



Appeal Decision

Site visit made on 26 September 2023

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 13 October 2023

Appeal Ref: APP/R4408/W/23/3316073

69 Welland Crescent, Elsecar, Barnsley S74 8AE

- 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 Philip Aubrey against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2022/0770, dated 20 July 2022, was refused by notice dated 21 November 2022.
 - The development proposed is described as 'detached 2 bedroom bungalow'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The original application was submitted in outline, with all detailed matters reserved for future approval. I have therefore dealt with the appeal on this basis and treated the submitted plans where pertinent as an indication of the proposed development.

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 relates to an irregular shaped piece of land that is fenced off and occupied by a detached garage, directly to the rear of 69 Welland Crescent's back garden area. No 69 is located on a prominent corner location next to the junction of Welland Crescent and Saxton Close.
5. The surrounding area is predominantly residential, comprising a mixture of 2 storey dwellings and bungalows of various style. Whilst there is no rigid building line along the eastern side of Saxton Close, the dwellings are set back from this highway. Gaps in between and to the end of these houses, in combination with predominantly open front gardens and modestly sized back garden areas provide a relatively spacious layout and character.
6. The Council's 'Design of Housing Development' Supplementary Planning Document 2019 (SPD) states that infill development should aim to reflect the building line of dwellings on the same side of the street. However, it does not follow that a proposal should stand or fall solely on the application of these guidelines and each proposal is required to be judged on its own merits.

7. To this end, the proposed bungalow would replace an existing rendered flat roofed detached garage which abuts the back edge of the Saxton Close pavement and does not positively contribute to the spacious character and layout of the immediate context. The design, materials and likely siting of the proposed bungalow, as shown in the indicative plans, would also be more in keeping with the surroundings than the existing garage.
8. Nonetheless, the proposal would still be positioned to protrude past the front elevations of No 2 and 4 Saxton Close and would be in proximity to the appeal site's northern boundary. The introduction of the larger bungalow property would also increase the built form and scale of development across the irregular shaped site. Furthermore, whilst the garden space may exceed the external spacing standards set out within the SPD, the proposed dwelling would occupy a smaller plot than is typical for the locality. As a result of all of these factors the proposal would thereby introduce a cramped and conspicuous form of development that would appear out of context with the prevailing pattern of development and spacious layout of the immediate surroundings.
9. Accordingly, I find that the proposed development would have an unacceptably harmful effect on the character and appearance of the area. It would therefore conflict with Policy D1 of the Barnsley Local Plan 2019, which seeks, amongst other matters, to ensure high quality design that respects and reinforces local character. As a result, conflict would also arise with Local Plan Policy H4 which allows residential development on small non-allocated sites below 0.4 hectares where the proposal complies with other relevant policies in the plan. Similarly, it would not accord with the design objectives of Section 12 of The National Planning Policy Framework.

Other Matters

10. It has been put forward that the proposed development would be an efficient use of land, and that the Council has not found the principle of residential development to be objectionable. The location of the appeal site relative to public transport and access to local facilities and services is also noted. Furthermore, I am aware that the submitted plans were amended to address highway safety concerns. However, these issues, along with the lack of harm to the living conditions of local residents, did not appear to be contentious in the appeal. These factors therefore do not weigh significantly in favour of the proposal. The limited number of objections from local residents is also not a determining factor in the consideration of an appeal.
11. The matters above do therefore not overcome or outweigh the harm that I have identified would be caused to the character and appearance of the area. As a result, the appeal scheme would not be sustainable development for which the presumption in favour applies.

Conclusion

12. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should therefore be dismissed.

Mark Caine

INSPECTOR