The Planning Inspectorate

Appeal Decision

Site Visit made on 3 December 2020

by A M Nilsson BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/R4408/D/20/3260024
343 Darton Lane, Mapplewell, Barnsley S75 6AW

- 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 Garry Walker against the decision of Barnsley Metropolitan Borough Council.
- The application Ref 2020/0622, dated 15 June 2020, was refused by notice dated 17 August 2020.
- The development proposed is a detached garage.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my visit the detached garage had been partially constructed.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal site comprises a detached bungalow with roof level accommodation. It is located at the top of a cul-de-sac where there are a range of property styles and sizes.

5. The garage has been constructed in front of the dwelling on land at a lower level. It is prominently positioned at the top of the cul-de-sac where it dominates views when entering the street. Due to its size and scale, when combined with its prominent siting, the garage forms a dominant and incongruous feature in the street-scene.

6. By reason of its size, scale and siting, almost covering the full frontage of the dwelling, it erodes the significance and contribution of the dwelling to the street-scene. For these same reasons, it overwhelms the dwelling, appearing oppressive and overbearing, despite being on a lower ground level.

7. I therefore conclude that the development has an unacceptable impact on the character and appearance of the host property and the surrounding area. It is therefore contrary to Policy D1 of the Barnsley Local Plan (LP) (2019) which requires, amongst other things, that development is of high-quality design.

8. The development is also contrary to guidance contained in the House Extensions and Other Domestic Alterations Supplementary Planning Document

(2019) which outlines, amongst other things, that detached garages should relate sympathetically to the main dwelling in style, proportions and external finishes, and in most cases, it will not be appropriate for a garage to be sited between the house and the road.

9. The development also conflicts with the National Planning Policy Framework (the Framework) (2019) that outlines, amongst other things, that planning decisions should ensure that developments add to the overall quality of the area; are visually attractive as a result of good architecture; are sympathetic to local character, including the surrounding built environment; and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Other Matters

10. The appellant has referred to possible fallback developments in the form of a 2012 planning application, which they state the decision notice is dated as 12 September 2020, and a 2017 application granted on 5 June 2017. Despite the appellants view that the 2012 planning permission, due to the decision date remains extant, I am not persuaded, nor have sufficient evidence that either of these consents are, owing to time lapse, capable of being implemented.

11. Even if these consents were extant, as the appellant highlights, the development before me is for a structure that is wider, higher and in a different position to those previously approved. This alone gives limited weight to the fallback as it relates to a significantly different form of development. I have also determined the appeal on its own individual planning merits.

12. The appellant has referred to them and the builder being supplied with incorrect plans. I have no reason to doubt that there may have been a genuine error, however this is not a reason to allow harmful development.

13. The appellant comments that they initially received positive feedback on their plans that were then subsequently refused. I appreciate that such inconsistency would be frustrating, however this is not a reason to allow the appeal.

Conclusion

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

A M Nilsson

INSPECTOR