



Appeal Decision

Site visit made on 18 July 2017

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th August 2017

Appeal Ref: APP/R1038/D/17/3174349

30 Commonsides Road, Barlow, Sheffield, Derbyshire S18 7SJ

- 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 Mrs Anne Todd against the decision of North East Derbyshire District Council.
 - The application Ref 16/01309/FLH, dated 15 December 2016, was refused by notice dated 8 March 2017.
 - The development proposed is a side extension at first floor level to form a new lounge and an ensuite bathroom to the bedroom.
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Decision

1. The appeal is allowed and planning permission is granted for a side extension at first floor level to form a new lounge and an ensuite bathroom to the bedroom at 30 Commonsides Road, Barlow, Sheffield, Derbyshire S18 7SJ in accordance with the terms of the application, Ref 16/01309/FLH, dated 15 December 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: C 595 1B Plans as Existing and Proposed Revised Scheme.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs was made by Mrs Anne Todd against North East Derbyshire District Council. This application will be the subject of a separate Decision.

Procedural Matters

3. The planning application submission included plans C595 SK1 and C595 SK2. These plans show the proposal in a sketch form and are not scaled. As such, I have considered these plans on an indicative basis.
4. The proposal was amended following submission to the Council but prior to its determination. The changes, shown on a revised plan, omit land from the appeal site between the property and the adjacent public house. I am satisfied

that all relevant parties have been made aware of these amendments and would not be prejudiced. I have therefore determined the appeal on the basis of the revised plan.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the building and the area.

Reasons

6. The appeal property is found at the end of a row of terraced houses. The roof has been extended at the rear to form a flat roof structure with a Juliet balcony. The property also contains a small front porch and a detached summerhouse in the rear garden. The side of the property is paved and contains both the bin stores and the rear pedestrian access for 28 and 26 Commonsides Road. The site boundary also angles away from the property, so the paved area is considerably wider at the rear than at the front. A public house is found next to this boundary, separated by an access. To the rear of property is a narrow garden, beyond which is an area of allotments, where land levels markedly drop to further residential properties beyond.
7. The character of the terrace itself is derived from its simple form and massing as a row of attached properties that are readily visible from Commonsides Road. There are small front and rear extensions on a number of the other properties, several of which have been subject to a number of alterations. The terrace is not of a historical significance that has been recognised through a designation as a heritage asset.
8. I note the concerns of the Council and those of neighbouring residents in respect of the size and scale of the extension. However, the proposal would be both well set back from the existing front elevation of the house and set down from the existing ridgeline of the roof. It would also present a narrow front elevation, when compared to the existing property. Although the proposal widens to the rear and the proposed rear window would project through the rear eaves, this elevation of the property has already been much altered.
9. Moreover, when compared to the overall size of the site, the footprint of the proposal would be modest. It would also be located on part of the site which has already been developed for the paved area and bin stores. A large part of the site would still remain free from development, in particular the rear garden. As a result, the proposal would, overall, be in keeping with the property and would not represent an over development.
10. From the streetscene, the terrace would screen the proposal when approached from the Commonsides Road junction with the B6051. From the opposite direction, due to the angle of the boundary, the side of the extension would be more noticeable, although it would be viewed in between the more substantial side of the existing property and the public house, and thus it would not be overly prominent. Indeed, the proposal would appear diminutive compared to the scale of the terrace, and would not significantly detract from its character, particularly as it would utilise materials which match those of the main dwelling. The terrace and the public house would also still clearly be seen as separate built structures in the streetscene, despite a narrowing of the current spacing between them.

11. The rural character on this edge of the village that would be affected would be limited, with the siting of the proposal in between the existing buildings. The separation the rear garden provides to the allotments, and then the distance to the further residential properties beyond, would also result in the elevated form of the proposal not appearing unduly prominent in this direction.
12. I conclude, therefore, that the proposal would not harm the character and appearance of the building and the area. It would, as a result, comply with 'Saved' Policies GS5, BE1 and H5 of the North East Derbyshire Local Plan (2005) which require that development is not detrimental to the character and appearance of the site and surrounding environment, respects the character and appearance of the surrounding area, and is in keeping with the property and the streetscene.

Other Matters

13. The proposed rear elevation window would be well set in from the side boundaries of the site. Although it would be orientated towards the rear garden of No 28, this would be similar to the existing rear elevation windows on the terrace, as the rear gardens are at an angle to their respective properties. The proposed side elevation, when viewed from windows on the public house, would be seen against the larger backdrop of the existing property and it would be separated by the width of the access. Consequently, the proposal would not result in an unacceptable effect on the living conditions of the occupiers of neighbouring properties by way of overlooking or visual impact.
14. The proposal would also maintain access to the rear of Nos 28 and 26 and retain their bin stores. The occupiers of these properties would not therefore be impeded in their use of these facilities, and there is no substantive evidence that would lead me to believe the bin stores would be damaged. As the proposal would be built over the bin stores and the access, this should limit disruption during the construction period which is likely to be of short duration in terms of any inconvenience caused to the occupiers of these properties, and the public house. There would also be sufficient space within the appeal site for bins to be stored for the property itself.
15. Whilst I am aware of comments made that relate to the title deeds and land ownership, any legal rights which may exist in those respects are a separate matter. As such, they are considerations to which I can afford no more than very little weight.

Conditions

16. In addition to the standard time limit condition (1), I have imposed conditions in the interest of certainty (2) and to safeguard the character and appearance of the building and area through the use of matching materials to the existing building (3).

Conclusion

17. For the reasons given above, I conclude the appeal should be allowed.

Darren Hendley

INSPECTOR