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2024/0191

Mr Mark Latham

65 Station Road, Worsbrough Dale, Barnsley, S70 4SZ

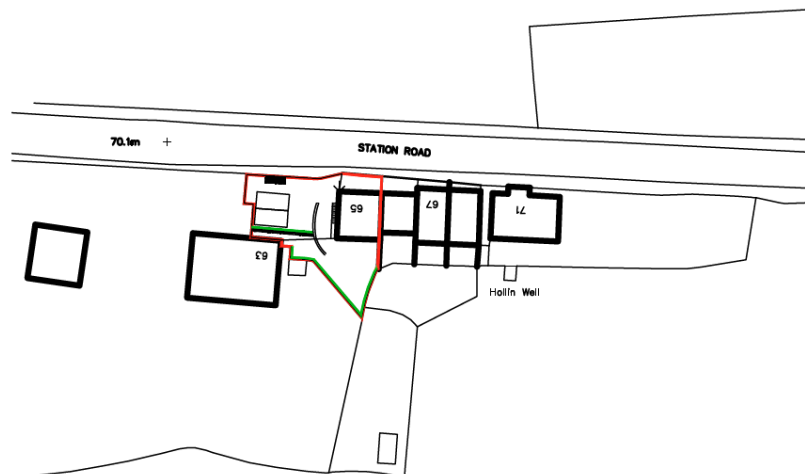
**Conversion of former commercial garage to 1no dwelling with associated works (Amended Description and Plans).**

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### Site Description

The application relates to a plot located on the south side of Station Road and in an area that is principally residential characterised by a mix of dwelling types of varying scale and appearance and set within the Green Belt.

The property in question is a former commercial garage and domestic workshop adjoined to the domestic garage of 67 Station Road that has fallen into a state of disrepair. The building is of a stone construction with historic repairs to the west elevation largely randomly coursed. It has a pitched roof with grey concrete roof tiles and appears as a single storey building to the front and a two-storey building to the rear due to the slope of the ground. The north street-facing elevation features a timber garage door and is fronted by a small area of hardstanding served by an existing dropped kerb with an existing access point immediately west. The west (side) elevation features two existing openings, and the south (rear) elevation features several existing window and door openings. To the rear of the property is a small garden area bounded by a mix of poor-quality stone walls and timber fencing abutted by neighbouring trees and vegetation. To the west of the property is a larger area of sloping land with a central curved stone wall.



## Planning History

There are two historic planning applications associated with this site.

1. B/78/0258/WB – Conversion of domestic store to garage and domestic workshop. – Historic.
2. B/85/1046/WB – Outline for erection of bungalow. – Refused.

## Proposed Development

The applicant is seeking permission for the conversion of a former commercial garage and domestic workshop to a single dwelling with associated works to include the insertion of new windows, doors and roof lights, the raising of the roof by approximately one metre and the installation of a flat roof rear dormer window, the installation of side access steps, the erection of new rear boundary fencing and the creation of two parking spaces to the west with associated landscaping and fence screening.

During the application process, the proposal was amended to address the concerns raised, including the erection of new fencing to provide screening to mitigate any potential impact from the proposed vehicle parking, the inclusion of a planting buffer and stone to the extended part of the building.



## **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 – Green Belt**

The site is allocated as Green Belt within the adopted Local Plan. Therefore, the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy GB1: Protection of Green Belt.***
- ***Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt.***
- ***Policy GB3: Changes of use in the Green Belt.***
- ***Policy GD1: General Development.***
- ***Policy D1: High quality design and place making.***
- ***Policy HE1: The Historic Environment.***
- ***Policy HE3: Developments affecting Historic Buildings.***
- ***Policy BIO1: Biodiversity and Geodiversity.***
- ***Policy T4: New Development and Transport Safety.***

### **Supplementary Planning Document(s)**

- ***House Extensions and Other Domestic Alterations.***
- ***Parking.***

### **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.***
- ***Section 16: Conserving and enhancing the historic environment.***

## The Town and Country Planning (General Permitted Development) (England) Order 2015

Class F, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows development consisting of the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or the replacement in whole or in part of such a surface without requiring planning permission provided that either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Class A, Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows development consisting of the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure without requiring planning permission provided that where it would not be erected or constructed adjacent to a highway used by vehicular traffic it would not exceed 2 metres above ground level.

### Other Material Considerations

- ***South Yorkshire Residential Design Guide 2011.***

### **Consultations**

Biodiversity Officer – No objection subject to condition and informative.

Conservation Officer – Concerns raised in relation to the flat roof rear dormer window and its impact on the historic character of the rear elevation.

