
Appeal Decision

Site visit made on 20 August 2020

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th September 2020

Appeal Ref: APP/P4415/D/20/3254235

11 Broom Avenue, Broom, Rotherham S60 3NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Eric Shaw against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2020/0651, dated 4 May 2020, was refused by notice dated 12 June 2020.
 - The development proposed is described as the retention of a single-storey front extension (resubmission).
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Decision

1. The appeal is allowed and planning permission is granted for the development of a single-storey front extension at 11 Broom Avenue, Broom, Rotherham S60 3NG in accordance with the terms of the application Ref RB2020/0651, dated 4 May 2020, subject to the Schedule of Conditions attached to this decision.

Preliminary Matter

2. The single-storey front extension has been constructed and appears to have been completed. The completed extension appears to accord with the what was applied for as shown in 'Drawing No 2' dated 28 January 2020. However, for the avoidance of any doubt, the decision contained in this Decision Letter refers to what has been proposed in the application form and the accompanying approved plan and not, necessarily, what has been constructed.

Main Issues

3. The main issues are the effect of the proposed development upon:
 - the character and appearance of the host dwelling and the neighbouring properties; and
 - the living conditions of the current and future occupants of 7 Broom Avenue, Broom.

Character and Appearance

4. The appeal property is a semi-detached dwelling located within a large housing estate in Broom. The proposed development comprises the erection of a single-storey front extension. According to the Appellant the extension would project forward by a maximum of 1.4 metres, would be 5.0 metres in width, would have a mono pitched roof and would be made of materials matching those of

- the host dwelling. It would include a main window within the living room and a front door giving access to a vestibule.
5. The proposed extension would be relatively modest in depth. It would, however, cover the full width of the ground floor front elevation. Nevertheless, it would still be subservient and subordinate to the dwelling.
 6. There are several dwellings along Broom Avenue that have been extended at the front. These extensions have taken a variety of forms. Some have been extended by around half of the width of the dwelling. Some have been extended the full width. Some have been 2-storey.
 7. There have been extensions at Nos: 13; 15; 19; 21; 23; 37; 39; 43; 45; 46; 48; 50; 71; 73; 77; and 79. Moreover, these addresses cover almost the full length of Broom Avenue meaning that the number of front extensions appears to have reached the point whereby the character and appearance of the area seems to have changed such that these extensions are no longer unusual or out of place.
 8. Thus, given the modest scale of the proposed extension it would not cause any harm to the character and appearance of either the host dwelling or the neighbouring properties. Therefore, it would comport with Policy CS28 of the Rotherham Local Plan: Core Strategy 2013-2028 2014 which requires new development to respect sense of place. Further, it would accord with Policy SP55 of the Rotherham Local Plan: Sites and Policies 2018 (SP) which requires the design of new development to be of a high quality, to be proportionate with its surroundings and to be of an appropriate size and scale.
 9. In addition, the proposal would accord with the advice set out at Paragraph 24 of the Rotherham Local Plan: Householder Design Guide Supplementary Planning Document 2020 (SPD) to the extent that single-storey front extensions should not have a significant impact on the overall street scene. Finally, it would accord with Paragraph 127c) of the National Planning Policy Framework (the Framework) that new development should be sympathetic to the surrounding built environment.

Living Conditions

10. The proposed development would be very close to the side of the front bay-window of the living room at No 9. As such the view from the side of the neighbouring bay-window across the garden of No 11 would be blocked by the side walls of the proposed extension. Moreover, since the extension is to the south of the bay-window there would be a loss of sunlight during the afternoon.
11. This blockage would, however, only reduce the outlook from the bay-window very partially since the views to the front and to the right would be unaffected. Furthermore, the loss of sunlight would also only be for a short duration and so quite marginal. Finally, since the proposed extension does not include a side window there would be no loss of privacy for occupants of No 9.
12. For the above reasons the proposed development would not cause any harm to the living conditions of the current and future occupants of No 9. It would, therefore, accord with Policy LP55(g) of the SP which requires that new development should ensure that neighbouring properties receive sufficient daylight and sunlight and should not cause overshadowing.

13. Furthermore, it would accord with the advice set out at Paragraph 12 of the SPD that new development should not cause an unreasonable level of overshadowing of neighbouring properties. Finally, it would accord with the advice contained in Paragraph 127f) of the Framework that new development should provide for a high quality of living conditions of current and future occupants of neighbouring dwellings.

Conditions and Conclusion

14. The development appears to have been completed and in accordance with the submitted plans. Nevertheless, I have attached a condition requiring that it be begun within 3 years as is standard. To protect the character of the host dwelling and the neighbouring area I have included a condition requiring that it be implemented in line with the approved plan using the materials specified in the application.
15. For the reasons set out above the appeal is allowed.

William Walton

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents: DRWG No 2 dated 28 January 2020.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall accord with those specified in the planning application.

END