



Appeal Decision

Site visit made on 20 July 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2021

Appeal Ref: APP/R4408/W/21/3269532

19 Cross Street, Monk Bretton, Barnsley S71 2ER

- 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 Mrs Dodson against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2020/0677, dated 25 June 2020, was refused by notice dated 21 September 2020
 - The development proposed is detached bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development on the character and appearance of the area and the effect of the development on the living conditions of new and existing residents.

Reasons

Character and Appearance

3. The host dwelling is a two-storey dwelling, located in a predominately residential area. The appeal site is part of the rear garden area of that property.
4. The appeal proposal seeks to erect a single storey dwelling in the rear garden of No 19 Cross Street but taking the access to the site from Church Grove, an access located toward the rear of the property, which is made up of single-storey dwellings.
5. The building layout of the immediate Cross Street properties gives a regularity to the area with frontages generally close to the highway for the two storey dwellings, but the single storey dwellings are set back from the highway. The host dwelling and the adjacent properties have good sized rear gardens. Church Grove is also made up of single storey dwellings set back from the highway and overall, the immediate locality brings a cohesive character to the area. The host dwelling contributes positively to that character through the siting of the dwelling, and its overall standing in the character of the locality as a whole.

6. I find that the proposal would not reflect the cohesive pattern of development in which it would be predominately viewed. In the immediate locality of the Church Grove properties, the existing properties are set back from the highway. The appeal site, which would be accessed from Church Grove, would be a single storey dwelling, but due to the contrived nature of the site, would be sat extremely close to the Church Grove highway, which is not in keeping with the character and appearance of the locality.
7. The existing dwelling's smaller rear garden area after the site is sub-divided would not be typical of those dwellings immediately nearby, but it meets guidance in the size of required private amenity space following the sub-division to form the appeal site.
8. The impact of the appeal proposal would result in harm to the character and appearance of the area. The harm would be by virtue of the projection forward of the normal plot layouts on Church Grove and the reduced plot size of the host dwelling. These aspects of the proposal would emphasise the incongruous appearance of the proposal within its immediate visual context, unbalancing the rhythm of the Church Grove Road street form and would be harmful to its established character and appearance. The proposal would therefore not reflect the characteristic form and spacing of buildings in the immediate locality.
9. As a result I find that the proposals are contrary to policies GD1 and D1 of the Barnsley Local Plan (2019) (the LP) which, amongst other matters, expects development to be high quality design that reinforces the local character and features and express uses through composition, scale and form as well as the guidance set out in the Design of Housing Development Supplementary Planning Document (SPD).

New and Existing Residents

10. The siting of the dwelling would affect the privacy for the both the existing residents of 19 Cross Street and the proposed residents if it were to be approved. I understand there is to be landscape screening between the two dwellings, but this mitigation would take a considerable amount of time to establish in any meaningful form. As a result, I find that the appeal proposal would affect the privacy of both sets of residents.
11. The installation of the new dwelling would also affect the residents of 21 Cross Street, in terms of the building and the fenestration, materially affecting the privacy of 21 Cross Street, given the current situation of longer rear amenity areas to both 19 and 21 Cross Street at present.
12. In terms of the internal space requirements of the new dwelling, I am aware that the proposal would fall foul of the SPD guidance in terms of available storage space, but I am satisfied that sufficient space would be available in the proposal layout for internal changes to be made in order for this to be addressed, so on this issue, I do not feel that the internal layout of the proposed property is contrary to the guidance set out in the SPD.
13. To summarise, I find the proposals contrary to policy GD1 of the LP in terms of its significant adverse effect on the living conditions and residential amenity of existing and future residents.

14. And finally, the adverse impact caused by the sub-division of the rear garden to 19 Cross Street would materially affect the setting of that dwelling when seen in the context of neighbouring properties, contrary to Policy H9 of the LP.

Conclusion

15. Therefore, for the reasons given above, and taking into account all other matters, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR