
Appeal Decision

Site visit made on 6 July 2022

by S Brook BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 July 2022

Appeal Ref: APP/R4408/D/22/3297955

362 Pontefract Road, Lundwood, Barnsley S71 5JY

- 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 & Mrs Salt against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2021/0892, dated 24 June 2021, was refused by notice dated 11 April 2022.
 - The development proposed is described as "Demolition of existing steel clad garage and construct of smaller brick built garage replacement".
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. These are the effect of the proposed development on a) the living conditions of the occupiers of neighbouring properties with specific regard to outlook and light; and b) the character and appearance of the host dwelling, and the surrounding area.

Reasons

Living conditions

3. The appeal property consists of a detached bungalow set back within a generously sized plot, with driveway and mature trees to the front and a garage and garden to the rear. The proposed garage would occupy a similar position to the existing garage, in the rear corner of the garden, adjacent the shared boundary with No 364 Pontefract Road. The boundary is angled at this point. Given how far back into their plots these dwellings are sited, this means that the proposed garage would be close to the rear elevation of No 364 and its associated rear facing windows. This close proximity may have been the result of a previous extension to No 364, nevertheless, I am required to assess the effect of the proposed development in terms of the existing situation.
4. Due to its size, positioning and proximity in relation to the rear elevation and garden of No 364, the existing garage at No 362 already has an impact on the light available to, and the outlook from, the rear windows and rear garden of No 364. The planting of a conifer hedge along the shared boundary by the neighbour suggests an attempt to reduce the impacts of this existing garage on their outlook. The additional massing of the proposed development, specifically resulting from the increase in height, would only serve to exacerbate both

issues, to the extent that it would be oppressive, and thus unacceptably harmful to the living conditions of the occupiers of No 364.

5. Reference is made to the scale and proximity of the garage serving No 364, and the impact this has had on the neighbours themselves and other neighbours. However, the relationship of the neighbour's garage to No 364 itself, and to 366a Pontefract Road, is not the same as the relationship of the proposed garage to No 364.
6. At the rear of the site, dwellings within Parkland View are set at a substantially lower ground level. However, noting the separation distances and the position of the proposed garage to the east/southeast thereof, any additional overshadowing would be limited to the earlier part of the day and would be unlikely to be significant over and above that resulting from the existing garage. However, this lack of harm would not be sufficient to outweigh the harm that would be caused to the living conditions of occupiers of No 364 Pontefract Road in the terms I have set out above.
7. In relation to this first main issue, the proposed development would conflict with Policy GD1 of the Barnsley Local Plan Adopted January 2019 (LP) and the advice contained within the Council's Supplementary Planning Document: House Extensions and Other Domestic Alterations, Adopted May 2019 (SPD), which taken together, seek to ensure new development does not have a significant adverse effect on the living conditions of occupiers of neighbouring properties.

Character and Appearance

8. Whilst of generous proportions, the existing garage sits behind the host dwelling, therefore when viewed from Pontefract Road, it has a recessive presence, subordinate to the host dwelling. The footprint of the proposed garage would be similar, with the main change being the increase in height.
9. The degree of setback from the road would continue to be sufficient to ensure that the additional height of the proposed garage would not result in an outbuilding that dominates the main dwelling. A large part of the proposed garage would continue to be screened by the dwelling itself, limiting views in any case. This would ensure that the proposed garage would remain as a largely subservient structure to the host dwelling. Accordingly, the increased height and pitch of the roof would not appear incongruous in this context. Mature trees in and around the appeal site, provide screening from wider views along Pontefract Road.
10. In relation to this second main issue, the proposed development would not therefore harm the character and appearance of the dwelling itself or the area. As such, it would comply with LP Policies GD1, D1, and advice contained within the SPD, which taken together, and amongst other things, seek to ensure that new development respects and reinforces the distinctive local character of an area and that detached garages relate sympathetically to the main dwelling in style, proportions, and external finishes.

Other Matters

11. The appellant states the intention to incorporate renewable energy solutions into the scheme. Whilst this is commendable, there may be other ways to achieve similar aims and such measures would not necessarily be reliant on the

proposed development. This does not outweigh the harm that I have identified in relation to the first main issue.

Conclusion

12. Whilst the development would not result in any significant harm to the character and appearance of the host dwelling or the area, or the living conditions of occupiers of 71 and 73 Parkland View, these are neutral matters which cannot outweigh the unacceptable harm the proposed development would have on the living conditions of occupiers of No 364 Pontefract Road. For this reason, having had regard to the development plan, and all other material considerations, the appeal should be dismissed.

S Brook

INSPECTOR