

2021/0825

Mrs Rita Shelbourne

Conversion of detached garage to annexe (Retrospective)

94 Doncaster Road, Darfield, Barnsley, S73 9JA

Background

2014/0784 - Demolition of existing garage and outbuildings and erection of detached garage – Approved with conditions

Description

94 Doncaster Road is a mid terraced dwelling. The building which is the subject of this application lies in a backland position to the rear of the terrace row which fronts Doncaster Road. The building has its own separate paved parking/garden area which is enclosed by a gated brick wall. The building was previously used as a garage and works to convert the building into a dwelling commenced in April 2020 and were completed in April 2021. The building is separated from number 94 by an access/yard area which runs along the rear of the terrace row.

The building is single storey with 2 bedrooms and a bathroom within the roofspace and is currently occupied by the applicant and their family as their main residence. Number 94 is occupied by the applicant's mother and two sisters.







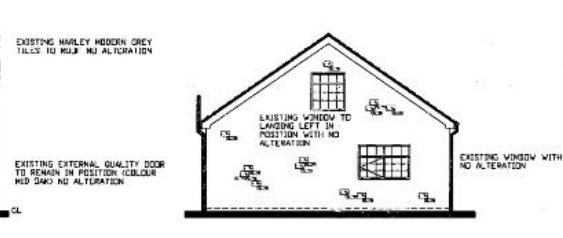
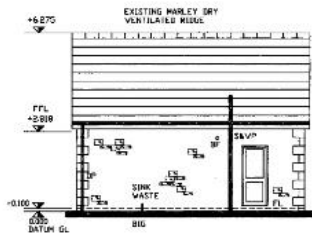
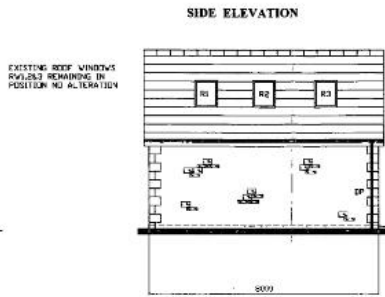
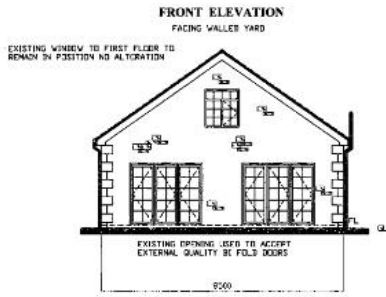
Proposed Development

The applicant is seeking retrospective approval for the conversion of the garage into an annex to be used in connection with number 94 Doncaster Road. The works have already been carried out and the building is occupied by the applicant as their main residence. The works commenced in April 2020 and were completed in April 2021.

The building has an internal floor area of approximately 93sqm. Internally, the ground floor provides a kitchen/dining area, separate lounge, storage and wc, and the first floor has 2 bedrooms and a bathroom. Externally the garage doors have been altered to windows. A wall surrounds the site and has a gated vehicular and pedestrian access, which encloses a paved garden and parking area of approximately 120sqm. The building has the appearance of a separate dwelling.

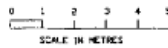
The applicant has provided a statement of justification which states that the building was converted without planning permission due to the applicant's personal family circumstances and in order to provide accommodation for family members within number 94.



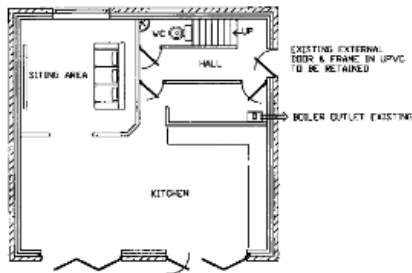


ELEVATIONS AFTER CONVERSION

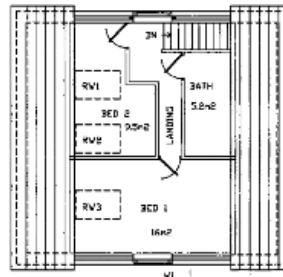
MR K SHELBOURNE 94 DONCASTER ROAD DARFIELD	DATE 04/05/2021
	DRG No 05



GROUND FLOOR LAYOUT



FIRST FLOOR LAYOUT



GROUND AND FIRST FLOORS AFTER CONVERSION

MR K SHELBOURNE 94 DONCASTER ROAD DARFIELD	DATE 04/05/2021
	DRG No 06

1:00 @ A3

Policy Context

Planning decisions should be made in accordance with the local 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 Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

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 creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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

Within section 12, paragraph 134 is the most relevant which indicates that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Local Plan

The new Local Plan 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 decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 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 – sets out principles when considering development proposals.

Policy GD1: General Development

Policy D1: High quality design and place making

SPD: House extensions and Other Domestic Alterations

Supplementary Planning Document - House Extensions sets out 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:

1. be of a scale and design which harmonises with the existing building
2. not adversely affect the amenity of neighbouring properties
3. maintain the character of the street scene and
4. not interfere with highway safety.

