



Appeal Decision

Site visit made on 20 February 2020

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2020

Appeal Ref: APP/J4423/D/19/3241972

Bengreave Farm, Hollin House Lane, Sheffield, S Yorks S6 6RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Steve Wesley against the decision of Sheffield City Council.
 - The application Ref 19/02899/HPN, dated 6 August 2019, was refused by notice dated 17 September 2019.
 - The development proposed is described as "8m single storey rear extension matching in materials, style and form with the existing dwelling on site."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The date of declaration on application form is shown as being 26 March 1992, clearly this is in error. Therefore, I have used the date detailed in part C of the appeal form which also corresponds with the date that the Council registered the application, 6 August 2019.

Main Issue

3. The main issues in this appeal to be whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 1, Class A of the GPDO (the GDPO).

Reasons

4. It is the Council's case that the appeal proposal would not be granted planning permission by the GDPO because the enlarged part of the dwellinghouse would extend beyond: (i) a wall which forms the principle elevation of the dwellinghouse; and, (ii) the original side elevations of the dwelling and have a width greater than half the width of the original dwellinghouse.

Principal elevation

5. The appellant refers to Permitted development rights for Householders Technical Guidance (September 2019) (the Guidance) and acknowledges "that a case can be made for either the north or south elevation being defined as the principal elevation".

6. I observed at the site visit and the submitted plans show that while the North elevation fronts directly on to the main highway serving the house, the South elevation includes a number of architectural features including a porch and entrance doorway, that identify this elevation as the principal elevation.
7. While fronting on to the main highway is often indicative of the principal elevation, in this instance the North elevation lacks any substantive architectural features that would indicate a principal elevation, including an entrance doorway.
8. Therefore, while I acknowledge that the North elevation faces on to the highway and the South elevation faces on to the private garden area of the dwelling, the architectural features I observed on site and are detailed in the submitted plan clearly identify the south elevation as the principal elevation.
9. I therefore find that the enlarged part of the dwellinghouse would extend beyond a wall which forms the principle elevation of the dwellinghouse and as such does not comply with the conditions of by Article 3, Schedule 2, Part 1, Class A of the GPDO.

Original dwelling

10. The Council have provided records that indicate that the dwellinghouse has previously been subject to alterations, including the change of use of a part of the existing structure to increase the habitable space of the property. While limited details have been provided, the evidence submitted identifies that this work was likely carried out in the mid-1970s and I observed on site that these works had the effect of increasing the width of the dwelling, beyond that of the original dwellinghouse.
11. The effect of the works is such that the appeal scheme would extend beyond the original side elevations of the dwelling and have a width greater than half the width of the original dwellinghouse. This is not disputed by the appellant who unfortunately did not have access to this information at the time of preparing and making the application.
12. As such, the appeal scheme does not comply with the conditions of Article 3, Schedule 2, Part 1, Class A of the GPDO.

Other Matters

13. While I acknowledge the appellant's frustration with the conditions set out in the GDPO, I have nonetheless determined the appeal in accordance with the GDPO and the Guidance.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Mark Brooker

INSPECTOR