Forestry Officer – No objection.

Highway Drainage – No objection and happy for details to be checked by Building Control.

Highways DC – Concerns raised in relation to the existing access as it would be at a very acute angle and some manoeuvres are unlikely to be achieved without mounting the footway on the opposite side the road or turning within the carriageway.

Local Ward Councillors – No response.

Yorkshire Water – Acknowledgement provided with no further comments.

### **Representations**

Neighbour notification letters were sent to surrounding properties and the application was advertised by a site notice, expiring 11<sup>th</sup> April 2024. The application was also re-advertised for a 14-day period due to an amended description and plans, expiring 30<sup>th</sup> May 2024.

The following concerns which are material planning considerations were raised:

- A historic marker above the rear doorway should be retained.
- Boundary fencing should be 6m to maintain privacy.
- Building of a 6-metre wall with additional 1.5 metre fence to front of 63 Station Road will restrict light to bedroom window and the sense of being blocked in.
- Clarification regarding the location of waste and recycling storage.
- Disruption and impact to privacy due to the proximity of proposed vehicle parking to the front bedroom and bathroom window of 63 Station Road.
- Increased overlooking of rear garden from windows within the heightened roof.

The following concerns which are not material planning consideration were raised:

- Build-up of waste causing a health and safety risk.
- Concerned that if the property is sold in the future, any new occupier(s) may disregard or be unaware of a previous agreement to allow permanent access to the rear and side of the property for 67 Station Road.

- Concerned that shared access to enable the reading of a gas meter to 63 Station Road will not be maintained.
- Removal of a shrine to the front of 63 Station Road.
- The behaviour of Councillors.
- The behaviour of the applicant.
- The site is an eyesore.

Whilst all concerns raised are acknowledged, only those which are material planning considerations can be taken into account.

## **Assessment**

### Principle of Development

The 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 has a permanent and substantial construction that does not need major or complete reconstruction for the new proposed use; and the proposed use is in keeping with the local character and the appearance of the building.

The alteration to and extension of existing buildings and their curtilage in the Green Belt is acceptable in principle provided that it will not have a harmful impact on the appearance or character and will preserve the openness of the Green Belt.

The alteration to and extension of a domestic property is acceptable in principle provided that it will remain subsidiary to the host dwelling, is of a scale and design which is appropriate to the host property and is not detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety

The application property is not a designated heritage asset and does not affect a historic area or landscape. Nevertheless, any building or site can (via the planning process) come to light as an undesignated heritage asset and therefore matters of design, form, scale, details and materials should be taken into account to ensure that the proposal would respect, take advantage of, and reinforce the distinctive local character and features of the surrounding area. As such, *Local Plan Policy HE1: The Historic Environment* and *Local Plan Policy HE3: Developments affecting Historic Buildings* are relevant.

### Green Belt Assessment

The change of use or conversion of existing buildings in the Green Belt will be allowed provided that the existing design and proposed use of the building is in keeping with the local character, and extensions and alterations to a domestic property within the Green Belt are acceptable in principle provided that cumulatively they would not amount to more than a doubling of the size of the original building.

The application property is located in an area that is principally residential. The existing building has a clear domestic design and appearance, particularly evident on its south elevation. The proposal would maintain a clear domestic design, appearance and scale that would be in keeping with the building's surroundings and would not require major or complete reconstruction works to be implemented. The proposed conversion and change of use from a commercial garage and domestic workshop to a residential dwelling is therefore considered acceptable.

The floorspace of the existing building would not be increased and although the height of the existing roof would be raised and a dormer window would be installed, floorspace within roof spaces are not taken into account when calculating the cumulative additions to the original dwelling. As such, the proposal would not amount to more than a doubling of the size of the original building and the

openness of the Green Belt would not be significantly impacted. Nevertheless, to maintain the openness of the Green Belt a condition will be attached to any forthcoming decision to remove permitted development rights in relation to Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 in accordance with the House Extensions and Other Domestic Alterations SPD.

The proposal is therefore considered to comply with *Local Plan Policy GB1: Protection of the Green Belt*, *Local Plan Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt* and *Local Plan Policy GB3: Changes of use in the Green Belt*.

### Residential Amenity

Proposals for extensions and alterations to a domestic property are considered acceptable provided that they would not adversely affect the amenity of neighbouring properties.

The height of the existing roof would be raised by approximately one metre to accommodate new habitable rooms within the roof space. It is acknowledged that this could result in some additional overshadowing. However, any potential impact is likely to occur and be limited to the evening and to the side-facing windows of 67 Station Road. Secondary windows located on side elevations of adjacent properties are not afforded the same protections as those given to habitable room windows located on the front and rear elevations. Moreover, the extent of any potential impact could be lessened further as the application property and neighbouring property are separated by an existing adjoining domestic garage.

