

Application Reference: 2024/0941

Site Address: 7 Meadow Lane, Darton, Barnsley, S75 5PF

Introduction:

This application seeks full planning permission for the Erection of detached garage to rear of single storey semi-detached dwelling, and erection of 2m high boundary wall.

Relevant Site Characteristics

Leading off Bence Lane in the borough of Darton, Meadow Lane is an unusual street which is segregated by a central reservation, providing a single road for the even numbered houses and another road for odd numbered bungalows; both roads are dead ends and do not intersect with each other. In common with other dwelling on the odd numbered side, the application dwelling is a is now a dormer style bungalow but is only one of two pairs of semi-detached bungalows on the street. The dwelling is constructed of red brick and features a tiled, cross gable roof. A rear red brick extension has previously been constructed on the rear elevation of the dwelling. The large rear garden of approximately 27m in length is currently lawned and features a small garden shed, with side boundary fences between neighbouring dwellings and a rear hedgerow boundary. The land level of the site gradually increases in height across the approximate 53m length of the curtilidge, from the front to the rear boundary treatments. In comparison, the width of the rear gardens is approx. 10.5m at its midpoint.

Site History

Application Reference	Description	Status (Approved/Refused)
2020/1101	Alterations to existing dwelling including front extension, brickwork to front, and first floor rear extension	Approved
B/93/0648/DT	Erection of bedroom extension to dwelling	Approved

Detailed description of Proposed Works

The principal aspect of the proposal is for the construction of a detached garage in the rear garden of the dwelling. The garage would be constructed of red brick and feature a tiled gable style roof. The garage is proposed to be set at the level of the driveway, which is lower than the natural level of the rear garden, as there is an incline from the front to rear of the dwelling's curtilage. The maximum height of the garage from the reduced ground level would be approximately 4m high, with an eaves height at approximately 2.3m. In context, the height of the existing fence is at an approximate constant height of 1.8m as it follows the contour of the ground level, whilst the garage would be between approximately 1.44m higher than the fence, reducing to 1.10m further into the garden. Excluding the retaining wall, the approximate

external width and length of the garage would be 3.59m and 6.74m respectively, whilst internal measurements would be approximately 3.09m and 6.24m respectively.

Additional aspects of the proposal are for a retaining brick wall built around the garage to compensate for the lower setting of the garage. The highest point of this wall seems to be 2m on the front elevation of the garage, with other sections of the wall much lower and below the height of the original fence. A 2m high rear boundary brick wall is proposed to be erected at the rear dwelling's curtilage where it borders Tivy Dale Drive. This would be constructed of matching red brick to the garage and feature supporting pillars. The wall would also be constructed behind the existing thinning hedgerow boundary treatment, which is proposed to be retained. The applicant has confirmed that other boundary wall or fence treatments would be equal or less to the maximum heights of boundary treatments allowed through permitted development, 2m at the rear and side of the dwelling, and 1m around the front garden.

Relevant policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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.

The following Local Plan policies are relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy D1: High Quality Design and Place Making.
- Policy GD1: General Development.
- Policy T4: New Development and Transport Safety

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three

dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Supplementary Planning Guidance

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case are:

- House extensions and other domestic alterations
- Parking

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Consultations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

No representations have been received.

Highways DC: No objection was raised, even though the rear boundary wall exceeds policy guidance for boundary treatments adjacent to the Highway, it was deemed not to have a negative impact on visibility or consequently highway safety. A query was raised as to if the front boundary treatments would be higher than 1m; This was checked, with the applicant confirming front boundary treatments would not be more than 1m high.

Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle

The site falls within Urban Fabric. Extensions and alterations to a domestic property are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

Scale, Design and Impact on the Character

It must be stated that If the proposed garage had been constructed more than 2m away from the boundary treatment with the neighbouring dwelling of No.9, then planning consent would not have been required as the proposal for the garage and retaining wall would be compliant with Permitted Development allowed through Class E of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015. In consideration of the scale, design and impact on character of the dwelling, although meeting the requirements of Permitted development except for location, the actual proposed garage is of a scale proportionate to both the size of the dwelling and the rear garden. Equally the design exceeds the standards required by permitted development and is proposed to be constructed of red brick with a tiled gable roof. The impact on the character of the dwelling and street scene would be further reduced by its lower-level matching that of the driveway and being located behind the rear elevation of the dwelling. Therefore, the scale, design and impact on character of the garage and retaining wall would be considered as limited.

Undoubtedly the scale of the proposed rear boundary wall would have a visual impact on the neighbouring dwellings on Tivy Dale Drive, but it is proposed to be constructed with supporting pillars and behind the existing hedgerow boundary treatment. With the supporting pillars and retention of the existing hedgerow the potential visual disparity and impact of the proposed wall would be diffused whilst also improving privacy and security of the applicant's dwelling. On balance, with the existing hedgerow diffusing the view of the wall, it would be considered that the proposed wall would have little or no impact on the application dwelling itself but a moderate impact regarding scale, design, and character of Tivy Dale Drive.

Impact on Neighbouring Amenity

As stated above, If the proposed garage had been constructed more than 2m away from the boundary treatment with the neighbouring dwelling of No.9, then planning consent would not have been required as the proposal for the garage and retaining wall would be compliant with Permitted Development allowed through Class E of Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

As the proposal is situated close to the boundary, then the most pertinent issue is how much impact the proposal would have in its proposed location instead of approximately 1.70m further into the applicant's garden, given the 30cm distance from the existing 1.8m high fence. With the garage set at a lower than natural ground level, even at approximately 4m high, the visible and subsequently impactful height of the garage from the neighbours' perspective would be a

maximum height of approximately 3.24m reducing to 2.9m further into the garden. The figures stated are based upon the approximate garage height above the 1.8m fence of 1.44m at the highest point reducing to 1.10m at the lowest. It would be considered that the impact of the proposed garage, would have a modest impact on the amenity of the neighbouring dwelling at No 9. In contrast the proposal would have limited impact on amenity of other neighbouring dwellings.

Whilst it is believed that the 2m high rear boundary wall would have a moderate visual impact to residents of Tivy Dale Drive, due to the height of existing boundary treatments with rear dwellings of Meadow Lane, It would be considered that the proposed wall would have little or no impact on the residential amenity of dwellings on Tivy Dale Drive.

Highways

The proposed garage is being constructed in the rear garden has internal dimensions in excess of the minimum required by the Parking SPD of 3m 6m, and with a length and width of driveway of approximately 27m and 2.6m specialty, other requirement in relation to parking and space requirements related to a garage, driveway and parking provision are also met. The rear boundary wall is within 2m of the highway but replaces a similar height hedge row, it would be substantially lower than other adjacent boundary treatments, and due to the highway verge be setback approximately 70cm back the highway. With no objection from Highways DC on similar grounds of minimal impact on visibility. it would therefore be considered that impact on parking provision, access and highway safety would be little or none.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

RECOMMENDATION: Approve subject to conditions

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.