



Appeal Decision

Site visit made on 21 July 2022

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2022.

Appeal Ref: APP/R4408/D/22/3301442

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

- 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 Martin Matze against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref: 2021/0940, dated 2 July 2021, was refused by notice dated 1 April 2022
 - The development proposed is detached garage.
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Decision

1. The appeal is allowed, and planning permission is granted for detached outbuilding to rear, housing garage and garden room and store within roof space at 21 Mount Vernon Crescent, Worsbrough Common, Barnsley S70 4DN in accordance with the terms of the application ref: 2021/0940, dated 2 July 2021 and subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. Development shall be carried out in accordance with the following approved plans: Proposed Site Plan – (Dwg. No.MMM002-001 Rev.A), Proposed Elevations – (Dwg. No.MMM002-003 Rev.A) and Proposed Floor Plans – (Dwg. No.MMM002-004 Rev.A).
 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.
 4. The proposed outbuilding hereby permitted shall be used for domestic ancillary purposes in association with the application dwelling 21 Mount Vernon Crescent, Worsbrough Common, Barnsley S70 4DN, and shall not be used for any trade/business purposes, nor as a separate residential use/annex and shall not be severed at a later date to create a separate planning unit.

Preliminary Matter

2. I have determined this appeal based upon the Council's description of development as a "detached outbuilding to rear, housing garage and garden room and store within roof space" because it is a more accurate specification for the proposal.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. No.21 Mount Vernon Crescent is a semi-detached dwelling located near the end of a cul-de-sac. It has a rear dormer roof extension and a single storey rear extension. There is a single storey outbuilding at the end of its relatively long rear garden. Land to the rear of the appeal site is currently the subject of residential development which is under construction.
5. The Council has concluded that the proposed outbuilding would have no significant adverse impact on the amenity of neighbours and in that respect would comply with Barnsley Local Plan policy GD1 and its supplementary planning document: House Extensions. I see no reason to disagree in view of the location of the proposed outbuilding at the end of the rear garden, with adequate separation distance from neighbouring dwellings. The proposed outbuilding would have a blank wall and roof facing the adjacent development site, which is situated at a slightly higher land level. In view of the scale and orientation of the building there would be no significant loss of light to the adjacent land.
6. The proposed outbuilding would replace the existing outbuilding and would have a slightly larger footprint. It would have a pitched roof with a ridge height of around 5.5 m and an eaves height of approximately 2.8 m. It is proposed to be built in red brick with a grey plain tile roof. The Council considers that the internal footprint would be excessive for a domestic outbuilding. It has compared the internal floorspace to that of a 2-bedroom bungalow with the minimum floorspace defined as 62 m² in the South Yorkshire Residential Design Guide. However, the proposal is not for use as a dwelling, and residential use may be restricted through the imposition of an appropriate condition.
7. The footprint of the proposed outbuilding would only be marginally larger than the footprint of the existing outbuilding. I also note that there is no floorspace/footprint guidance in the Council's guidance for domestic outbuildings in its supplementary planning document: House Extensions and Other Domestic Alterations. The eaves height, at around 2.8 m, would be similar to the height of the existing outbuilding and only 0.3 m greater than specified in the design guidance.
8. The Council also considers that the general size, scale and height of the proposed outbuilding would not be sympathetic to the main building. However, the main building has significant scale and bulk, particularly because of its additions including the large rear roof dormer. The outbuilding would therefore be proportionate in size to the main building. There would be a significant separation distance between the outbuilding and the main building so that they would not normally be viewed in conjunction with each other. The Council's design guidance for outbuildings accepts that in some circumstances, such as where a detached garage is set within a large curtilage, it may be possible to use the roof space for storage, as in the appeal proposal.

9. Overall, I consider that the proposal would have no significant harmful effect on the character and appearance of the area. It would therefore not conflict with Local Plan policy D1 which seeks to encourage high quality design and development which respects local character and distinctiveness. It would also not conflict with advice for outbuildings in the supplementary planning document: House Extensions.

Other Matters

10. Issues raised concerning the ownership of the rear boundary wall of the appeal site, potential effect on its stability and the requirements of the Party Wall etc Act 1996 are matters for resolution between the relevant landowners and not for determination as part of this appeal.

Conditions

11. In addition to the standard condition for the commencement of development a condition is imposed to confirm the approved plans. A condition is included to ensure that the proposed brickwork and roof tiles match those used in the main building in the interest of maintaining the character and appearance of the area. I have also included a condition suggested by the Council that the use of the outbuilding should be ancillary to the use of the dwelling in order to ensure that the Council has control over any proposed self-contained residential or business use.

Conclusion

12. I have taken all other matters raised into account. For the reasons given above the appeal is allowed subject to conditions.

Martin H Seddon

INSPECTOR