The following concerns were raised in relation to residential amenity: the building of a 6-metre-high wall with an additional 1.5-metre-high fence to the front of 63 Station Road will restrict light to a bedroom and bathroom window and will result in a sense of being blocked in; loss of privacy because of the proximity of the proposed vehicle parking to the front of a bedroom and bathroom window to 63 Station Road; and overlooking of the rear garden of 63 Station Road from the windows within the heightened roof.

The proposal shows that an existing retaining wall to the front of 63 Station Road would be raised by approximately 0.6 metres which would level the ground in this area to facilitate proposed off-street parking. A six-metre-high wall would not be erected to the front of the neighbouring property. During the application process the applicant included the erection of a fence to address earlier concerns raised in relation to loss of privacy, and whilst it is acknowledged that the proposed fence could contribute to some overshadowing and loss of outlook of a habitable room window (bedroom), the proposed fence would be set back from the edge of the retaining wall and a planting buffer would be incorporated which could lessen the extent of any potential impact. In any case, the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure not erected or constructed adjacent to a highway used by vehicular traffic is permitted development provided that it would not exceed 2 metres above ground level. The proposed fence could therefore be implemented without planning permission and as such, any potential impact that could arise could not be controlled by the local planning authority.

The proposed dormer window to the rear of the application property would face towards a relatively small area of the neighbouring curtilage to the west side of 63 Station Road. The boundary treatment in this location is formed by several trees and vegetation within the curtilage of the neighbouring property that would likely continue to provide an acceptable level of screening which could lessen the extent of any potential impact. Moreover, the proposal shows that a new 1.5-metre-high fence would be erected along the southern boundaries of the application site that could offer further mitigation. A taller fence of up to 2-metres-high could be erected under permitted development if required.

The proposed drive and parking area would be created in proximity of a neighbouring habitable room window (bedroom). However, the proposal is unlikely to result in significantly increased levels of

overlooking or loss of privacy as it is not expected that people would reside in their vehicles for any substantial length of time. Moreover, the neighbouring property is set significantly below street level and is likely to experience some existing level of impact from members of the public walking along the street. In any case, hard surfaces incidental to the enjoyment of a dwellinghouse can be implemented as permitted development provided that either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. In this instance, the proposed drive and parking area would be formed of hardstanding such as tarmac or similar and could therefore be implemented without planning permission. As such, any potential impact that could arise could not be controlled by the local planning authority.

New windows would be inserted on the north, west and south elevations of the application property, including three small windows to the north elevation that would serve a kitchen and would face onto the street and towards an area of trees bounding an area of local neighbourhood green space, two windows within existing openings to the west elevation that would serve non-habitable rooms (stairs) and would face into the application site and towards the neighbouring driveway beyond, and several windows within existing openings to the south elevation, including the proposed rear dormer window, would face into the application site and towards an area of neighbouring curtilage screened by an existing tree line. Moreover, a sufficient distance (10 metres or more) would be maintained between the rear-facing windows on the first floor (and above) and the rear boundary with no neighbouring property immediately opposite, in accordance with the House Extensions and Other Domestic Alterations SPD.

Furthermore, all proposed habitable rooms of the application property would be served by an external window and the internal floorspace of each room would comply with the internal space standards as set out in the South Yorkshire Residential Design Guide.

The proposal is therefore not considered to result in significantly increased levels of overshadowing, overlooking or reduced levels of outlook and is considered to comply with *Local Plan Policy GD1: General Development* and would be acceptable regarding residential amenity.

### Visual Amenity

The application property is prominently located in the street and is widely visible from the surrounding public realm. The existing building has fallen into a state of disrepair and detracts from the character of the street scene to a degree.

The application property is not a designated heritage asset and does not affect a historic area or landscape. Nevertheless, any building or site can (via the planning process) come to light as an undesignated heritage asset and therefore matters of design, form, scale, details and materials should be taken into account to ensure that the proposal would respect, take advantage of, and reinforce the distinctive local character and features of the surrounding area.

The application property forms part of a collection of nineteenth-century buildings that contribute to a distinctive grouped local character. The Conservation Officer has acknowledged that the proposal would be an improvement from the scheme submitted at pre-application stage as the street-facing flat roof dormer window would be replaced by roof lights and the incongruous landscape orientated window would be replaced by three small vertically emphasised windows. However, concerns were raised regarding the proposed flat roof rear dormer window as this would deviate from other buildings in the group and could detract from the historic character of the rear elevation of the application property which has been determined to have the most character. It was suggested to the applicant that conservation specific roof lights or pitched roof dormer windows could be more acceptable alternatives. However, the applicant declined to implement any change to the rear dormer window due to the loss of additional space and existing examples within the locality.

