
Appeal Decision

Site visit made on 5 December 2016

by Keith Manning BSc (Hons) BTP MRTPI

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

Decision date: 19 January 2017

Appeal Ref: APP/R4408/W/16/3158177

66 Longfields Crescent, Hoyland, Barnsley S74 9JA

- 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 Aidan Sanderson against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2016/0714, dated 16 June 2016, was refused by notice dated 11 August 2016.
 - The development proposed is erection of a dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:-
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed development on the living conditions of existing and future residents with reference to privacy, outlook and outdoor amenity space.

Reasons

3. The application is in outline with all matters reserved, albeit the intended siting of the proposed dwelling is indicated on the site plan to be immediately adjacent to the existing semi-detached dwelling at 66 Longfields Crescent, with only minimal separation from it with no apparent account being taken of the single storey lean-to annexe on the side elevation. Whilst I acknowledge that siting is a reserved matter, this ambiguity of intention is not conducive to effectively demonstrating, even in principle, how the proposal could be satisfactorily accommodated having regard to the principal issues I have identified.
 4. Nevertheless, the proposal falls to be considered on the basis of the available information in the knowledge that siting is not fixed and that the location and dimensions of the proposed dwelling are effectively fluid within the site that would be created by subdivision of the corner plot associated with No 66, such corner plots being characteristic of the layout of the estate which is very typical of its era and comprised principally of semi-detached and terraced dwellings in generous garden space, imparting an open, suburban, ambience to the area.
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5. Integral to the character and appearance of the estate is the relative formality and symmetry of its layout and the small close of houses 48-64 Longfields Crescent, which abuts the appeal site, is a notable exemplar of the approach. The corner plot subject to appeal is matched across the close by that associated with 46 Longfields Crescent.
6. Although the corner plots contain outbuildings, two concrete garages in the case of No 66, the dominant character of the area is derived from the dwellings themselves and their relative uniformity. The proposed introduction of a single detached property at this location would create randomness within the layout of the estate which would, in principle, appear incongruous and I do not consider that the removal of the garages would be of sufficient visual benefit to outweigh that disadvantage in terms of the character and appearance of the area.
7. The appellant maintains that the proposed dwelling would accord with the "grain" of the estate. However, I consider that the singularity and randomness of the proposal would in practice have the contrary effect. In the context I have described the fact that it would be detached is therefore by no means irrelevant. The corner site is prominent within the estate and the proposal would not, as the Council maintains, integrate well with the existing housing stock, even supposing matching materials were to be used and the house built to a height consistent with existing dwellings.
8. Saved policy H8D of the Council's Unitary Development Plan (UDP) addresses, amongst other things, proposals of this nature in existing residential areas and the objects of protecting amenity and preventing harm to the local environment seem to me to be consistent with broadly equivalent intentions in the National Planning Policy Framework ('the Framework'). This stresses that permission should be refused for development of poor design that fails to take the opportunities available for improving the quality and character of an area and the way it functions.
9. Whilst I acknowledge that the Framework says that control of development should not stifle originality and innovation, I have no evidence of this being a characteristic of the proposal at issue and it also advises that it is proper to seek to promote or reinforce local distinctiveness. For the reasons I have given, the local distinctiveness of the residential context of Longfields Crescent would be compromised by the proposed development in this instance.
10. All in all, therefore, I consider that the proposal would conflict harmfully with the development plan and the intentions of the Framework by harming the character and appearance of the area.
11. The second issue is less clear cut in the sense that there would be garden space about the dwelling with a depth to the rear garden that might be considered adequate in the context of a corner plot even though the norm within the estate is considerably more generous. I accept that the relative generosity of the corner plot would create scope for compensatory provision whilst acknowledging the Council's concern that the desire for privacy therein could lead to a diminution of the open character of the estate gardens generally within the street scene. Moreover, whilst amenity space would be adequate for the new dwelling it would be harmfully diminished to the rear of the existing dwelling at No 66.

12. The distance from the rear of the proposed dwelling to the side of No 64, which contains windows to habitable rooms, would, it says, be below the Council's current standard of 12 metres, albeit the existing equivalent separation between Nos. 66 and 64 appears to be no greater. I have no doubt that some adjustments to the layout of the proposed development could be made for privacy, in addition to fenestration adjustments, albeit in both cases these are likely to reduce the scope for harmonious detailed design at reserved matters stage consistent in style with the existing houses.
13. Moreover, it is wholly unclear how a satisfactory relationship between the proposed new dwelling and the existing dwelling at No 66 could be achieved in respect of the outlook from the side annexe, even supposing the siting of the proposed dwelling were to be significantly adjusted.
14. Bearing in mind the outline nature of the application, it seems to me that, in principle, the compromises required to observe reasonable standards of privacy, to respect outlook and to provide adequate amenity space for existing and prospective residents would likely increase the singularity of design required for the proposed dwelling, as would a reduction in height to one storey as mooted by the appellant as a possibility. I have no detailed design before me and, on the basis of the limited information that I do have, I am not confident that a design could be achieved which would observe the necessary standards of privacy, amenity space and outlook without exacerbating the incongruity within the street scene I have identified in the context of the first main issue. In the context of the second main issue that doubt militates further against the approval in principle effectively sought through the outline application.
15. The appellant refers to an alleged shortfall in housing land supply based, apparently, on the 2012 SHLAA alluded to in the Design and Access statement supporting the application. I have no evidence of the current shortfall, if any, or of its magnitude. In any event, even if relevant policies for the supply of housing continue to be out-of-date, the benefits to be derived in that context from a single dwelling such as this are clearly limited and I am clear that, for all the above reasons, they are significantly and demonstrably outweighed by the adverse impacts of the proposal. It does not, therefore, represent sustainable development for the purposes of paragraph 14 of the Framework.
16. Having considered all other matters raised, I conclude that, for the reasons I have given, the appeal should be dismissed.

Keith Manning

Inspector