



Appeal Decision

Site Visit made on 8 November 2021

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2021

Appeal Ref: APP/R1038/D/21/3279358
115 Snape Hill Lane, DRONFIELD S18 2GN

- 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 Jonathan Dann against the decision of North East Derbyshire District Council.
 - The application Ref 21/00083/FLH, dated 21 January 2021, was refused by notice dated 7 July 2021.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a two storey side extension at 115 Snape Hill Lane, Dronfield S18 2GN in accordance with the terms of the application Ref 21/00083/FLH dated 21 January 2021, 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: 198/4A, 198/5, 198/6, 198/7
 - 3) The first floor window to the northern elevation of the extension hereby approved shall be obscure-glazed to Pilkington level 4 or equivalent and shall be retained as such thereafter.

Main Issue

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of the occupiers of 113 Snape Hill Lane with particular regard to privacy and maintenance.

Reasons

3. The appeal property is a two storey detached house set within a staggered row of mainly detached properties. They are set back from the road, behind gardens, and there is some uniformity of design with many retaining their original features. Most have a gap between them and, overall, there is a suburban residential character to the street to which the row of houses in which the appeal property is located positively contribute.
4. The proposed two storey extension would be flush to the front elevation of the appeal property and project to the side, leaving only a small gap to the

neighbouring property No 113. While the extension would infill the majority of the gap, due to the staggered building line of these properties, the gap between them is not a prominent feature of the streetscene and is only visible from limited vantage points in the vicinity of each property. This is also reinforced by the presence of semi-detached properties on Snape Hill Lane. In any case, there would still be a small space between the properties. This, together with the hipped roof would ensure that, even from the limited vantage points, there would not be a harmful terracing effect and it would integrate well with its surroundings.

5. While as a result of the proposal, and previous development, the resultant house would be larger than those to the west, the generous size of the plot would comfortably accommodate the proposed extension. In addition, there are larger properties to the east.
6. The front elevation of the extension would be rendered. While not a traditional material in the local area, it would match the existing house and would therefore not be overly incongruous or obtrusive.
7. Interested parties detail guidance produced by other Council's which restrict the extent of side extensions to ensure a minimum gap is retained between properties. However, my attention has not been drawn to any such guidance produced by this Council. I have therefore assessed the proposal against the relevant local policy.
8. Concern has also been raised that this proposal may set a precedent for further similar applications in the area. However, there is no substantive evidence before me that that would be the case and I have determined this appeal based on the merits of this particular proposal.
9. For the reasons above, I conclude that the proposal would not be harmful to the character and appearance of the area. Consequently, there would be no conflict with policies GS5, H5 and BE1 of the North East Derbyshire Local Plan, policies LC5, SS7 and SDC12 of the North East Derbyshire Local Plan 2014-2034 (Publication Draft) and policy D3 of the Dronfield Neighbourhood Plan, the National Planning Policy Framework and the National Design Guide. These require, amongst other things that development is of good design that is in keeping with the property and the streetscene as well as not detracting from the character and appearance of the area.

Living conditions

10. The proposed extension would have a window in the rear elevation which would be close to the boundary with No 113, allowing views of its private garden area. This would be harmful to the living conditions of the occupiers of No 113. However, that harm could be satisfactorily mitigated through the requirement for the window to be obscure glazed. This could be achieved through the imposition of a suitably worded condition and would also ensure the privacy of the occupiers of No 115 is maintained.
11. Concern has been expressed that the proposed extension would make it difficult to maintain the roof, gutters and side elevation of both Nos 113 and 115 which could result in drainage problems. In addition, the proposed plan does not show a rainwater drainpipe, waste and gully system or soil vent pipe

on the side elevation as currently exists. Furthermore, there is an easement regarding drainage infrastructure.

12. The proposed extension would likely add to maintenance costs because of greater access difficulties. However, such concerns are made while acknowledging that reasonable access for such things must be allowed, but in addition, these are matters of a legal nature which are separate to the planning merits of the proposed development. Furthermore, drainage infrastructure would be covered by separate legislation within the Building Regulations.
13. For the reasons above, I conclude that the proposal would not be harmful to the living conditions of the residents of No 113 Snape Hill Lane. There would therefore be no conflict with policies GS5 and H5 of the North East Derbyshire Local Plan, policies LC5,SS7 and SDC12 of the North East Derbyshire Local Plan 2014-2034 (Publication Draft) and policy D3 of the Dronfield Neighbourhood Plan or the Framework. These require, amongst other things, that development should not be detrimental to the amenities of neighbouring occupiers.

Conditions

14. I have imposed the standard time condition as well as a condition relating to the approved plans, which include details of materials, for certainty.
15. I have imposed a condition requiring the rear window to be obscure glazed to protect the privacy of the occupiers of No 113.

Conclusion

16. For the reasons outlined above, I conclude that the appeal should be allowed.

Zoe Raygen

INSPECTOR