Whilst the applicant has declined to implement the suggested changes of the Conservation Officer, the proposed rear dormer window would adopt a relatively modest scale, would be set back from the eaves and set in from the gable elevations of the application property, would be constructed of materials that would match or be similar in appearance to the proposed slate affect roofing materials, and would maintain vertical alignment with existing openings below, in accordance with the House Extensions and Other Domestic Alterations SPD. Moreover, the proposal would incorporate a modest rise in roof height that would not significantly alter the existing street scene ridge line and would maintain the style, pitch and detailing of the existing roof. Additionally, the extended part of the building would be constructed of stone and only minor alterations would occur to its north, west and south elevations, comprising the replacement of an existing garage door with small vertically emphasised windows and replacement doors and windows to existing openings. Furthermore, the applicant has confirmed that a historic engraved stone above the rear elevation doorway would be retained.

Therefore, on balance, the proposal is not considered to significantly alter or detract from the character of the street scene, the character of the group of nineteenth-century buildings or the character of the existing building and is considered to comply with *Local Plan Policy D1: High Quality Design and Placemaking* and *Local Plan Policy HE1: The Historic Environment* and would be acceptable regarding visual amenity.

### Highway Safety

The application site is bounded by Station Road to the north – a classified road (C783) with a speed limit of 30 mph. Station Road is a minor road that connects to other minor roads and various local streets and private roads in a largely rural area interspersed with relatively small urban residential settlements. Station Road also connects to the busier and more frequented B-Road (Thicket Lane/ West Street) to the west.

The application site does not benefit from existing off-street parking spaces but does benefit from an existing dropped kerb and access. Three-bedroom properties or larger are expected to provide a minimum of two off-street parking spaces within their curtilage. The applicant proposes to use the existing dropped kerb and access to serve two new off-street parking spaces that would be formed to the west side of the application property. There are no alterations to the existing access and north boundary wall proposed.

Highways DC have raised concerns in relation to the existing access and have stated that it would be at a very acute angle which would mean that some manoeuvres are unlikely to be achieved without mounting the footway on the opposite side the road or turning within the carriageway, both of which would be prejudicial to highway safety. It was stated that the gradient of the drive and parking area must not exceed 1:12 and that pedestrian visibility splays of 2m x 2m must be provided at the proposed access point.

Planning permission is required for the creation of a new access off a classified road. However, the proposal relates to the use of an existing access and therefore planning permission is not required. As such, vehicle manoeuvres, turning and pedestrian splays cannot be controlled. Moreover, hard surfaces incidental to the enjoyment of a dwellinghouse can be implemented as permitted development provided that either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. In this instance, the proposed drive and parking area would be formed of hardstanding such as tarmac or similar and therefore does not require planning permission. As such, the gradient of the drive and parking area cannot be controlled.

The proposal is therefore considered to comply with *Local Plan Policy T4: New Development and Transport Safety* and would be acceptable regarding highway safety.



### Trees and landscaping

Clearance works to remove vegetation overgrowth were carried out prior to the submission of this application. There are no trees located within the curtilage of the application site but there are trees within the curtilage of neighbouring properties that abut the east and south rear boundaries. The neighbouring trees are not protected, and existing boundary treatments are poor quality. A 1.5-metre-high timber post and panel fence would be erected to the southern boundaries. The Forestry Officer raised no objection to the proposal as the proposed fencing would unlikely be any more impactful than the existing boundary treatments. Additionally, the Council would not seek to protect the neighbouring trees as they are not of sufficient significance or quality.

During the application process, the applicant amended the proposal to introduce low-level planting to the edge of an existing retaining wall to the front of 63 Station Road to act as a buffer between the neighbouring property and a proposed 1.5 metres-high fence. It would also set the fence back from the edge of the retaining wall. An existing area to the rear of the application property would be retained as a garden.

### Ecology

This application was submitted with a supporting preliminary roost assessment. During a site visit, the Council's Planning Ecologist determined that there was bat roost potential, and a bat activity survey was requested. A bat activity survey was undertaken, and no bats were noted to emerge from the building throughout the duration of the survey. As such, the Planning Ecologist raised no objections subject to all the recommendations of the Bat Report, specifically the installation of one integrated bat and bird box within the dwelling, being implemented in full and according to the timescales laid out.

**Recommendation -  
Approve with Conditions**