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Application Number:	21/02309/FUL
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Application Type:	Full Application
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Proposal Description:	Installation of wood burning stove and flue to outbuilding (retrospective)
At:	Aberdeen Bungalow Drake Head Lane Conisbrough Doncaster

For:	Mr P Heath
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Third Party Reps:	4 letters of objection 8 letters of support	Parish:	Conisbrough Parks Parish Council
		Ward:	Conisbrough

Author of Report	Bethan Gledhill
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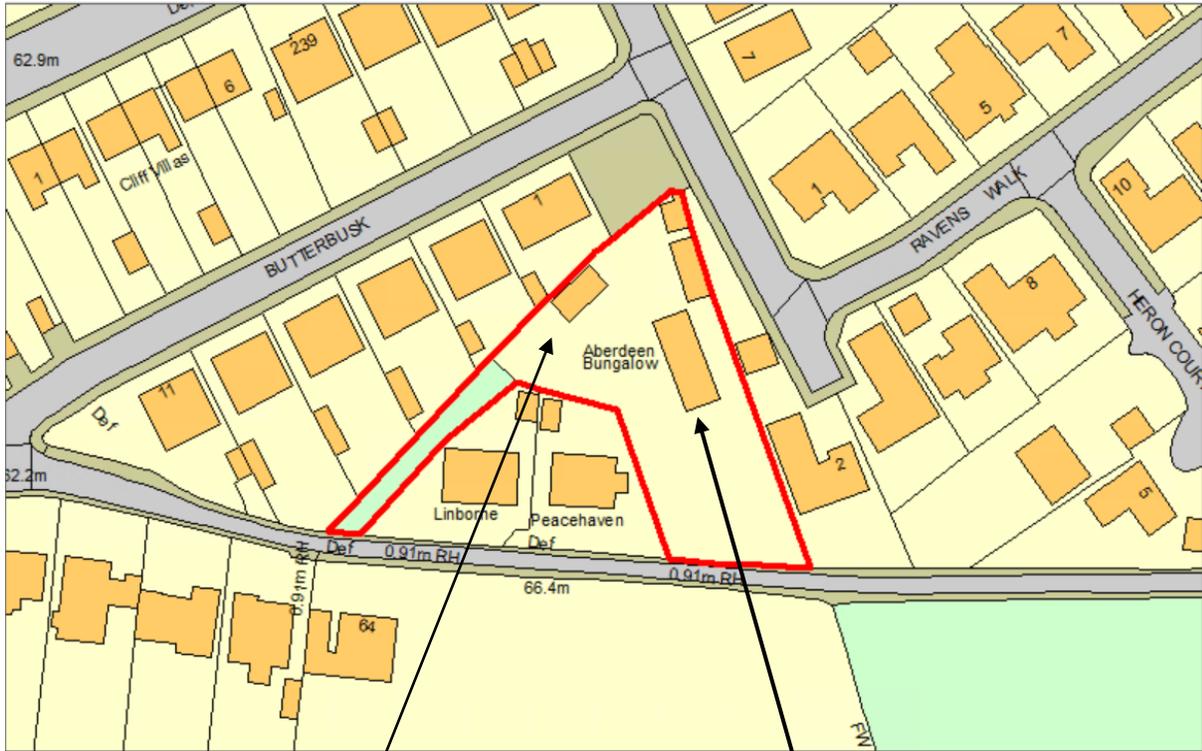
MAIN RECOMMENDATION:	GRANT
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SUMMARY

The proposal seeks retrospective permission for the installation of a wood burning stove and flue to an outbuilding. The proposal is considered to be acceptable lying within Doncaster's allocated residential policy area and is considered to be an acceptable and sustainable form of development in line with Local and National Planning

The report demonstrates that there are no material planning considerations that would significantly or demonstrably outweigh the social, economic or environmental benefits of the proposal in this location. The development would not cause undue harm to neighbouring properties, heritage assets, the highway network or the wider character of the area.

RECOMMENDATION: GRANT planning permission subject to conditions.



**Outbuilding upon
which flue is
installed**

Application property

1.0 Reason for Report

- 1.1 This application is being presented to planning committee at the request of Councillor Nigel Ball, due to concerns over residential amenity. In addition, significant public interest in the application has been generated by the application.

