
Appeal Decision

Site visit made on 8 January 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2020

Appeal Ref: APP/C1055/D/19/3240634

6 Sydney Close, Derby DE3 9LY

- 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 Mr Martin Smith against the decision of Derby City Council.
 - The application Ref 19/01249/FUL, dated 23 August 2019, was refused by notice dated 4 October 2019.
 - The development proposed is a single storey extension at the front of the property.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension at the front of the property at 6 Sydney Close, Derby DE3 9LY in accordance with the terms of the application reference 19/01249/FUL dated 23 August 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, drawing reference SMITH-IDS-00-DR-A-00-10-010 and SMITH-IDS-00-DR-A-00-10-014.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

Main Issue

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

Reasons

3. The appeal site is a detached two storey property set back from and facing the road in a high density residential area. It is sat in a rectangular plot with a private garden to the rear. A mainly rendered gable faces the road with a first floor side extension at right angles over the ground floor garage. The garage's lean-to canopy runs across the front entrance door. A curved bay window sits the opposite side of the door, serving the living room. No 6 is one of four two storey dwellings that face Sydney Close, a cul de sac that runs southwest off Brisbane Road.

4. The proposed development would extend the aforementioned lean-to canopy across the front of the building and form a continuous front extension, enlarging the living room. The crux of the Council's concerns are that this would, when viewed in the context of previous additions to the building (some of which I have mentioned above), result in a harmful effect on its character, in a street scene which is compact and contains dwellings with a strong sense of continuity derived from the repeated use of a simple house type.
5. I agree that the previously approved additions to the dwelling have made it unique in the street scene and a further extension would add to such an effect but for me that effect would not amount to being adverse. Not only would the additional extension to the front be very small and almost inconspicuous when viewed as a whole with the existing and altered building but it would be sat in a street scene of other altered buildings. No 10 has had a number of additions to the side and rear as well as a lean-to front extension that incorporates a pitched gable section over the front door. No 8 stands as a fairly straightforward two storey gable fronting the road without a two storey side section and No 4 has a lean-to roof over the front door and some glazing either side which runs into a wrapped around single storey side extension. There is some homogeneity in building design in the street scene but that is most evident in the general form and shape of the main shallow two storey gable fronted element which is most prominent in views from Brisbane Road and the pedestrian walkway that runs southwest from the end of Sydney Close. This element would not change as a result of the proposed development.
6. For the above reasons I do not consider that the proposed development would be harmful to the street scene or the character of the existing building either in isolation or in combination with previously approved extensions. Nor, for reasons of the scheme on its own, in context or that each development proposal is considered on its own merits, would it have any significant precedent value. The appeal scheme would therefore comply with saved Policy H16 of the Local Plan Review¹ and Policies CP3 and CP4 of the Core Strategy². Together, amongst other things and along with section 12 of the Framework³, these policies seek to ensure that new development is of a high quality and contextually appropriate design and appearance, makes a positive contribution towards the character, distinctiveness and identity of neighbourhoods and (in the case of housing extensions specifically) there are no significant adverse effects on the character and appearance of the dwelling or the street scene.

Conclusion

7. For the reasons and subject to the conditions set out above, the appeal is allowed.

John Morrison

INSPECTOR

¹ City of Derby Local Plan Review 2006

² Derby City Local Plan Part 1: Core Strategy 2017

³ The National Planning Policy Framework 2019