



Appeal Decision

Site visit made on 27 January 2020 by Darren Ellis MPlan

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th May 2020

Appeal Ref: APP/R4408/D/19/3239149

South Grove House, South Grove Drive, Hoyland, Barnsley, S74 9DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Dale Fox against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2019/0864, dated 11 July 2019, was refused by notice dated 12 September 2019.
 - The development proposed is a detached garage to store racing motorcycles with attic storage only.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. At the time of my site visit the garage which forms the subject of this appeal was mostly completed, along with a driveway and retaining walls. I have therefore dealt with the appeal on that basis.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the area, and the effect of the development on the living conditions of the occupiers of the neighbouring properties with regards to privacy, noise and disturbance.

Reasons for the Recommendation

Character and Appearance

5. The appeal site is a parcel of land on the western side of South Grove Drive, a private road leading off Broad Street. The parcel of land belongs to the owners of South Grove House, which lies at the southern end of South Grove Drive, although a separate dwelling (South Grove Bungalow) is sited in between South Grove House and the appeal site. The proposal is for a detached garage with storage space in the attic to be sited on this parcel of land.
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6. Planning permission has previously been granted on appeal¹ for a detached single-storey double garage on the appeal site. The garage that is the subject of this appeal is set further back from the street than the approved garage and has had the orientation rotated by 90 degrees so that the gable ends now face the front and rear of the site. In addition, the garage has been built in an elevated position above the level of the driveway and street. The ridge height and eaves level have also been increased to provide attic space. In terms of its detailed design, the elevations have also been altered from those previously approved. Specifically, instead of two sets of garage doors on the front elevation the structure has been provided with openings to the front elevation to serve a garage door and personnel door, in addition to two sets of high-level windows to the side elevations. There is an opening for a door at the first-floor level on the front elevation and photographs in the Council's report appear to show a similar opening at first-floor level in the rear elevation, although this opening is not shown on the submitted drawings. It is unclear how those openings will be accessed. Rooflights have been installed on the southern roof slope, although the submitted drawings show rooflights on both roof slopes.
7. There is a mix of house types and designs in South Grove Drive, which serves five dwellings, and several detached garages and car ports. There are existing outbuildings in the street that are set away from their host properties, and given that planning permission exists for a garage on the appeal site, the principle of a detached garage on the site that is set away from South Grove House is already established.
8. Paragraphs 8.25 and 8.26 of the Supplementary Planning Document – House Extensions and Other Domestic Alterations (2019) (SPD) states that detached garages should typically be single storey structures and the eaves height should not normally exceed 2.5m from ground level. In this case, the garage, which has two-storeys, has been built on a raised platform and has an eaves height of approximately 3.3m, contrary to the requirements of the SPD. Moreover, the raised platform and the opening for a door at the first-floor level are not features that are commonly associated with domestic garages. Accordingly, the proportions of the building, emphasised by the first-floor opening, would not reflect those of a domestic garage as set out in the SPD. On that basis the building, which would reflect neither the character of a residential property nor that of a domestic outbuilding, appears as an incongruous addition to the street scene.
9. I have taken into account the appellant's need for the storage of motorcycles, although it seems to me that the previously approved garage would have achieved the same aim. However, I am not persuaded that the height of the building, or its detailed design, are necessary to serve this purpose. This limits the weight I can give the matter as a private benefit of the scheme.
10. The appellant contends that the construction of the garage on a plinth and with no level access to the road would provide additional security. It is explained that vehicles would be put in and taken out of the garage with the use of a transport van with a platform lift. However, given the distance between the retaining wall and the garage door I am unconvinced that this method of getting vehicles in and out of the garage is practical or feasible in perpetuity. Accordingly, these matters carry little weight in favour of the scheme.

¹ Planning application ref. 2018/0157; Appeal ref: APP/R4408/D/18/3211892

11. Consequently, for the above reasons, the proposal causes significant harm to the character and appearance of the area. As such it conflicts with Policy D1 of the Barnsley Local Plan (2019) (LP) and the guidance in the SPD, which both seek, amongst other things, to ensure that development respects the character and appearance of the area.

Living conditions of the occupiers of neighbouring properties

12. The use of the garage for the storage, maintenance and repair of motorcycles would create noise associated with these activities. Additional noise and disturbance would arise from the comings and goings of the van used to transport motorcycles, although this would likely be occasional. Overall the noises are typical of noises associated with garages and, moreover, could be associated with the approved scheme. Accordingly, I am satisfied that the proposal would not cause any undue noise or disturbance to the surrounding properties.
13. However, a large number of windows are proposed at 1st floor level. While the windows would not serve habitable rooms, the rooflights and windows on the southern elevation would overlook the garden of South Grove Bungalow at very close proximity. In addition, when the first-floor door in the front elevation is open, it would provide wide views of the garden of No 45 Brooke Street opposite from a high level, although the distance between the garage and the rear windows of No 45 itself would prevent any significant overlooking of windows in that property. Consequently, when the first floor was being used, the proposal could result in overlooking and cause a loss of privacy.
14. For these reasons, the proposal would cause harm to the living conditions of the occupiers of the neighbouring properties as a result of overlooking. The proposal therefore conflicts with Policy GD1 of the LP and the guidance in the SPD which, amongst other things, seeks to ensure that there will be no significant adverse effects, including overlooking, of a development on the living conditions of the occupiers of neighbouring properties.

Other Matters

15. Whilst I have taken into consideration the Council's concerns that the building could be used as a dwelling, any such a change of use would require planning permission. Had I been minded to allow the appeal, a suitable condition could have been attached to the planning permission to prevent the garage from being used as habitable accommodation.
16. My attention has been drawn to the fact that the garage may have been constructed outside of the application site boundary as indicated by the red line on the plan. However, given I am recommending that the appeal is dismissed, I am satisfied that no-one would be prejudiced as a result of my determination of the appeal in this regard.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

D Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR