



Appeal Decision

Site visit made on 18 February by Andreea Spataru BA (Hons) MA

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2020

Appeal Ref: APP/H1033/D/19/3241864

62 Hallsteads, Dove Holes, Buxton, Derbs SK17 8BT

- 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 N. Moss and Ms D. Silva against the decision of High Peak Borough Council.
 - The application Ref HPK/2019/0270, dated 12 June 2019, was refused by notice dated 24 September 2019.
 - The development proposed is described as "retrospective planning permission consent for rear dormer extension".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary matter

3. There have been several alterations made to the original dwelling, as shown on the submitted plans. The Council stated that some of them are permitted development, therefore only one of the elements, the rear dormer, was the subject of the application. I shall consider the appeal development on the same basis.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host property and of the area.

Reasons for the Recommendation

5. The appeal site relates to a semi-detached, pitched roofed bungalow located on a corner plot, within a predominantly residential area. The development seeks retrospective permission for a rear dormer extension.
 6. The flat roofed rear dormer projects along the full width of the bungalow, without being set down from the main ridge or set up from the eaves level. Thus, it covers the whole rear slope of the property and it forms a top heavy, dominant feature that does not reflect the style or form of the original roof.
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7. The dormer is highly visible due to its siting in relation to the host dwelling and the prominent position of the appeal property within the street scene. The inappropriateness of the dormer is accentuated by its visual prominence. Thus, the development has a harmful impact on the character and appearance of the area.
8. The appellants have drawn my attention to two neighbouring properties that have received planning permission¹ for dormers to the rear. The approved plans indicate that these dormers have a different siting in relation to their host properties (set in from the sides or/and set down from the main ridge) than that of the appeal property. Moreover, one of them is annotated as "permitted development". In any event, I do not have full details of these cases and I have considered the appeal development on its own merits and circumstances.
9. I acknowledge that the appellants might have received the wrong information or/and misunderstood the legislative provisions relating to permitted householder development, but this cannot justify a structure that has such a harmful impact on the character and appearance of the host property and of the area.
10. Accordingly, I conclude that through a combination of its scale, form and siting, the rear dormer has resulted in significant harm to the character and appearance of the host dwelling and of the area. Therefore, the development is contrary to the objectives of Policies S 1a and EQ 6 of the High Peak Local Plan, which together promotes sustainable development and requires that new developments contribute positively to an area's character in terms of, amongst other things, scale and appearance. Although Policy S 6 is cited in the refusal reason I find no direct conflict with it; however, this lack of conflict does not mitigate or outweigh the harm identified.

Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR

¹ Applications references: HPK/2015/0645 & HPK/2016/0272.