The Planning Inspectorate

Appeal Decision

Site visit made on 21 November 2017

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th November 2017

Appeal Ref: APP/R4408/D/17/3181930
62 Church Street, Gawber, Barnsley S75 2RJ

- 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 Daniel Firth against the decision of Barnsley Metropolitan Borough Council.
- The application Ref 2017/0700, dated 18 May 2017, was refused by notice dated 14 July 2017.
- The development proposed is a garage and a games room.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal property benefits from a planning permission (Council ref: 2012/0738) for the erection of a detached double garage with store/playroom above. At the time of my site visit, walls and the hardstanding floor had been constructed. I am aware from the appeal submissions that the footprint size and location of the proposal are the same as the approved scheme and I have considered the appeal on that basis, together with its proposed incidental use to the existing dwelling.

Main Issue

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

Reasons

4. The appeal site is set behind other residential properties on Church Street, and its ground level is set appreciably lower than these properties. Access is via a shared driveway between properties onto Church Street. The area, more broadly, forms a pleasing mix of older and more modern properties on Church Street and the side roads, including Bakehouse Lane, where properties also back on the site. Where buildings of any size are found to the rear of other properties, as with the existing house on the site, they are generally separate dwellings that are located on distinct and reasonably spacious plots.

5. The proposal, for such a domestic structure, would be of a significant scale due to its two storey form and height. It would also be significantly higher for outbuildings than is envisaged under the Council's Supplementary Planning Document House Extensions (2012) (SPD). Its scale would be most apparent

on the front elevation with the height of the eaves and the design incorporating an extensive area of the glazing and Juliet balcony arrangement, at first floor level. With the overall size of the proposal, it would not appear as a subservient building.

6. The proposal would be located in close proximity to the existing house and tight to the boundaries of the site with the nearest neighbouring properties on Church Street and Bakehouse Lane. Such a confined arrangement, with the scale of the proposal, would present a more dense and cramped form of development on the site. Although the existing dwelling itself is found to the rear of properties on Church Street, with its neighbouring dwellings, it maintains a well ordered pattern of development. In contrast, this would be disrupted by the scale and design of the proposal, and so it would detract from this character.

7. The limited views from the streetscene would not address what would be an overly large and incongruent building within its context of distinct separate dwellings. The proposal would therefore not sit comfortably within its surroundings, despite the limited visibility from the public realm. The guidelines the SPD provides over the size of outbuildings and design are therefore not of any significantly less relevance, in this regard.

8. The existing planning permission 2012/0738 represents a clear fallback. However, the approved scheme is of lesser height at both eaves and roof ridge level and so would have less of a harmful impact on the prevailing character than the proposal's scale and design. On that basis, the approved scheme does not justify permitting the proposal before me. The asymmetrical roof of would be similar in form to that on a dwelling found close to the site. However this further demonstrates that with the scale and design of the asymmetrical roof, the proposal would not appear subservient compared to neighbouring dwellings. None of these matters alter my conclusions.

9. Paragraph 56 of the National Planning Policy Framework (the Framework) makes it clear that Government attaches great importance to the design of the built environment, and this is a key aspect of sustainable development. This demonstrates the relevance of requiring good design in the consideration of this appeal. I find that the proposal would not comply with paragraph 60 of the Framework because, whilst planning decisions should not seek to stifle innovation, originality or initiative, it is proper to seek to promote or reinforce local distinctiveness, which this proposal does not achieve.

10. I conclude the proposal would have an unacceptable effect on the character and appearance of the area and, as such, it would not comply with Policy CSP 29 of the Barnsley Metropolitan Borough Council Barnsley Local Development Framework Core Strategy (2011) that expects development to respect townscape character, including building styles, and to be of high quality. As I have set out, the proposal would not comply with the design guidance in the Council's SPD and as it would not be of a scale and design that harmonises with the existing building.

Other Matters

11. The short section of the boundary of the site with No 56 Church Street is defined by a wall and fence structure of a substantial height. The rear elevation of the proposal would be sited adjacent to this boundary. The area of

No 56 nearest this boundary is the rear most part of its garden, and it contains a seating area. With the short section of the boundary which the proposal would be sited closest to, and having regard to the substantial boundary treatment, I find there would not be an unacceptable effect on the outlook from No 56's garden, nor would it cause unacceptable overshadowing. Similarly, I also find the effect on the living conditions of the occupiers of other neighbouring properties, by way of outlook, would not be unacceptable. These, however, are neutral matters and do not address the harm that would arise to the character and appearance of the area.

12. Matters such as the planning application process and its determination by the Council are not for my consideration in the determination of this appeal.

Conclusion

13. For the reasons set out above, the appeal should be dismissed.

Darren Hendley

INSPECTOR