



Appeal Decision

Site visit made on 20 November 2018

by D Child BA BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd April 2019

Appeal Ref: APP/R4408/W/18/3204076

7 Burntwood Close, Thurnscoe, Rotherham S63 0QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Scott Bodkin against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2018/0245, dated 11 February 2018, was refused by notice dated 03 May 2018.
 - The development proposed is erection of detached garage with store above and erection of boundary fencing and demolition of existing garage.
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Decision

1. The appeal is allowed. Planning permission is granted for erection of detached garage with store above and erection of boundary fencing and demolition of existing garage at 7 Burntwood Close, Thurnscoe, Rotherham S63 0QQ, in accordance with the terms of the planning application, Ref: 2018/0245, dated 11 February 2018, subject to the following conditions:
 - 1) The development hereby permitted shall be begun within three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved drawings: 1:1250 Location Plan; 1:500 Site Plan; Floor Plans and Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

Preliminary Matters

2. Since the Council made its decision it has adopted a new Local Plan. The Inspectorate has given both parties the opportunity to comment and I have considered the responses received.
3. As policies of the revised National Planning Policy Framework (2019) (the revised Framework) that are material to this case have not changed fundamentally, I have had regard to the revised Framework in reaching my decision.
4. I saw that a boundary fence has been erected and note that Highway Authority raised no objections. I have therefore considered the appeal on this basis.

Main Issues

5. The main issues in this case are the effect of the development on the character and appearance of the area, and on the living conditions of the occupiers of neighbouring dwellings having regard to outlook.

Reasons

Character and appearance

6. The appeal dwelling is located off the turning head of Burntwood Close, a cul-de-sac of modern two-storey detached and semi-detached dwellings. Dwellings on the street follow the slope of the land. This, and the staggered siting of dwellings, creates a roofscape of varying ridge heights. The existing detached garage to the side of No 7 would be demolished and a detached garage with storage space above would be built in the rear garden, adjacent to the detached garage of a neighbouring dwelling. The proposed building would measure 3.2 metres to the eaves and 5.5 metres to the ridge, with an irregularly shaped plan form following the side boundaries of the appeal site.
7. Although the rear garden to the appeal dwelling is not large, it is relatively long. The existing garage to the side of the appeal dwelling would be demolished and around half the garden ground would remain undeveloped. The proposed scheme would not therefore occupy a disproportionate amount of the garden and, as such, there would be enough separation between the proposed development and the host dwelling so that it would relate sympathetically to it.
8. The Council is concerned over scale; the eaves and ridge heights of the proposed garage and store would be higher than those of the adjacent garage and the existing rear extension. Nevertheless, the appeal structure would be subordinate to the host dwelling and surrounding dwellings, and it would be viewed as a relatively small and separate building. Although it would be visible from the cul-de-sac which it adjoins and in the gaps between dwellings from neighbouring streets, it would not be a dominant structure in the streetscene. Furthermore, there is variety in the height and design of garages adjacent to each other at the head of neighbouring cul-de-sacs.
9. For the above reasons, I find that the proposed scheme would not materially harm the character and appearance of the area. Accordingly, the proposed development would not conflict with the requirements of Policy GD1 of the Barnsley Local Plan (2019) (the Local Plan), which, amongst other things, seeks to ensure that development does not have any adverse impact on the environment. It would not conflict with the design aims of the Council's Supplementary Planning Document House Extensions (2012) (the SPD), which recognises the potential for utilising the roofspace above garages for ancillary storage, and eaves heights that may exceed 2.5m. It would also be consistent with the design policies of the revised Framework.

Living conditions

10. In its decision the Council says the proposed development would be harmful to the outlook of neighbouring properties from which it would be seen. The proposed development would not fully meet the guidance on separation distances contained in the SPD. However, the shortfall is not significant, and the proposed structure is relatively small. As a result, the proposed scheme

would not have an overbearing impact on the occupiers of neighbouring dwellings. I therefore find that the proposed scheme would not harm the living conditions of the occupiers of neighbouring dwellings having regard to outlook.

11. Consequently, the proposed scheme would not conflict with the residential amenity protection aims of Policy GD1 of the Local Plan which seeks to prevent significant adverse effects on the living conditions and residential amenity of existing residents, or the underlying objectives of the SPD.

Conditions

12. The Council agree that a 3-year time limit for commencement condition is necessary. For clarity, the approved plans need to be specified. In the interests of proper planning and to safeguard the character and appearance of the area, I agree with the Council that the materials used on the external surfaces need to match the host dwelling.

Conclusion

13. For the above reasons the appeal should succeed, and planning permission should be granted, subject to the above conditions.

D Child

INSPECTOR