2.0 Proposal

- 2.1 Retrospective planning permission is sought for the installation of wood burning stove and associated flue to an outbuilding within the property's curtilage. The outbuilding is used as a workshop.
- 2.2 Planning permission is required as Class E of the General Permitted Development Order does not allow for chimneys to be installed on residential outbuildings.
- 2.3 The outbuilding is located within the rear garden of the property along the north-western boundary. It is parallel with part of the boundary shared with no. 1 Butterbusk.

3.0 Site Description

- 3.1 The property itself is located on Drake Head Lane. The outbuilding upon which the flue has been installed is located along the north-western boundary of the site.
- 3.2 The outbuilding has a floor area of 47m², is 3.7m in height to the ridge, with the flue extending 1m above the ridge height.
- 3.3 Surrounding properties are mainly bungalows and dormer bungalows.

4.0 Relevant Planning History

- 4.1 There is currently an enforcement complaint open as regards the erection of the flue, which is being applied for as part of this application.

5.0 Site Allocation

- 5.1 The site falls within Residential Policy Area, as defined by the Local Plan. The following policies are applicable:

5.2 National Planning Policy Framework (NPPF 2021)

- 5.3 The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and how these are expected to be

applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.4 Paragraphs 7 - 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.5 Paragraph 56 states that planning conditions should be kept to a minimum and only be imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 5.6 Paragraph 130 states that Planning policies and decisions should ensure that developments:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.6 **Doncaster Local Plan**

- 5.7 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 Doncaster includes the Doncaster Local Plan (adopted 23 September 2021). The following Local Plan policies are relevant in this case:

- 5.8 Policy 41 (Character and Local Distinctiveness) states that development will be supported where they integrate visually and functionally with the immediate and surrounding area at a settlement, neighbourhood, street and plot scale
- 5.9 Policy 44 (Residential Design) states that development proposals will be supported where they recognise and reinforce the character of local landscapes; are of a high quality design that contributes to local distinctiveness and respond positively to their context, setting and site features.
- 5.10 Other material planning considerations and guidance
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
 - National Planning Policy Guidance

6.0 Representations

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) on the council website, and by neighbour notification.
- 6.2 4 letters of objection have been received from 3 persons.
- 6.3 The letters of objection are in regard to the following summarised points:
- The acrid smoke produced by the other burners is a danger to health;
 - The chimney has an industrial appearance;
 - The reflection from the chimney causes harmful glare, reducing the enjoyment of the garden of 3 Butterbusk;
 - Aberdeen Bungalow has 2 further wood burners one in the main residence and a further wood burner of similar construction in an outer building;
 - There are two tall stainless steel chimneys which are industrial looking and unsightly in a residential area;
 - The smoke produced is an environmental concern.
- 6.4 8 letters of support have been received from 7 persons.
- 6.5 The letters of support are in regard to the following summarised points:
- A person should be able to burn wood when he wants to burn wood;
 - The applicant burns kiln dried wood and man-made smokeless fuel and has never had problems with smoke or pollution;
 - The wood burning stove and chimney have been installed by a bona fide company and comply with all current regulations;
 - The appliance is Defra approved and multi fuel and is designed to burn smokeless fuel;

- The occupier of Lynborne has never had a bad reflection of the chimney with the sun and never had bad smoke coming over the property;
- There is no objection to the proposal.

6.6 The below concern raised is not a material consideration and cannot be considered as part of this application:

- The chimney causes damage to paintwork.

7.0 Parish Council

7.1 No comments have been received from the Parish Council.

8.0 Relevant Consultations

8.1 Environmental Health - No objection in principle to the installation of a domestic solid fuel appliance in a domestic setting. The proposed height of the flue is at the recommended 1 metre above the roof ridge height of the building to allow adequate dilution and dispersal of any smoke and/or odour.

8.2 Pollution Control - Neither support or object. However, any domestic combustion appliance operated within the borough of Doncaster must be in compliance with the requirements of the Clean Air Act 1993.

9.0 Assessment

9.1 The principle issues for consideration under this application are as follows:

- o Principle of development;
- o Impact on Amenity
- o Impact upon the character and appearance of the area

9.2 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

9.3 Sustainability

9.4 The National Planning Policy Framework (NPPF 2021) sets out at Paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

9.5 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9.6 Accordingly, Accordingly, the acceptability of this application rests upon an assessment of the impact of the flue upon the residential amenity of neighbouring properties, as well as determining the visual impact of the flue upon the character of the area.

