



BARNSELEY

Metropolitan Borough Council

GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2006/0793

To Peter Dimberline RIBA
2 Tipsey Court
Wakefield Road
Staincross
Barnsley
S75 6FZ

DESCRIPTION Erection of single storey outbuilding to dwelling
LOCATION Bank House, Taylor Hill, Cawthorne, Barnsley, South Yorkshire,

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 09 May 2006 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

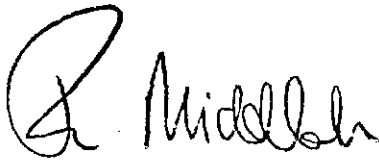
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless prior written consent has been given by the Local Planning Authority to any variation.

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

- 3 The facing stone to the proposed outbuilding shall be squared natural stone with (sawn, split, pitched or tooled) face and laid in regular courses.

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed 
Assistant Director, Planning and Transportation

Dated 27 June 2006

Reason(s) for Granting Permission

- 1 The proposal complies with Policy BE1/1A in that it proposes a high quality of design and materials, which will preserve the character/appearance of Conservation Area.

Informative(s)

- 1 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

H8E - Extensions to dwellings

BE1 - Conservation Area

GS13 - Area of Borough Landscape Value

SPG4: 'House Extensions'

The proposal is considered acceptable both in terms of residential and visual amenity, and is therefore in compliance with the above policies and guidelines.

This informative is only intended as a summary of the reason for granting planning permission. For further details on the decision please refer to the application file, by contacting 01226 772593.



Appeal Decision

Site visit made on 12 December 2006

By **Michael R Lowe BSc (Hons)**

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

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Date:
9 March 2007

Appeal Ref: APP/R4408/A/06/2023403

Land at 128A New Road, Staincross, Barnsley S75 6HS

- 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 D Bretton against the decision of Barnsley Metropolitan Borough Council.
- The application Ref 2006/0794, dated 3 May 2006, was refused by notice dated 13 July 2006.
- The development proposed is the erection of a detached dwelling and garage.

Decision

1. I allow the appeal and grant planning permission for the construction of a detached dwelling and garage on land at 128A New Road, Staincross, Barnsley S75 6HS, in accordance with the terms of the application Ref 2006/0794 dated 3 May 2006 and the plan submitted therewith subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) No development shall take place until details of the materials to be used in the construction of the external surfaces of the dwelling and garage hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 3) All on-site vehicular areas shall be hard surfaced and drained in accordance with details that have been submitted to and approved by the local planning authority before the dwelling hereby permitted is first occupied.
 - 4) The parking/manoeuvring facilities, indicated on the submitted plan, shall be provided prior to the development being brought into use, and shall be retained for that sole purpose at all times.
 - 5) No development shall take place until details of measures to prevent mud/debris from being deposited on the public highway to the detriment of road safety, have been submitted to and approved in writing by the local planning authority, and such measures shall be retained for the entire construction period.

Main Issues

2. I consider the main issues to be
 - a) the effect of the proposed dwelling on the living conditions,
 - b) whether a safe and satisfactory access would be provided, with particular reference to the visibility available for drivers of emerging vehicles at the junction of the access

with New Road and the distance of the site from the public highway for emergency vehicle access.

Reasons

3. The appeal site is located to the east of No 128a New Road. The site is accessed by a shared drive which serves about four properties in a cul-de-sac off New Road.
4. The proposed dwelling would be set at an angle against No 80 New Road, so as to minimise overlooking this property, and the distance from the adjoining properties would be acceptable. The proposed dwelling would generate additional traffic along the access road and traffic entering the drive of the proposed dwelling would also affect No 80. Although there would be some disturbance to the living conditions at Nos 80, 128b and 132 I consider that the effect would be minimal. Looking at the layout, bulk and proximity of the proposed dwelling to the neighbouring properties, I consider that no harm would be caused to the living conditions of the residents of the locality. I therefore conclude that the proposal accords with the policies of the Barnsley UDP (2000) and the supplementary planning guidance which seek to protect the living conditions and amenity of existing and new residents.
5. Turning to the issue of highway safety, the proposed development would mean more vehicular traffic using the existing access road. The junction of the access road and the main road was assessed by the Council as having a sub-standard visibility. Based upon the standard given in *Places Streets and Movement*, the Council seek a visibility distance of 2m x 70m. However, only 2m x 33m can be achieved to the right when leaving the access road. I have considered the submission of the appellant that the guidance in the *Discussion Draft Manual for Streets*, suggests a requirement of only 2m x 43m but I place little weight upon this document as it is only a discussion draft. In my view, the existing access is below the standard required for a new access. However, the amount of additional traffic likely to be generated from the proposed development by the addition of a fifth property would not be so significant as to affect materially highway safety at this junction and, therefore, the proposed development would not conflict with Policy T2A of the Barnsley UDP.
6. As regards access for fire appliances, the South Yorkshire Fire and Rescue Service have confirmed that the proposal is acceptable to them. Although current guidance recommends a maximum drive length of 45m, which the existing access road exceeds, guidance should not be applied uncritically. I conclude with respect to this issue that there would be no material harm to highway safety and therefore no conflict with Policy T2 of the Barnsley UDP.
7. The Council suggested two sets of conditions, from the planning and highway points of view. Having regard to Circular 11/95, *The Use of Conditions in Planning Permission*, I am satisfied of the need for conditions relating to the details of materials for the proposed dwelling and garage, to safeguard the appearance of the area, and conditions for surfacing and drainage and to prevent mud/debris from being deposited on the highway, in the interests of highway safety, based upon the suggestions of the Council.

Michael R. Lowe

INSPECTOR