
2021/0940

Martin Matze

Erection of detached outbuilding to rear hosting a garage and garden room at ground floor and store within the roof space

21 Mount Vernon Crescent, Worsbrough Common, Barnsley, S70 4DN

Site Location & Description

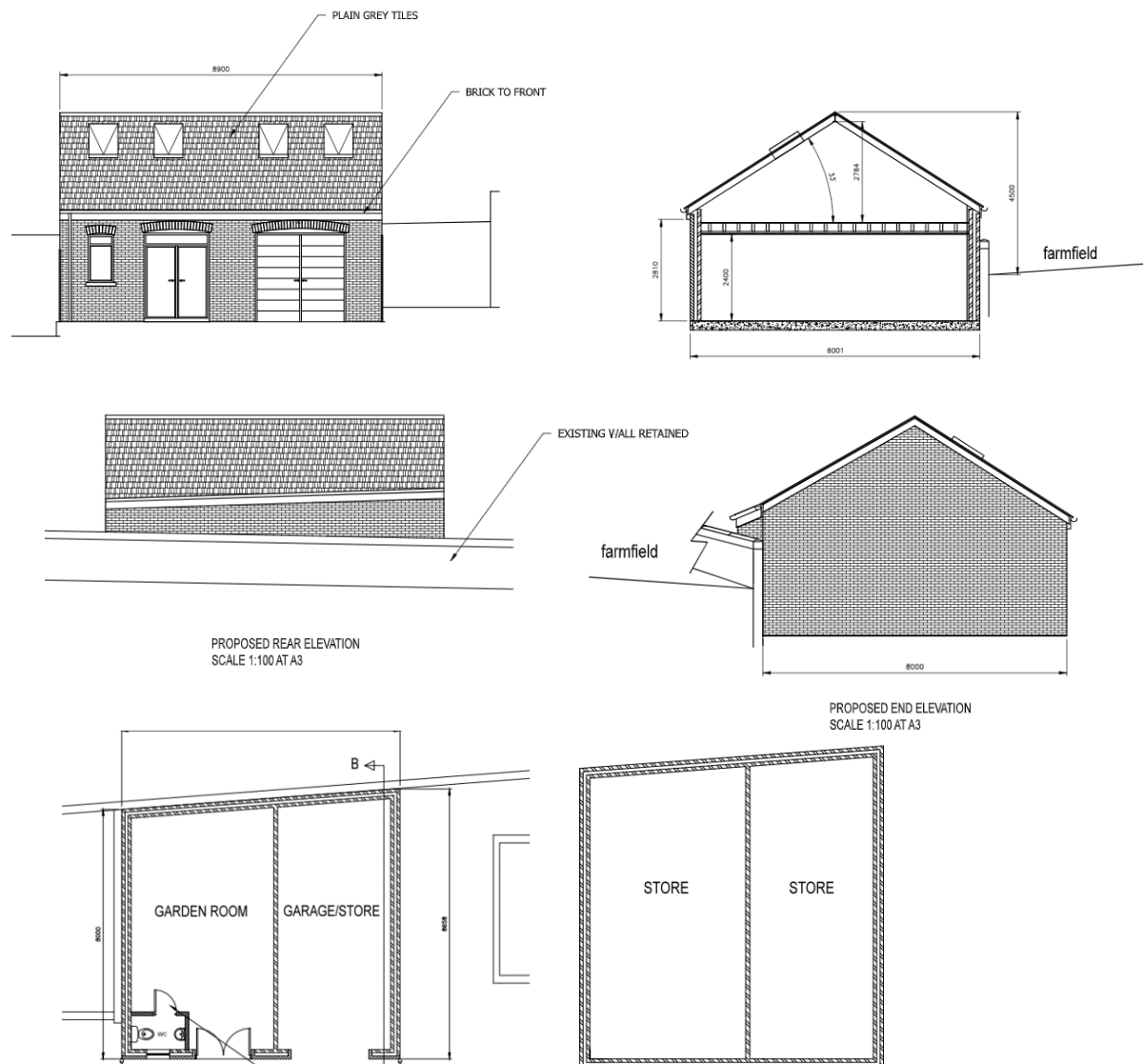
The applicant's property is a semi-detached red brick dwelling located towards the head of a residential cul-de-sac – Mount Vernon Crescent – which features a mini roundabout/turning head at the Western end of the road. The property benefits from a hard surfaced driveway/parking area to the front/side, leading to a gate which separates the front to the back of the property. There is a flat roofed extension attached to the rear of the dwelling with the rear garden of the site being fairly generous in length – c. 33.5m from the original rear elevation of the dwelling rear boundary line and 29m from the rear elevation of the extension to the rear boundary line. Some of the properties on Mount Vernon Crescent feature outbuildings of varying sizes/scales in the rear curtilage/garden area, including the applicant's property which has a flat roofed outbuilding measuring 6m x 8.9m.

