
Appeal Decision

Site visit made on 1 March 2017

by Keith Manning BSc (Hons) BTP MRTPI

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

Decision date: 8 March 2017

Appeal Ref: APP/R4408/D/16/3167701
118 Smithies Lane, Barnsley S71 1NL

- 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 Chris Denton against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2016/1234, dated 23 September 2016, was refused by notice dated 3 November 2016.
 - The development proposed is raising of roof level to existing garage to create additional accommodation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the property and of the area with particular reference to the street scene.

Reasons

3. The appeal site is adjacent to an access off Smithies Lane serving a Council depot. It is one of a row of similar houses, all semi-detached apart from No 102, which lines the west side of Smithies Lane at this point. The east side is characterised by properties of a different type, 153 and 155, which are less formally laid out. Beyond the junction adjacent to 102 there is a large fishing pond with an informal car park. Despite the presence of a waste processing facility adjacent to the depot, the overall character and appearance of the area is not unpleasant and the row of houses including the appeal site is relatively neat, simple and compact in appearance.
4. The planning officer's report articulates a number of principles that the Council aims to adhere to in considering both house extensions and detached garages. In particular it aims to keep extensions subservient in massing and proportions to the host dwelling and detached garages generally at single storey scale and without dormer windows, even though ancillary accommodation, albeit specifically not residential annexes, may be contemplated in the roof space.
5. These principles are detailed in the Council's Supplementary Planning Document (SPD) *House Extensions* which has been adopted following consultation under the auspices of policy CSP29 of the Council's Core Strategy, adopted in 2011. Insofar as this seeks to achieve good design in context it is

consistent with the principles in that regard set out in the subsequent national Planning Policy Framework ('the Framework') and may therefore be accorded the full weight due to a formally adopted development plan policy. I accord significant weight also to the SPG, albeit this cannot equal the weight carried by the development plan itself. That said, the purpose of the SPD is to interpret the intentions of the development plan in more detail in a manner which is consistent with its overarching policy intentions.

6. In this case the proposed development fails to observe a number of the published guidelines serving the policy intention of harmonious design in context effectively embodied in CSP29. The net result would be a building that would appear as a form of detached dwelling squeezed in beside one half of a semi-detached pair. Moreover, the appearance would be ungainly as a consequence of mixing the large garage door at ground floor level with conventional house windows¹ at first floor level under a half-hipped or 'clipped eaves' roof, as the appellant describes it, that would neither accord with the style of the host dwelling nor effectively soften its relationship to it by reducing the apparent comparative height and bulk of the proposed development.
7. These considerations lead me to the conclusion that the proposal would harm the character and appearance of the property and consequently the street scene and the area more generally. That would plainly not be in accordance with the intentions of the development plan.
8. The rather unusual nature of the residential environment here, with a markedly industrial backdrop, is potentially material. However, the introduction of a jarringly incongruous element, such as that proposed, into the street scene would not be justified by that. The Framework is clear that design is always important and that proposals of poor design which fail take the opportunities available to improve the character and quality of an area should be refused.
9. Personal circumstances can also be material but I have no evidence to suggest that a less intrusive means of accommodating one of the appellant's children as a consequence of caring for his mother in the main house cannot be found.
10. The example of the property in Monk Bretton does suggest that proposals of this nature do not automatically court refusal of planning permission. However, it is evident from the photograph that circumstances are different, in that the host dwelling is a detached bungalow, and in any event I am not aware of all the circumstances of this development and each case must be considered on its specific merits.
11. Notwithstanding the partially industrial surroundings, I consider, for the reasons I have given, that the proposed development does represent poor design in context, contrary to the intentions of the development plan as supplemented by guidance, as well as the intentions of the Framework in that respect. I have taken all other matters raised into account but no material considerations sufficient to outweigh that harmful conflict with policy have been identified. I therefore conclude that the appeal should be dismissed.

Keith Manning

Inspector

¹ The submitted drawing signifies that the proposed approach to these is not definitive pending resolution of the floor layout internally.