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## Appeal Decision

Site visit made on 10 March 2020

**by Mike Hayden BSc DipTP MRTPI**

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

**Decision date: 21 March 2020**

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**Appeal Ref: APP/R4408/W/19/3228246**

**Broom Croft, 11 Stainborough Lane, Hood Green, Barnsley S75 3EZ**

- 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 and Mrs Herbert against the decision of Barnsley Metropolitan Borough Council.
  - The application Ref 2018/1328, dated 10 October 2018, was refused by notice dated 8 February 2019.
  - The development proposed is construction of a detached two bed dormer style bungalow with drive.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the appeal property and the surrounding area.

### Reasons

#### *Character and Appearance*

3. Broom Croft is a detached dormer bungalow, which occupies a large corner plot on Stainborough Lane at the edge of the village of Hood Green. It reflects the prevailing form of development in the eastern part of the settlement of detached dwellings, mainly bungalows and dormer bungalows, set back from the road frontage, within large gardens. The generous plot sizes and space around buildings gives this part of the village an open and spacious character, respecting its setting adjacent to the open countryside.
4. The appeal site comprises the majority of the garden to Broom Croft at the side of the property. In its current form, the openness of the site and the significant set back it creates for the existing dwelling from Stainborough Lane, on a prominent corner at the entrance to Hood Green, makes an important contribution to the spacious character of this part of the village.
5. The plot formed by the proposed development would be significantly smaller than the surrounding properties on Stainborough Lane and Castle Drive. It would be substantially filled by built development, comprising a parking area and retaining wall to the front and a dormer bungalow with a raised deck at the rear. Very little space would remain between the gable ends of the dormer bungalow and the boundaries of the site. At its north eastern corner the building would be

around 0.5 metre (m) from the boundary with Stainborough Lane. On its western side, the flank wall would be less than 1m from the boundary with Broom Croft. At the rear, although adequate garden space could be achieved to meet the standard of 50 square metres (sqm) in the Design of Housing Development Supplementary Planning Document (SPD) (2019), the alignment of the rear boundary is such that the raised decking would be less than 1m from the edge of site at its nearest point.

6. Although Broom Croft and dwellings on Castle Drive also extend across the width of their plots, generally there are large gaps between buildings at first floor level created by single storey garages and extensions to the side. However, the minimal distance of the proposed dwelling from the boundary with Broom Croft would result in a relatively narrow gap between adjacent buildings at first floor level. Overall the restricted plot size, the proximity of the proposed dwelling to the boundaries of the site and the lack of space around it would create a cramped form of development, out of keeping with the spacious character of the surrounding properties.
7. The site also falls from north to south and west to east towards Stainborough Lane. The proposed dwelling has been designed to reflect the overall height, floor level and scale of Broom Croft. However, due to the gradient of the site, its finished floor level would be around 2m above the ground level on the south-eastern corner of the building. Much of its eastern flank gable wall would be visible above the height of the fence on Stainborough Lane, within just 0.5-2.5m of the boundary, leaving little room to plant trees large enough to screen the building. As a result, viewed from Stainborough Lane approaching the edge of the village, the proposed dormer bungalow would appear as a dominant and visually intrusive urban form within what is currently an open and maturely landscaped street scene at this entrance to Hood Green.
8. On this basis, I conclude that proposed development would cause unacceptable harm to the character and appearance of the appeal property and the surrounding area. As such it would be contrary to Policy D1 of the Barnsley Local Plan (the BLP) (2019) which expects development to respect and reinforce the local character within the borough. It would also conflict with Paragraph 127c) of the National Planning Policy Framework (the Framework) which seeks to ensure that developments are sympathetic to local character, including the surrounding built environment and landscape setting.
9. Policy H9 of the BLP also resists development within the curtilage of larger dwellings, where it would have an adverse impact on the setting of the original dwelling and on the size of the remaining garden area. The proposal would harm the open and spacious setting of Broom Croft, removing much of its garden area. However, the definition of 'larger dwellings' in the Design of Housing Development SPD includes dwellings with four or five bedrooms or capable of accommodating four or five without significant adaptation. Broom Croft has three bedrooms. Although the Council asserts that its footprint would be capable of accommodating four or five bedrooms, I have not been provided with the footprint or floorspace figures on which this is based. Whilst the garden area to Broom Croft would be significantly reduced, it would remain adequate to meet the standard of 60 sqm in the SPD. Accordingly, the evidence does not demonstrate the proposal would be contrary to Policy H9. Nevertheless, this would not reduce the harm to character and appearance or overcome the conflict with Policy D1 of the BLP.

### *Other Matters*

10. Access to the appeal site would be via the existing drive serving Broom Croft. Although visibility at this corner onto Stainborough Lane is restricted, the small increase in the number of vehicles using the access would not have a significant or unacceptable impact on highway safety. Despite the reduction in the garden area for Broom Croft and the limited depth of rear garden area for the proposed dwelling, both would meet the space standards for rear gardens in the SPD. Likewise the separation distance between the front elevation of the proposed dwelling and that of Mow Cop on the opposite side of Stainborough Lane would maintain an acceptable degree of privacy for the occupiers of both properties. The absence of any intervisibility between the site and the Registered Park and Gardens at Wentworth Castle would also preserve the setting and significance of the heritage asset. Accordingly, these matters do not add weight against the appeal proposal.
11. I recognise that the Framework and the BLP support the development of housing on small sites and windfall sites to help deliver the housing requirements of the borough and promote a mix of sites. However, paragraph 68c) of the Framework supports windfall development on 'suitable' sites within existing settlements. Given the harm the proposal would cause to the character and appearance of the appeal property and the surrounding area, it is clear that the appeal site is not suitable for the proposed development.
12. My attention was drawn to a planning permission granted for a detached dwelling on a site within the garden of 147 High Street in Royston<sup>1</sup>. However, the site constitutes an infill plot within an otherwise built up street frontage in Royston, which is not comparable to the rural context and corner site location of the appeal proposal. It is also a core principle of planning that each proposal must be determined on its own merits, which I have done in this case.

### **Conclusion**

13. In the overall planning balance, the absence of harm to highway safety, living conditions and heritage assets does not reduce or outweigh the harm the proposal would cause to character and appearance. For the reasons given above, therefore, I conclude that the appeal should be dismissed.

*M Hayden*

INSPECTOR

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<sup>1</sup> Permission 2018/1003