There is an ongoing residential development situated directly to the rear of the site being built out by Duchy Homes – App ref. 2021/0142 – for the erection of 42 x dwellings. At the time of writing (March 2022), this was in the early stages of development.



Proposed Development

The applicant is seeking approval for the erection of a 1.5 storey outbuilding situated in the rear garden on the rear boundary line. The outbuilding is an irregular square-shape with a width of 8.9m, and varying lengths on either side (8m and 8.65m) with the rear elevation being at a diagonal angle to the front elevation. The outbuilding features a pitched roof with a height of 2.8m to the eaves and 5.55m to the roof ridge. The outbuilding will contain a set of patio doors, a small window and a garage door on the frontage serving a garden room and a garage/store with 2 x storerooms in the roof space. The outbuilding will be constructed from red brick, plain grey tiles with white UPVC double glazed windows.



Policy Context

Planning decisions should be made in accordance with the development 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 development plan consists of the adopted Local Plan and Joint Waste Plan. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Documents, 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 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 achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Local Plan

The Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes 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 – sets out appropriate proposals for development.

Policy D1: High quality design and place making – sets overarching design principles for the borough to ensure that development is appropriate to its context, and improves what needs improving, whilst protecting what is good about what we have.

Policy T4: New Development and Highway Improvement - New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

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 for 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.

These policies are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

Consultations

None

Representations

Neighbour notification letters were sent to neighbouring properties including the developer for the construction site at the rear; one comment was received from a neighbouring site which raised concerns about the foundations of the proposed building and potential damage to neighbouring property/land. The comment also mentioned that the applicant will need to apply for a party wall notice if the new structure is within 3-6 metres of the boundary wall, and potential for the applicant to access the neighbouring land.

Assessment

Principle of development

The site falls within the urban fabric which has no specific land allocation; however, the site and immediate surrounding area is made up principally of housing. Extensions, alterations to residential properties and the erection of domestic outbuildings are considered acceptable in these areas where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity or on highway safety.

Visual Amenity

The proposed outbuilding is considered to be feature an overly excessive size, height and overall scale for a domestic outbuilding. It measures 8.9m x 8m creating a footprint size of 71.2sqm, effectively set across two floors as there are also 2 x storerooms proposed in the roof space.

The internal area of the ground floor which contains a garden room, garage/store and a toilet measures a total of 61.5sqm whilst the floor space of the first-floor storerooms measures an accumulative c.56sqm – however, a large portion of this is low level space. Notwithstanding this, it is still considered that a footprint size of 71.2sqm and a ground floor internal area is excessive for a domestic outbuilding. There is no defined floor space/footprint size guided in the SPD for such domestic outbuildings but the policy states that all should be sympathetic in size to the existing dwelling, with an eaves height not exceeding 2.5m. The eaves height on the proposed development is 2.8m, exceeding the policy and the roof ridge height is also slightly excessive at 5.55m. The internal floor space of the ground floor is comparable to that of a 2-bedroom bungalow in the Borough with the South Yorkshire Residential Design Guide (SYRDG) indicating that the minimum internal floor space of a 2-bedroomed property should be 62sqm. Whilst there is no specific floorspace/footprint guidance within the SPD for domestic outbuildings, it is felt that the development proposed vastly exceeds the needs and requirements for a domestic outbuilding. It is acknowledged that the garage is located in the rear garden on the rear boundary line but the garage would be visible from neighbouring properties and the future residents to the rear of the site. The eaves height slightly exceeds the maximum guided by the SPD (2.5m) but the roof ridge height is considered to very excessive at 5.55m with the outbuilding not considered to appear as sympathetic to the host

dwelling. The addition of a first floor to the building, with roof lights, internal staircase, and rooflights, alongside the excessive height would give the development an overly residential appearance, rather than that of an ancillary outbuilding. The LPA considers that a garage 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.