9.7 SOCIAL SUSTAINABILITY

9.8 Impact on Residential Amenity

9.9 The flue requires planning permission, as Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) does not allow the installation of flues to outbuildings. The principle of development is deemed acceptable subject to the impacts upon the amenity of neighbouring properties and their private amenity spaces.

- 9.10 As a result of the publicity afforded to the application, objections relating to the reflection caused by the chimney have been received. It is accepted that as the sun moves south to west, it is reflected off the surface of the chimney. The reflection is subsequently received by the rear window and garden of 3 Butterbusk. It is considered however, this this can be mitigated via a planning condition which requires the chimney to be painted in a matt, fire resistant paint in a dark, matt colour and both maintained and retained as such throughout the life of the development.
- 9.11 Concerns have been raised as regards the smoke which would be produced by the flue. The objector at no 3 Butterbusk states that the flue is not currently in use. However, there are concerns that once the flue is in use, the alleged problem of acrid smoke and smells from 2 other burners located on the site would be exacerbated.
- 9.12 The Environmental Health Officer has been consulted on this application, and raises no objections. It is noted that the flue is installed at a height of 1m above the height of the outbuilding to allow adequate dilution and dispersal of any smoke and/or odour.
- 9.13 The Pollution Control officer has been consulted on this application. No objections are raised. The appliance that has been installed is a Dunsley Yorkshire Multifuel Stove. This can be found on the list of Clean Air Act approved appliances.

9.14 Conclusion on Social Sustainability

- 9.15 Based upon the comments received from the consultees, and the fact that the appliance is on the list of Clean Air approved appliances, it is not felt that the flue, when in use, would result in harm being caused to the health of nearby neighbours, nor upon the enjoyment of their private amenity spaces.

9.16 ENVIRONMENTAL SUSTAINABILITY

9.17 Impact Upon the Character of the Area

- 9.18 As noted above, the property is located on Drake Head Lane. The outbuilding upon which the flue is installed is located on part of the north-western boundary, and is parallel with part of the boundary shared with 1 Butterbusk.
- 9.19 There are limited views of the flue from public vantage points. The outbuilding itself is located approx. 20m from Archers Way (measured at its nearest point), approx. 21m from Butterbusk, and approx. 53m from Drake Head Lane.
- 9.20 External flues are not uncommon additions to residential buildings. Therefore, whilst the flue can be glimpsed from the wider street scene, it is not considered that it causes harm to the surrounding area.

9.21 Conclusion on Environmental Issues

9.22 In summary, it is not considered that the flue significantly harms the character of the area and that the environmental impact of the proposed development is acceptable.

9.23 ECONOMIC SUSTAINABILITY

9.24 This application is a householder application for a minor development. Whilst providing employment for those installing the wood burner and flue during the period of the works, this is the extent of its economic impact.

10.0 PLANNING BALANCE & CONCLUSION

10.1 In accordance with Paragraph 11 of the NPPF the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the NPPF taken as a whole. Subject to the recommended conditions, the proposal is compliant with the development plan and there are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

Grant permission subject to the following condition:

01. Within 3 months of the date of the permission hereby granted, the flue shall be painted in a matt, fire resistant paint. The colour shall be grey. The paintwork shall thereafter be retained and maintained throughout the life of the development.

REASON

In order to protect residential amenity.

