
Appeal Decision

Site visit made on 20 July 2022

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2022

Appeal Ref: APP/R4408/W/22/3295918

11 Willow Bank, Barnsley S75 1EF

- 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 Mrs Paula Smith against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2021/1156, dated 26 March 21, was refused by notice dated 5 October 2021.
 - The development proposed is described as a single residential dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development is taken from the application form and adequately describes the development. Whilst outline planning permission is sought with all matters reserved, I have had regard to the details on the site plan but have treated them as illustrative.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site comprises garden to the side of the host dwelling and No.39 Devonshire Drive. The host dwelling is a large individual property, positioned between Devonshire Drive and Willow Bank. It has a garden boundary with the railway embankment. From Devonshire Drive there are a variety of dwelling types in the area, dwellings are sited close to the road and there is a consistent rhythm and spacing in their siting. The appeal property would more readily be seen against the more spacious setting of the host dwelling, and properties with driveways to the side, where landscape and gardens in front of dwellings also contribute positively to the character and appearance of the area.
5. In the absence of alternative details about how the site could be developed, the appeal proposal would be sited in a markedly narrower plot, with the set-back in excess of that of the adjacent dwellings. The access and turning area would open up views into the site revealing an awkward arrangement between the appeal proposal and neighbouring dwellings with limited scope for landscape mitigation. The appeal proposal would also be highly visible due to its very close proximity to the railway embankment when viewed from Willow Bank.

The overall development pattern in the area would be eroded by the contrasting siting arising from the plot narrowness, access arrangement and set back of the dwelling. It would also appear as an obtrusive form of development and in an incongruous position from Willow Bank. Even considering the varied character of the area, including dwellings sited in close proximity to their boundaries, the appeal proposal would not respond positively to the character and appearance of the area.

6. The effect on the setting of the host dwelling and remaining garden would be sufficient to not undermine its function as a larger dwelling, particularly as the Council advises the remaining garden would exceed standards in their 'Design of Housing Development' Supplementary Planning Document (SPD). The appeal proposal would not unacceptably prejudice the continued use of the host dwelling as a larger home, as suitable boundary treatment could be provided by condition, if the appeal were to be allowed. The appeal proposal therefore does not conflict with the aims of Policy H9, insofar as they are relevant to the appeal. It seeks to ensure that the setting and gardens of a larger dwelling are not compromised as a result of new development, in order to maintain their continued function as a larger home.
7. Notwithstanding the above, I therefore conclude the proposal would harm the character and appearance of the area. It would not accord with Policies GD1, and D1 of the Barnsley Local Plan. These policies require, amongst other things, that development should reinforce local distinctiveness and character, and sets out how this should be achieved. For the same reasons the proposal would not accord with the Council's SPD or achieve the objectives of the National Planning Policy Framework (the Framework) where it seeks to achieve well-designed places and for new development to add to the overall quality of the area.

Other Matters

8. From my site visit I noted the proximity of the development to the railway line. Whilst these aspects, and living conditions, could be addressed at any reserved matters stage, and as I am dismissing the appeal for the reasons given above, and in the absence of illustrative elevations, I have not pursued these matters further.
9. The scheme would contribute towards housing supply, and the resultant effect upon No.11 would not unacceptably compromise the housing stock. However, given the scale of the scheme, the benefits from housing including any economic and social benefits from the construction and occupation of the dwelling would be small. The appeal proposal would not respond positively to the character and appearance of the area. The proposal would therefore be contrary to the development plan and the aims of the Framework.

Conclusion

10. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

11. For these reasons and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

K Williams

INSPECTOR