



Appeal Decision

Site visit made on 20 July 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2020

Appeal Ref: APP/R4408/D/20/3251685

31 Croft Close, Mapplewell, Barnsley, South Yorkshire S75 6FN

- 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 James O'Callaghan against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2019/1322, dated 15 October 2019, was refused by notice dated 3 March 2020.
 - The development proposed is single storey rear extension with a flat roof.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision notice and subsequent appeal documents refer to the part retrospective nature of the proposal. I saw that the development had commenced and appeared to be substantially complete, although finishing details such as the proposed external wall finish had not been implemented.

Main Issues

3. The main issues in this appeal are the effect of the proposal on the:
 - Living conditions of residents of 29 Croft Close with regards to outlook; and
 - Character and appearance of the host building and the wider area.

Reasons

Living Conditions

4. The appeal proposal is located in close proximity to the boundary with 29 Croft Close, which has patio doors serving a habitable room located on the rear elevation. Due to the proximity to the patio doors and the eaves height of the proposal, the extension would appear as an enclosing and overbearing feature in views from the rear of No 29. This harm would be exacerbated due to the relatively restricted outlook provided by the small rear garden at No 29 and existing outbuildings located on two sides.
5. I acknowledge that the proposal is of a relatively small scale, but this would not mitigate the harm to outlook due to the sensitive relationship with the neighbouring dwelling. Although the Council considers that the proposal would

not lead to an undue loss of light to No 29 this does not lead me to a different conclusion in respect of outlook.

6. Whilst the ownership of No 29 may have changed as referred to by the appellant, this would not negate the harm to future occupants of the dwelling.
7. I conclude that the proposal would lead to significant harm to the living conditions of residents of No 29 with regards to outlook. The proposal would therefore conflict with Policy GD1 of the Barnsley Local Plan 2019 (the Local Plan) on the basis of adverse effects on the living conditions of residents. The proposal would also be contrary to the advice of the SPD¹ in respect of the height of the eaves of rear extensions and the subsequent effect on the outlook of neighbouring residents.

Character and Appearance

8. Although the appeal proposal is to the rear of the property, due to the location of the site on a corner plot the extension is readily visible from the public realm. As a result of its flat roofed design, the extension appears as an obtrusive box-like addition which does not reflect the design of the host building. The proposed use of render would also contrast uncomfortably with the brick built dwelling. As an alternative, the appellant has proposed the use of matching brick slips, but this would not satisfactorily mitigate the unsympathetic design of the extension.
9. The appellant submits that the use of a pitched roof may increase the eaves height with subsequent harm to the outlook from No 29. However, this indicates the fundamentally inappropriate nature of this proposal in this sensitive location.
10. I conclude that due to its location and inappropriate design, the proposal would lead to significant harm to the character and appearance of the host building and the wider area. The proposal would therefore be contrary to the design requirements of Policy D1 of the Local Plan and the National Planning Policy Framework.

Other Matters

11. The appellant has referred to the property's permitted development rights. However, I have not been provided with details of the form of extension which may be constructed under these rights and I cannot therefore be certain that this represents a valid fallback position in respect of the appeal proposal.
12. I am mindful of the costs which may arise to the appellant as a result of the refusal of planning permission. However this matter would not outweigh the significant harm that I have identified.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

David Cross

INSPECTOR

¹ House Extensions and Other Domestic Alterations Supplementary Planning Document 2019 (SPD)