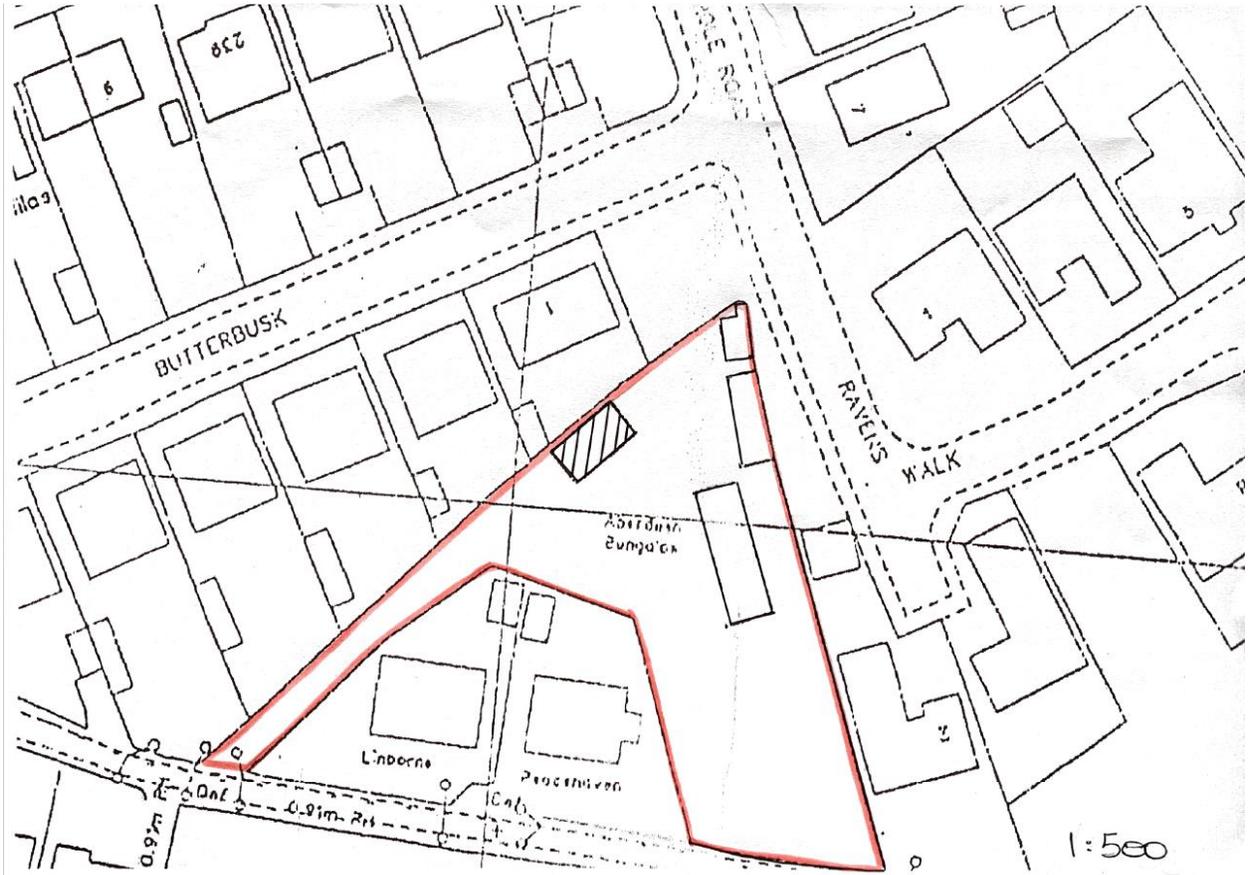
STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

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.

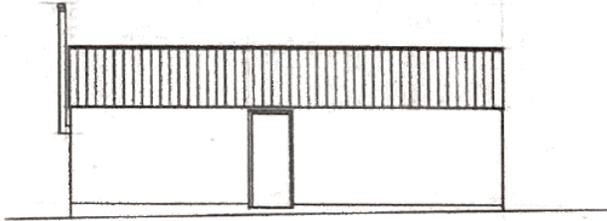
The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence

APPENDIX 1

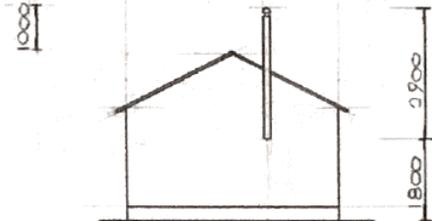
SITE PLAN



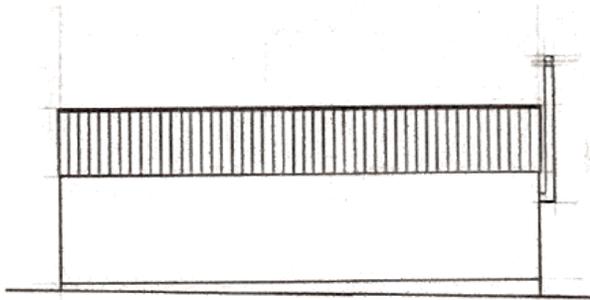
APPENDIX 2
ELEVATIONS



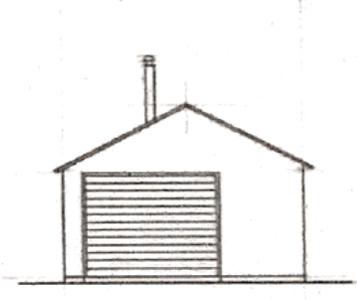
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

APPENDIX 3

FLOOR PLAN

