



Appeal Decision

Site visit made on 27 June 2023

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th August 2023

Appeal Ref: APP/R4408/W/22/3313580

119 Cross Lane, Royston, Barnsley S71 4AR

- 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 Mr M Allen against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2022/0503, dated 11 May 2022, was refused by notice dated 30 June 2022.
 - The development proposed is described as “residential development of 1no dwelling”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The site has been subject to a dismissed appeal, ref APP/R4408/W/19/3240735 (the previous appeal). Although the previous appeal was for a full planning application, it considered, amongst other things, the effect of a single dwelling on the character and appearance of the area. The previous appeal is a material consideration in the determination of this appeal.

Main Issue

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

Reasons

4. 119 Cross Lane is located within a predominately residential area. Properties in this area are largely modest sized terraced and semi-detached properties, sited in relatively long, narrow plots, with direct road frontages. Calder Close and Upper Lunns Close and Elmbridge Close are modest, comprehensive cul-de-sac developments and properties within these developments have direct frontages onto the access roads that serve them. It is the layout, density and direct road frontages that contribute to the character and appearance of the area.
5. Due to the width of the appeal site is located to the rear of 113, 115, 117 and 119 Cross Lane and would be accessed from Cross Lane, via the private drive that serves No 119. Although an outline planning application with layout and access to be considered, the submitted plans show an indicative layout, with the proposed property sited largely to the rear of Nos 113 and 115. The proposed development would not therefore have a direct road frontage with the highway.
6. When compared with the previous appeal, the plot size of the proposed development has been reduced to a size that is more broadly reflective of

neighbouring plots. Its shape, particularly its width, and location are however at odds with the prevailing character of the area. Although the location of the proposed development is likely to have a negligible impact upon the street scene, its layout and siting would result in a form of backland and tandem development that it is at odds with the prevailing settlement character of the area.

7. Other forms of backland and tandem developments have been drawn to my attention. I do not have full details of these developments or the circumstances under which these were granted planning permission. However, I understand that 140 Church Hill was granted consent by the Council prior to the adoption of the current Local Plan. Based on the information I have before me and my observations during my site visit, the other examples referred to are of a scale that reflects the prevailing character of the area, or form part of a more comprehensive form of development in which properties have a frontage with the access road that serves them. Nevertheless, I must determine this appeal on its own merits.
8. For the above reasons, the proposed development would result in unacceptable harm to the character and appearance of the area, contrary to Policy D1 of the Barnsley Local Plan Adopted January 2019 (LP), the guidance within the Supplementary Planning Document Design of Housing Development Adopted May 2019 and the requirements of the National Planning Policy Framework. These seek, amongst other things, to ensure development is of high quality design that complements and enhances the character and setting of distinctive places, does not result in tandem development and is sympathetic to local character.
9. The Council have referred to LP Policy GD1 within their reason for refusal. This policy relates to, amongst other things, general development requirements. As this policy does not refer to a development's impact upon the character and appearance of an area, it is not determinative to this matter.

Other Matters

10. The appeal site is well located with good access to local services and public transport links. Having regard to the modest amount of development proposed these benefits carry limited weight.

Conclusion

11. Overall, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that indicate that the development should be determined otherwise than in accordance with it. Consequently, the appeal is dismissed.

S Pearce

INSPECTOR