It is also noted that the applicant benefits from an existing outbuilding which too is of a fair size for a domestic outbuilding, but this is single storey featuring a flat roof with a limited height and was likely erected under permitted development with the LPA therefore having no control over it. In any case, the current outbuilding is largely screened from the development site to the rear and the limited flat roof height does not have a significant visual impact on the character of the dwelling or the surrounding area.

In conclusion, it is considered that the proposed development is of an excessive size for a domestic outbuilding given that the footprint size measures c.71.5sqm, is 1.5 stories with an eaves height of 2.8m and roof ridge height of 5.7m. The development is contrary to the SPD in terms of the eaves height exceeding 2.5m, and the general size/scale of the outbuilding not being considered to be sympathetic to the main dwelling. The proposed development is therefore considered to be unacceptable in terms of visual amenity due to the aforementioned excessive size, scale and height.

Residential Amenity

The dwelling is semi-detached and in an entirely residential area, with a construction site located immediately to the rear for the development of 42 new dwellings. The proposed development will be assessed in terms of its impact upon the existing residents and future residents of the properties to the South/Rear.

The outbuilding is located on the rear boundary line of the property with the closest existing neighbours being sited to the East and West. The outbuilding itself will be to the South-East and South-West, respectively of these two properties and generally outbuildings which are situated to the South have a much greater overshadowing impact than if they are orientated in different directions. The outbuilding is large for a domestic garage with a maximum roof ridge height of 5.55m and an eaves height which exceeds the maximum 2.8m guidance in the Council's Supplementary Planning Document for House Extensions. As such, there will be some overshadowing impact over the immediate neighbours' rear garden to either side but there is a fairly significant separation distance to the rear elevations of each of these properties from the front elevation of the outbuilding. Indeed, the closest point of the proposed garage will be at a distance of c. 23m to the rear boundary of no. 23 and 23m to the closest point of no. 23. The rear gardens of these properties are also fairly generous in length, with no. 23 measuring 33m from the rear elevation to the rear boundary and no 23 measuring 31.5m. The outbuilding will therefore lead to an increased overshadowing impact to a small part of the respective neighbouring rear gardens but not the entirety of the garden and is unlikely to have an impact on the neighbouring habitable room windows given the significant separation distances. Further, given that the outbuilding is situated to the South-East and South-West, respectively, rather than directly to the South of either property, any overshadowing impact to each property will be limited to certain points in the day rather than throughout the entire day. With all this considered, despite the proposed outbuilding having a large size/height, it is not considered to lead to significant or unreasonable levels of overshadowing to any neighbouring property which would warrant a refusal based on overshadowing.

The outbuilding is 1.5 stories high and contains rooms in the roof space with roof lights. The loft space is utilised for ancillary storage which is allowed in the SPD for House Extensions for properties with large curtilage areas, and where there are no direct privacy issues.

Should the LPA be minded to approve, a condition could be attached which ensures that the outbuilding remains in its approved use – i.e. store room in the loft and generally as an ancillary use. Despite the fact that there are rooflights in the loft, there are no concerns raised with overlooking or privacy to the existing neighbouring properties.

