

2021/0427

Mr Tamas Orosz

10 Acorn Avenue, Thurnscoe, Barnsley, S63 0AU

Detached outbuilding in rear garden (Part Retrospective)

Site Description

The dwelling is a two-storey terraced dwelling located in Thurnscoe. Acorn Avenue has a consistent residential street scene. The dwelling has a private space to the rear where the outbuilding is located as this application is retrospective.



Planning History

2006/1221 - Residential Development (Outline) (Approve with Conditions)

2009/1408 - Re-development of the existing Reema Estate and adjoining undeveloped land for residential development and formation of new road bridge over railway to Deightonby Street, Thurnscoe East (Outline) (Approve with Conditions)

2010/0178 - Proposed development of 160 dwellings on Reema Site 1 (Reserved Matters of application 2009/1408) (Approved with Conditions)

2014/0531 - Substitution of house types on plots 61-67 (Reserved Matters of application 2010/0178) (Approve with Conditions)

Proposed Development

The applicant is seeking approval for the erection of a detached outbuilding to be used as a treehouse. The outbuilding has a length of 2.44 meters and a width of 2.45 meters. The outbuilding will feature a flat roof with a total height of 3.62 meters and stairs up to a level that is 1.98 meters in height. The materials used are wood with a tarpaulin roof.

Policy D1: High quality design and place making – Supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the borough. Policy D1 States that development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

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 134 states that *“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

Planning Enforcement were consulted and provided no response.

Representations

Neighbour notification letters were sent to surrounding properties, two objections were received and in summary raised the following points;

- Due to the height of the outbuilding, this now looks directly into our property. So much so that we believe that our privacy has been breached to the extent that this has left us feeling anxious about spending time in our own garden. As a result, we feel unable to invite guests round during warmer weather to enjoy spending time together.

- As a consequence of the building's construction, this has seen a significant reduction in the natural light in both our garden and living room, which is situated at the rear of our property. Again, this impacts on the amount of time we can spend in our own garden.
- The building is unsightly and instantly noticeable from our living room windows/doors.
- The outbuilding that they have already built is an eyesore, it is about 12ft high on top of a shed. I live directly behind 10 Acorn Avenue and all I can see is a big makeshift shed covered with a bright red tarpaulin. When I get visitors, they all comment what an eyesore it is and how he got permission to build such a mess on a very modern new housing estate.

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 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.

Residential Amenity

Objections have been received from neighbours in terms of the outbuilding having a detrimental impact on residential amenity enjoyed by said neighbours by way of loss of privacy and outlook. These concerns have been acknowledged and can be appreciated given that the outbuilding is of an excessive size and scale given the modest size of the rear amenity space that it dominates and the outbuilding being a two-storey structure.

In terms of overlooking there are windows located on the front and both side elevations of the outbuilding at first floor level. A balcony is also included and normally, balconies can cause significant overlooking into the private amenity space of neighbouring dwellings. The balcony is deemed to have a significant detrimental impact given its proximity to the neighboring private amenity spaces and the height in relation to the existing boundary treatment.

The outbuilding is situated to the south of the rear garden to one of the adjoining neighbouring properties (12 Acorn Avenue) and extensions and outbuildings situated directly to the south of neighbouring properties and their garden areas generally have a greater overshadowing impact due to their positioning and movement of the sun throughout the day. It is considered that the outbuilding will have some overshadowing impact over neighbouring properties given its size and height.

The proposed outbuilding is of an excessive size, when compared to the curtilage at the rear of the property. The outbuilding dominates the rear garden area which is modest at only approximately 53sqm. Although the footprint of the outbuilding is minor this with the addition of the external staircase and the height of the outbuilding creates an imposing structure.

Visual Amenity

Assessment against the Council's Supplementary Planning Document (SPD) for House Extensions is necessary for proposed developments for domestic outbuildings/garages of any size. The SPD has a specific section in regard to outbuildings, stating that '*detached garages should relate sympathetically to the main dwelling in style, proportions and external finishes*'. Although not a garage the principle of out an outbuilding being sympathetic to the main dwelling still applies. The design of the outbuilding as well as the proposed materials do not harmonise with the host dwelling and as such the outbuilding will be viewed as an anomalous and alien feature.

The addition of an external staircase to the building, alongside other features such as first floor windows, do not give the development the appearance of that of an ancillary outbuilding. Whilst the outbuilding won't be visible from the road it will be from neighbouring properties amenity space which when combined with the overlooking issues outlined earlier will create a negative visual impact.

The outbuilding is considered to punctuate the character of development in the area and will have a detrimental impact on visual amenities of the area. The LPA considers that an outbuilding of this size and scale would appear as an incongruous and dominant feature and would be at odds with the general development pattern of the area and would harm the visual amenity of the area.

The proposed development does not comply with the SPD for House Extensions and Other Domestic Alterations and Local Plan Policy D1: High Quality Design and Place making and is unacceptable in terms of visual amenity and overall design due to the aforementioned size, height and materials used.

Highway Safety

There will be no impact upon highway safety.

Conclusion

All in all, the proposed outbuilding is in direct conflict of several key elements of the SPD in terms of outbuildings and general development principles. All of these elements combine to result in an unsightly development which is not sympathetic to the host dwelling and will have a significant detrimental impact upon the amenity enjoyed by the neighbouring properties.

Recommendation

Refuse