The following section of the SPD is particularly relevant to this application:

Detached garages:- 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. Detached garages should be single storey structures and the eaves height should not normally exceed 2.5m from ground level.

Outbuildings and Annexes:- outbuildings should relate sympathetically to the main dwelling in style, proportions and external finishes. An annex building may be permitted in a rear garden where it would not occupy a disproportionate amount of the garden and would not have its own separate access or garden area. An annex should normally have a close physical relationship with the host dwelling, be single storey and in all circumstances it should only have 1 bedroom and no more than 3 rooms in total.

SPD Parking:

Other:

South Yorkshire Residential Design Guide

Consultations

Yorkshire Water – No comments received

Highways – No comments received

Drainage – No comments received

Pollution Control – No objections

Enforcement – No comments received

Representations

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

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. 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.

The applicant is seeking retrospective approval for the conversion of the garage into an annex to be used in connection with number 94 Doncaster Road. The works have already been carried out and the building is occupied by the applicant as their main residence. The works commenced in April 2020 and were completed in April 2021.

The Supplementary Planning Document House Extensions and Other Domestic Alterations provides specific guidance for the erection of annex buildings. The SPD states that:- 'An annex building may be permitted in a rear garden where it would not occupy a disproportionate amount of the garden and would not have its own separate access or garden area. An annex should normally have a close physical relationship with the host dwelling, be single storey and in all circumstances it should only have 1 bedroom and no more than 3 rooms in total.'

The existing building is not located within the rear garden of number 94, but instead occupies a separate piece of land, separated by the access to the other terraces along the row. The building has its own curtilage, parking and garden areas which are separated from number 94 by a brick built wall. The building therefore has the appearance of a separate dwelling.

The building has an internal floor area of approximately 93sqm which is the size of an average family home. Internally, the ground floor provides a kitchen/dining area, separate lounge, storage and wc, and the first floor has 2 bedrooms and a bathroom. Externally the garage doors have been altered to windows. A wall surrounds the site and has a gated vehicular and pedestrian access, which encloses a paved garden and parking area of approximately 120sqm. Due to the range of facilities proposed within the unit, which is akin to an average sized family bungalow with a large curtilage, it is clear that it is being used as an independent residential unit and separate to number 94, which is contrary to the SPD guidance, which states that annexes should have a close physical relationship with the main house. The SPD guidance limit annexes to three rooms, irrespective of size. The provision of a bathroom, kitchen and living areas, in addition to 2 bedroom sleeping accommodation would mean that there is no reliance upon the main dwelling for any typical residential facilities. The proposed annex effectively constitutes a dwellinghouse set in a backland position behind existing dwellings, which is contrary to council policy.

The applicant has provided a statement of justification which states that the building was converted without planning permission due to the applicant's personal family circumstances and in order to provide accommodation for other family members within number 94. Whilst the applicant has submitted a statement of personal circumstances which lead to the requirement of the conversion, it is felt that this does not justify the conversion of the building into an annex which is contrary to the SPD.

To summarise, the building is not regarded as ancillary to the host property and would set a detrimental precedent on account of its size, number of rooms and non-reliance upon the host property and is therefore considered unacceptable and contrary to the SPD and policy GD1 of the Local Plan.

Residential Amenity

As it is clear that the building is being used as a separate dwelling rather than an annex, other issues such as the impact of the occupation of the building as a dwelling upon the residential amenity of number 94 and the other dwellings along the terrace row must be taken into consideration. The building is set in a backland position, approx. 8m from the rear of the terrace row. Due to this close relationship, a separate dwelling set in close proximity to these other dwellings results in a loss of privacy and disturbance to these occupiers due to increased residential activity and vehicular movements associated with a separate dwelling, which is in very close proximity to their rear elevations. It is therefore recommended that enforcement action is taken so that the building is returned to its approved use as a garage, as planning permission is unlikely to be granted for its use as a separate dwelling.

Conclusion

In the opinion of the Local Planning Authority the annex does not constitute ancillary accommodation to the host dwelling (94 Doncaster Road) due to its substantial size and the separated relationship with the host dwelling. In addition, the number and type of internal rooms and the provision of separate access and parking facilitates independent living and prevents reliance upon the host dwelling contrary to the requirements of the Supplementary Planning Document (SPD) - House Extensions and Other Domestic Alterations and Local Plan Policy GD1 - General Development.

In addition to the above, the proposed annex would be contrary to Supplementary Planning Document (SPD) - House Extensions and Other Domestic Alterations and Local Plan Policy GD1 - General Development in that it would be an undesirable form of backland development, materially detrimental to the amenities of the adjoining properties by reason of a loss of privacy and disturbance from increased residential activity.

Recommendation

Refuse