
2017/1551

Applicant: Mr Antony Bird, C/o Michael A. Clynch

Description: Erection of double detached garage and store.

Site Address: The Bungalow, Little Royd Farm, Halifax Road, Penistone, Sheffield, S36 7EY

No objections received

Penistone Town Council have no objections to the application

The application is before Members as it is subject to a S106 agreement

Description

The property is a detached stone built bungalow, set to the north of Halifax Road, Penistone. The front elevation of the bungalow faces to the north east with the main garden areas being set to the south and west, defined by hedges and planting. The dwelling has been extended previously with a single storey side extension and single storey extensions to the front elevation. The property is set within the Green Belt.

Proposed Development

The proposal involves the erection of a detached double garage and store measuring approximately 8.5m by 6.4m, 2.4m in height to the eaves and 3.8m to the pitch. The proposed garage would be sited in the north eastern corner of the garden and would be constructed of artificial stone to match the dwelling and an artificial stone slate roof. Two roller shutter doors are proposed to the front elevation with an access door to the side.

In April 2017 application 2017/0238 was approved to provide large extensions and additional accommodation for the previous owner of the bungalow. These extensions brought the total extensions at the property up to 100% of the original floor area; however these extensions have not been constructed. The applicant has now recently bought the property and wishes to build a detached garage, however does not wish to implement the permission for the extensions approved in 2017 for the previous owner.

As the previous permission extended the property up to 100%, a legal agreement would be required which would mean that applicant would have to surrender the permission for the previously approved extensions, in order for the application for the garage to be supported.

Policy Context

UDP – Green Belt

Planning decision 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 Core Strategy, saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration

and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

Core Strategy

Core Strategy Policy 29: Design Principles – sets out the overarching design principles for the borough to ensure that development is appropriate to its context. High quality development will be expected, that respects, takes advantage of and enhances the distinctive features of Barnsley, and contributes towards creating attractive, sustainable and successful neighbourhoods. The Council will seek to ensure that development improves what needs improving, whilst protecting what is good about what we have. Design that reflects the character of areas will help to strengthen their distinctiveness, identity and people's sense of belonging to them. This policy is to be applied to new development and to the extension and conversion of existing buildings.

Core Strategy Policy 34: Protection of Green Belt - In order to protect the countryside and open land around built up areas the extent of the Green Belt will be safeguarded and remain unchanged.

Saved UDP Policy

Policy GS8E: Replacement, alteration & extensions to dwelling in the Green Belt – Proposals to replace, extend or alter dwellings in the Green Belt will be permitted provided that: in the case of extensions the total size of the proposed and previous extensions does not exceed the size of the original dwelling and the original dwelling forms the dominant feature of the dwelling as extended; the construction is of a high standard of design; and local residents or the appearance of the locality will not be adversely affected.

The sizes of a dwelling as existing and as proposed will be compared by reference to their floors pace, with the following guidelines:-

- Floor space will be calculated by external measurement of the building
- Floor space within roof spaces will not be taken into account
- Outbuildings will not be taken into account when calculating original floor space

Domestic outbuildings within the curtilage of the dwelling will be treated as part of the dwelling or an extension to it, except for the purposes of calculating the size of the original dwelling. The erection of domestic outbuildings such as garages and garden sheds within the curtilage of a dwelling is often permitted development. However, when permission is needed for such development this policy will be applied. This means whilst domestic outbuildings will not be prohibited, their extent will be limited in order to preserve the openness of the Green Belt.

Supplementary Planning Documents

Supplementary Planning Document: House Extensions, adopted March 2012 – sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings and 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.

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.

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:

Core Principle 7: Requiring good design - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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.

Core Principle 9: Protecting Green Belt Land – The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances

As with previous Green Belt policy, inappropriate development in the Green Belt where “the extension or alteration of a building does not result in disproportionate additions over and above the size of the original building”.

Consultations

Penistone Town Council – No objections

Highways – No objection

Representations

No comments received

Assessment

Principle of Development

The property is located within Green Belt where the extension of existing buildings is acceptable where the impacts are not materially greater than existing and any development in the Green Belt must preserve the openness of the Green Belt and not conflict with the purposes of including land in Green Belt. Policy GS8E indicates that proposals to replace, extend or alter dwellings in the Green Belt will be permitted provided that the total size of the proposed and previous extensions does not exceed the size of the original dwelling.

The previous extensions already built and the proposed garage with a floor area of 54.4sqm, would not exceed the size of the original dwelling in compliance with GS8E. However in April 2017 under application 2017/0238, large extensions to the dwelling were approved to provide additional accommodation for the previous owner of the bungalow. These extensions brought the total extensions at the property up to 100% of the original floor area but have not been constructed. The applicant has recently bought the property but does not want to implement the permission for the extensions previously approved in 2017.

As the previous permission 2017/0238 extended the property up to 100%, the applicant has agreed to sign a legal agreement which would ensure that the applicant/owner acknowledges that this application 2017/1551, would only be granted by the Council if the development under planning permission 2017/0238 was not implemented, and agrees not to commence development of these extensions. Subject to the signing of the legal agreement, which would surrender the previous permission, the proposal is acceptable in principle in line with policy GS8E and relevant policies in the NPPF.

Residential Amenity

The closest residential dwelling is the recently converted agricultural building set to the north west at a higher level. The proposed domestic garage would be a significant distance from this dwelling and would not cause any overshadowing, overbearing impact or overlooking in accordance with the adopted SPD: House Extensions.

Visual Amenity

The proposed garage is of an acceptable design and scale, and would be constructed of matching materials. The garage is set within the curtilage of the property and would be screened by hedges along the northern and eastern boundaries of the site. The garage would not significantly harm the openness of the Green Belt and is acceptable in terms of policy GS8E and the design principles in Core Strategy Policy CSP29.

Highway Safety

The highways section have no objection to the proposed garage. The garage allows for adequate parking and turning areas within the site and would not have any significant impact upon highway safety in accordance with the SPD: House Extensions.

Recommendation

Approve subject to a S106 Legal Agreement

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby approved shall be carried out strictly in accordance with the plans (Drawing A1) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.

3 The external materials shall match those used in the existing building.

Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwelling which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.

Reason: To safeguard the openness and visual amenities of the Green Belt in accordance with Core Strategy Policy CSP 34, Protection of Green Belt.

