The Planning Inspectorate

Appeal Decision

Site Visit made on 17 August 2021

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th October 2021

Appeal Ref: APP/R4408/W/21/3274338
17 Pontefract Road, Cudworth, Barnsley S72 8AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr Sean Jones against the decision of Barnsley Metropolitan Borough Council.
- The application Ref 2020/0848, dated 3 August 2020, was refused by notice dated 6 November 2020.
- The development proposed is described as a 'detached bungalow'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. An outline planning permission is sought with only access to be considered at this stage. All other matters are reserved for future consideration. I have determined the appeal on this basis.

3. A revised National Planning Policy Framework was published in July 2021 (the Framework). Whilst the paragraph numbers have changed in regard to those relevant to the main issues of this case, the substance thereof remains the same as the 2019 iteration. I have sought comments from the main parties and taken any comments made into consideration.

Main Issues

4. The main issues are the effect of the development on (i) the character and appearance of the area, and (ii) highway safety.

Reasons

Character and Appearance

5. The appeal site is a broadly rectangular area of land accessed from Intake Lane. It is situated to the rear of No 17 Pontefract Road, beyond a narrow access road and is utilised as an associated garden area to this dwelling. A variety of mainly semi-detached properties are situated close to the western side of the access road. To the east are areas of land used as gardens and parking, beyond which are gently sloping fields. The fringe urban location, close to the countryside and the open areas of garden land contribute to the verdant, open character of this part of Cudworth.

6. The indicative plans show a proposed dwelling to the rear of an existing garage which would be removed. Although the property would be directly accessed

from a road which is utilised by other properties, it would introduce a dwelling into an area which is generally open, apart from smaller buildings such as garages and sheds associated with the dwellings on the western side of the access road.

7. The appellant has stated that design matters would be dealt with at a later stage, but whatever the final form of the development, it would result in a dwelling on the appeal site, the footprint of which is set out on the indicative site plan. The introduction of this built development would appear incongruous and erode the open character of the land to the east of the access road, which is generally undeveloped other than outbuildings.

8. I therefore conclude that the proposal would be harmful to the character and appearance of the area. As such, it would be contrary to Policies GD1 and D1 of the Barnsley Local Plan (LP), which seek, amongst other matters, development that respects, takes advantage of and reinforces the distinctive, local character and features of Barnsley. It would also be contrary to the Design of Housing Development Supplementary Planning Document and the Framework, which seek, amongst other matters, development that is sympathetic to local character.

Highway Safety

9. The proposed dwelling would be accessed directly from the access road and would utilise the existing access point that serves the current garage. I was able to see the access track is narrow but has a hard surface and is currently utilised by a number of properties along Pontefract Road. The proposal would result in an increase in the use of the access track, but I consider the additional vehicle movements from the single dwelling proposed would be limited and not result in an unacceptable intensification.

10. The submitted plan sets out the location of the parking to the proposed dwelling, but this is indicative only and it provides no details of manoeuvring and how vehicles would ingress and egress the site. There is therefore insufficient information before me to demonstrate that there would be adequate space in this regard. The existing dwelling at No 17 Pontefract Road, from my observations has an existing driveway to its side which would provide for the existing occupiers of that dwelling. However, in the absence of details of parking within the appeal site for the proposed dwelling, there is potential for the proposal to give rise to inappropriate parking outside the site. Given the narrow width of the access road and limited parking along Intake Lane, this could impede the free flow of traffic and thus impinge on the safe use of the highway.

11. I conclude therefore that the proposal has failed to demonstrate that it would be acceptable in relation to highway safety. As such, it would conflict with LP Policy T4, which seeks amongst other matters, that development provides safe, secure and convenient access and movement.

Other Matters

12. I note that neighbouring occupiers have raised concerns in relation to living conditions. It was not a particular concern of the Council and nonetheless, in the absence of more definitive and accurate plans, I am unable to comment on this matter.

13. My attention has been drawn to an application on a neighbouring site referenced as No. 15 Garden Cottages. Whilst some details of the refused development on this neighbouring site have been provided, I am not aware of the particular circumstances of this case and note that the decision was a significant time ago and made in a different policy context. I can confirm that I have considered this appeal on its own merits.

14. I acknowledge that the proposal is within a primary residential area and the Council does not raise concerns on the principle of development. This is a neutral matter and not a consideration which weighs in favour of the proposal.

15. I accept that the proposal would provide an additional dwelling in what appears to be an accessible location and I note the references to national policy in this respect. However, due to the harm I have found relating to the two main issues, this factor is significantly outweighed.

Conclusion

16. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

F Rafiq

INSPECTOR