



Appeal Decision

Site visit made on 8 January 2025

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2025

Appeal Ref: APP/R4408/D/24/3347069

88 Intake Lane, Pogmoor, Barnsley S75 2HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Alex Ball against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref is 2024/0041.
 - The development proposed is described as 'Two and a half storey side extension, loft conversion with flat roof box dormer extension on rear roof plane and new roof lights to front, single storey and one a half storey front extensions and conversion of 3 out of 4 bays of existing detached garage into an annex'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant states that what constitutes the front and rear of the property is open to interpretation following the sub-division of the plot in past years. However, both the description in the planning application form and the plans themselves refer to the east facing elevation as the front. For the avoidance of doubt, I have proceeded on the same basis.
3. On 12 December 2024, the Government published a revised version of the National Planning Policy Framework (the Framework). As the changes do not affect the main issues of this appeal, I have not sought the views of the main parties in coming to my decision.

Main Issue

4. The main issue in this appeal is the effect of the proposal on the character of the host property.

Reasons

5. The appeal site comprises a two-storey, semi-detached dwelling of red brick construction with a tiled roof. The property and its adjoining neighbour are of simple form and proportions and unlike most dwellings in the area do not front a road, instead accessed by a track leading from Intake Lane. The track leads to a yard area to the front of the property which includes a four-bay detached garage. I understand that the plot was historically sub-divided and originally extended to Wharfedale Road to the west. This area now hosts a detached bungalow.

6. The proposal includes a two and a half storey side extension, flat roof dormer to the rear roof plane, single and one and a half storey extensions to the front elevation and a link structure between the house and the detached garage, which would be converted to an annex. The refused planning application subject to this appeal was a resubmission of a previously approved application¹ for an ostensibly similar proposal, with the change evidently limited to the addition of the link structure between the dwelling and garages. Although the appellant argues that the only aspect under consideration is the link structure, the whole proposal was refused, albeit I understand that the Council does not take issue with other elements approved under the previous grant of permission.
7. My attention is drawn to the 'House extensions and other domestic alterations' Supplementary Planning Document (the SPD) (adopted March 2024). While it is indeed guidance, it is a material consideration of significant weight. The SPD advises that with regards to front extensions, they will not be considered acceptable where they detract from the quality of the existing dwelling or character of the street scene or cause overshadowing to neighbouring dwellings. Large extensions and conservatories are likely to appear particularly intrusive and will not normally be acceptable. The appellant's question of whether the link constitutes an extension is noted, although to my mind it would extend the building from the front, joining the garage to the house. In that respect, regardless of whether it projects out at a 90°, it is a front extension.
8. At present, the dwelling and garages are distinctly separate with a host and ancillary relationship. The link extension would project a significant distance from the front elevation of the host dwelling. Although the rear of the structure would be 2.4m due to the angle of projection, the longer, front section would evidently extend some 6.8m, adding significant built form in order to close the gap and join the two structures. The resulting extension overall would be a long, asymmetrical projection which would overwhelm the front elevation of the existing property. The pleasing simple form and proportions would be harmfully impacted as a result, which would be further compounded by the repositioning of the front door to the link, highlighting the incongruity despite facing a similar direction. Taken together, the proposal would detract from the quality of the existing dwelling, contrary to the guidance in the SPD.
9. I note the further concerns of the Council with regards to the proposed cladding materials of the link extension. Although I take on board its concerns, this matter could have been agreed via a suitably worded condition were I minded to grant permission. As I am dismissing the appeal, I have not considered this further.
10. The proposal would be largely screened from most public vantage points due to the backland location of the site. This includes from Intake Lane which I observed on my site visit, although I did see that the dwelling was visible from adjacent the track, albeit fleetingly. A large part of the appellant's case focuses on the visibility of the proposal from the public realm. However, whether something is readily visible or a designated heritage asset are not the only considerations of effects. In this case, the character of the dwelling is

¹ Application Reference: 2023/0214

formed by its pleasing simple form, proportions and general arrangement. This character would be harmfully impacted as demonstrated above.

11. I am directed towards photos of other properties on Intake Lane which have evidently been extended. I have nothing before me to indicate whether they were granted planning permission. The appellant considers these to be intrusive, dominant and detracting from the respective characters of their hosts. This is of course their subjective opinion, although identifying something as harmful does not mean a development proposal should be allowed on that basis alone. From the very limited information before me though the photos, none of these front extensions appear to project to a similarly dominant degree relative to the host building. As the appellant points out, decisions should be made based on the site-specific circumstances, as I have done in this case.
12. The appellant secured the services of a local and experienced architect in this project. I have reason to doubt their knowledge and skill in this regard. Be that as it may, the design was considered unacceptable for the reasons given above.
13. Overall, the proposal would detract from the quality of the existing dwelling, harming its character through its overly dominant scale and design. Regardless of whether 'links' are explicitly referenced in the wording, the proposal would be contrary to policy D1 of the Barnsley Local Plan (adopted January 2019). This states that through its design, development should display architectural quality and express proposed uses through its composition, scale, form, and proportions, among other things. The proposal would also be contrary to the design advice in the SPD as demonstrated above which weighs further against the scheme.

Other Matters

14. The appellant is clearly aggrieved at the Council's handling of their planning application. Accusations of malicious and vindictive treatment are serious and unnecessary, although I have no substantive evidence of any of this before me. In any event, it is not my role to mediate disputes of this type. I have assessed the appeal proposal based on the evidence before me on its own merits using my own judgement.
15. The previously approved planning application at the site is evidently extant. This would allow the other elements of this scheme to be built out under the terms of that permission. Be that as it may, the appellant advises that 'if the link is not to be permitted, then we will likely not fall back on the approved design...' As such, this limits the weight I can attribute to the fallback position.
16. I understand that the proposal would entail a large financial investment, while high quality materials would be evidently used. I would expect nothing less. Although I am informed that the property is in 'urgent' need of renovation, I have nothing substantive before me to corroborate this. I am also informed of several measures proposed by the appellant to improve thermal performance and energy efficiency. While these would be welcomed, it is unclear why they cannot be implemented without the harmful impact of the proposal and would benefit the appellant regardless. Moreover, these seem to have been conflated with the aims of the Framework to achieve sustainable development in a

wholistic sense, for which good design is a vital component. The proposal would be in conflict with this aim as I have shown.

17. I understand that a large justification for the proposal is due to the appellant's partner working long shifts, after which they could return to the annex without disturbing their children. However, shift work is not an unusual circumstance for many families, and it is unclear why, if the appellant does indeed build out the approved development, the annex cannot still be used in that manner. In any event, this is a private matter which does not outweigh the harm I have identified. Similarly, it is advised that the proposal would be 'future proof', although it is unclear as to what parts of the scheme this relates, while it is also asserted that the development would improve safety and security at the site, although I have no indication before me that this is of particular concern.
18. The appellant states that there were no neighbour representations submitted during the planning application. However, I have been forwarded three by the Council, although none of these raise issues that are relevant to the main issue in this appeal. As such, none were determinative.

Conclusion

19. I have found that the proposal would conflict with the development plan as a whole as well as the advice in relevant supplementary planning documents. The benefits as presented are not sufficient to outweigh that conflict. Accordingly, for the reasons given, I conclude that the appeal is dismissed.

C McDonagh

INSPECTOR