



---

# Appeal Decision

Site Visit made on 15 June 2021

**by Mr M Brooker DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 14 September 2021**

---

**Appeal Ref: APP/R4408/W/21/3269072**

**23 Bence Close, Darton, Barnsley S75 5PB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
  - The appeal is made by Mr Jon Warris against the decision of Barnsley Metropolitan Borough Council.
  - The application Ref 2020/1030, dated 10 September 2020, was approved on 26 November 2020 and planning permission was granted subject to conditions.
  - The development permitted is a two storey side extension.
  - The condition in dispute is No 3 which states that: The external materials shall match those used in the existing building.
  - The reasons given for the condition is: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The disputed condition is No.3 which requires that the external materials of the extension match those of the existing building.

## Main Issue

3. The main issue is whether the condition is necessary having regard to the character and appearance of the area.

## Reasons

4. Policy D1 of the Barnsley Local Plan (the LP) requires, amongst other matters, that development is of a high quality design that respects and reinforces local character, including materials of the built form in the locality.
5. The elevations of the existing property are brick, with the exception of the first floor bay window that is clad in a tile. This is in keeping with the neighbouring properties.
6. The application plans detail the materials sought to be used in the extension, specifically being horizontal cladding to the front elevation at first floor level and render to the ground floor level and all of the side and rear elevations, a brick plinth is shown at the base of the extension.
7. The appellant details that it is the "intention to uplift the appearance of the dwelling by giving it a subtle contemporary finish". However, it is apparent from the appellant's Statement of Case that the use of render and cladding

would be restricted to the extension only and as such the extension would contrast unfavourably with the appeal property and surrounding area, failing to respect and reinforce the local character contrary to Policy D1 of the LP.

8. The appellant has suggested that the wording of the appeal fails the relevant tests set out in the Planning Practice Guidance (PPG). Specifically, that conditions placed on the planning permission require adherence to the approved plans and the use of matching materials.
9. The conditions used by the Council appear to be of a standard and unaltered wording. While it would have been advantageous, in the interests of clarity, to have worded the conditions very slightly differently, it is nonetheless my planning judgement that the conditions are sufficiently clear in their purpose and requirements to meet the requirements of the PPG.
10. I therefore find that the condition is necessary to protect the character and appearance of the area in accordance with Policy D1 and complies with the tests set out in PPG.

### **Conclusion**

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

*Mr M Brooker*

INSPECTOR

