and increase the eaves height 0.35 metres from 3.25 metres to 3.6 metres. The garage will project 7 metres from the side (south) elevation of the dwelling and has a width of 7.3 metres. The garage features a pitched roof with a ridge height of 4.85 metres and an eaves height of 2.2 metres and it is to be timber clad.

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;
- 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; 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 139 states *“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

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

Penistone Town Council were consulted and raised no objections.

Representations

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

- My understanding is that extensions to existing properties in the green belt should not normally exceed 30% of the size of the original building. It would appear that the application as submitted would breach this condition.
- I would not like to think that this application might set a new precedent in this respect.

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

With the addition of a second floor the mass of the original dwelling will still be retained. 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 on the Green Belt and Visual Amenity

To begin with regarding the planning history of the site and its impact on the Green Belt applications 2022/0185 and 2022/0648 were deemed to be compliant with the Green Belt policies listed above however 2022/0648 has not been implemented and the garage connected with it has therefore not been built but still could be. Also, application 2024/0017 was assessed under the prior approval procedure where the impact on the openness and character of the Green Belt is not a consideration.

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 built post 1948, and it is only shown on the 1990 map. Therefore, it is deemed the dwelling was built between 1960 and 1990. Therefore, when looking at floor measurements of the original dwelling compared to the previous permissions and this proposal the following calculations are noted.

The approved garage (2022/0648) is to not be included as that application has been now revoked during this application process by way of a Section 106 agreement. This also means that the property retains its permitted development rights.

- Original dwelling (taken from 1990 map) = 72sqm
- Dwelling as existing (approved under 2022/0185) = 107sqm
- Dwelling as could be built (2022/0185 + 2022/0648 + 2024/0017) = 219sqm
- Proposed dwelling for this application (2023/0630) = 285sqm

As such, the proposal does exceed the size of the original dwelling in terms of floorspace which is not in strict compliance with Local Plan Policy GB2. However, paragraph 154 of the NPPF does allow for “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” in the Green Belt. A way of calculating whether an extension is ‘disproportionate’ or not is by assessing its impact on openness. One way of assessing that impact is through floorspace as calculated above. However, the leading court cases of Turner [2016] and Samuel Smith [2020] and numerous subsequent appeal decisions, have confirmed that green belt openness has a spatial dimension and a visual dimension. Whilst it is acknowledged that the increase in floorspace would impact upon spatial openness in this specific circumstance this is acceptable because of the fallback position created by the approval of application 2024/0017 (Class AA enlargement of a dwelling house consisting of construction of additional storeys) which established the addition of a first floor, which is the significant bulk of the increase in floor space over 100% of the dwelling, as green belt policies could not be considered for that application, but this scheme could still be implemented.

Regarding the proposal that could be built as a combination of all the other applications, this proposal whilst larger in floor area would be significantly taller in height and therefore more impactful in terms of visual amenity by creating what would be a full two storey dwelling as opposed to a large dwelling with rooms in the roof space as is proposed. In this case, therefore, visual perception is a factor which could reduce spatial harm. The fallback position would create a ‘two storey’ dwelling, that would have a greater perceived effect on openness than the current proposal where rooms are more contained within the roof space. As such the proposed scheme would visually be perceived as having less of an impact on openness than the fallback position which would be in accordance with the main objective of Policy GB2. Furthermore, as the Section 106 agreement pertaining to application 2022/0648 has already been executed the dwelling would therefore retain its permitted development rights and could be further extended at ground floor level without planning permission henceforth allowing the dwelling to be significantly larger and taller than the scheme being proposed.

As such even without the garage addition the dwelling has been extended over 100% of the original size of the dwelling. Also, was the garage to be detached and reduced in height to 4 metres that would also be permitted development. The garage is set away from the street scene and therefore the original dwelling is still dominant in that viewpoint, and it is not considered to have a significant impact on the openness of the Green Belt. Furthermore, because an application has been submitted instead of proceeding with the alterations via permitted development such permitted development rights can and will be removed for any future extensions, alterations or outbuildings to the dwelling. Moreover, as previous permissions have been granted that could still be implemented in addition to this scheme and the prior approval scheme a unilateral undertaking has been signed for application 2022/0648 so that it cannot be implemented in addition to this scheme and is therefore defunct.

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 matching roof tiles and natural stone. The stone is considered an improvement on the existing blockwork brick that was proposed to be rendered under application 2022/0648.

The garage will be timber clad which although doesn't match the dwelling does fit in with the vertical sheeting on the farm buildings adjacent the site and would not be significantly detrimental to visual amenity. The upwards extension utilises a pitched roof in the same style as the original dwelling's pitched roof which is therefore acceptable. The attached garage also features a pitched roof in the same style. 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 proposal will not have a significant detrimental impact on any neighbouring property by way of overshadowing, being overbearing or overlooking. The only property within close proximity of the host dwelling is Royd Moor House Farm which is set approximately 15.5 metres to the rear. 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. The site has been subject to two recent applications for extensions. Despite the increase in dwelling size, this proposal still maintains adequate parking and servicing facilities. As such, the scheme is acceptable from a highway's perspective.

Recommendation

Approve with conditions