The closest property on the new development to the rear is plot 23 which is located approximately 12m from the rear elevation of the proposed outbuilding to the rear elevation of the new unit. There is a ground level difference between the two sites with the applicants being at a slightly lower ground level than the adjacent development site. But, it is clearly shown on the plans that the rear elevation will protrude over the existing wall on the rear boundary with the top 0.5m of the wall visible and also the entire rear roof plane. However, the outbuilding is to the North of the new units on the development site and measures approximately 12m from the nearest plot which is in line with guidance for separation distances between habitable rooms and blank gable walls. There are no windows in the rear elevation or rooflights on the rear roof slope of the outbuilding which would look onto the future neighbours to the rear. The building is considered to be large but is set to the North and its impact on overshadowing on the new plots is considered to be very minimal due to its orientation. There could be an argument that the outbuilding leads to a greater sense of enclosure for plot 23, but as mentioned above it meets the minimum recommended separation distance between habitable room windows and blank gable walls.

All in all, whilst the outbuilding is large by domestic standards, it is situated on the rear boundary of the applicant's rear garden/curtilage which is generously sized in terms of length. The immediately neighbouring properties also have similar sized gardens. As such, the large outbuilding will have some overshadowing impact over the neighbours, but this will be limited to the very rear portion of their respective gardens, with little/no impact on habitable room windows. The overshadowing impact will also be limited to certain points of the day and not for the entire day to either neighbouring property. There is a development site to the rear for 42 dwellings with the closest property being plot 23 which is 12m from the rear elevation of the outbuilding to the rear elevation (containing habitable room windows). This is in line with the minimum separation distance expected between habitable room windows and blank gable walls and whilst there will be some increase in the sense of enclosure to this property, the outbuilding is to the North and will not result in an overshadowing impact as well. The increase in the sense of enclosure is mitigated by the 12m separation distance which is in line with local and national guidance. The outbuilding contains rooflights on the frontage serving ancillary storage areas, which is allowed in the SPD and there are no perceived issues with privacy to either the existing or future neighbours. The proposed development is in compliance with Local Plan Policy GD1 and SPD: House Extensions and is acceptable in terms of residential amenity.

Highway safety

The outbuilding is to replace an existing garage with a 'garage/storeroom' proposed. The garage would be large enough to be considered a parking space but there is no access into the rear of the site with ample room for the parking of at least 2 vehicles on the applicant's driveway. It is considered that the development will have no/very little impact on highways safety and will not lead to a significant increase in vehicular movements within, or to the site. The proposed development is in compliance with local Plan Policy T4 and the Council's Parking SPD and is acceptable in terms of highway safety.

Other matters

The applicant and agent have indicated that the excessive height of the outbuilding is partly to obscure the view from the new properties to the rear into the rear garden of the applicant's property, with past aggrievances made in terms of the new development's impact on overlooking. These concerns have been acknowledged, both within application reference

2021/0142 and the subsequent discharge of conditions application 2021/1281 and during the assessment of this application, but it is felt that this is a separate matter to the issue at hand within this particular application. A final decision has already been made on the adjacent application and these matters have already been considered.

Conclusion

In conclusion, the LPA has raised significant concerns with the proposed size, scale and height of the proposed development. The outbuilding is 1.5 stories with a height to the eaves of 2.8m and 5.7m to the roof ridge, and a footprint size of 71.5sqm. The internal floor space of the proposed measures 61.5sqm at the ground floor and 56sqm at the first floor. The internal floor space, footprint and excessive eaves and roof ridge height is comparable to a two-bed bungalow in the Borough which is typically a maximum of 5m in height. Indeed, the minimum internal floor space expected for a 2-bed bungalow in the South Yorkshire Residential Design Guide (SYRDG) requires a minimum of 62sqm. The proposed development is therefore comparable to a larger, independent, residential development and is considered to go beyond the space, size and massing required for an ancillary domestic outbuilding. The outbuilding would be visible from neighbouring properties and the new housing development to the rear and whilst is not in a prominent position on the site, it is considered to punctuate the character of development in the area and will have a detrimental impact on visual amenities of the area.

The development is considered to be contrary to the LPA's SPD for House Extensions and Other Domestic Alterations in the sense that it is not of a sympathetic size and scale to the host dwelling and forms an incongruous feature which is at odds with the pattern of development in the area. To conclude, the proposed development is contrary to Local Plan Policy D1: High Quality Design and Place Making and the SPD for House Extensions and Other Domestic Alterations and for the reasons outline above, is recommended for refusal.

Recommendation

Refuse