



Appeal Decision

Site Visit made on 12 October 2021

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10TH December 2021

Appeal Ref: APP/P4415/D/21/3278468

6 Holly Mount, Wickersley, Rotherham S66 1JR

- 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 and Mrs Jones against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2020/1928 dated 11 November 2020, was refused by notice dated 15 April 2021.
 - The development proposed is 'Two storey and single storey front/side extension and increase height and extension of detached garage at the rear'.
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Decision

1. The appeal is dismissed insofar as it relates to the two storey and single storey front/side extension. The appeal is allowed insofar as it relates to the increase in the height of and extension to the detached garage and planning permission is granted for an increase in the height of and extension to the detached garage at 6 Holly Mount, Wickersley, Rotherham S66 1JR in accordance with the terms of the application, Ref RB2020/1928, dated 11 November 2020, and the plans submitted with it, so far as is relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans in so far as this relates to the increase in the height of and extension to the garage: Drawing Nos. 2020-54-3G, 2020-54-2G.
 - 3) The materials to be used in the construction of the external surfaces and roof of the development hereby permitted shall match those of the existing garage building.
 - 4) No works shall commence on the increase in the height of and extension to the garage hereby permitted until details of a landscaping scheme have been submitted to and approved in writing by the local planning authority. The scheme shall provide for the retention and reinforcement of the existing hedge on the west boundary of the site and set out measures for its management and protection throughout the course of development.

All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years

from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Preliminary Matters and Main Issues

2. The description of development in the banner heading and formal decision above is taken from the Council's decision notice and the appeal form.
3. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021. Paragraph 218 indicates that its policies are material considerations which should be taken into account in dealing with applications from the day of publication. The principal parties were therefore invited to comment on any implications of the revised Framework for this appeal and I have determined the appeal having regard to its provisions.
4. For the reasons that follow, I find the proposed increase in the height of and extension to the garage to be acceptable and from the plans it appears that this part of the scheme is capable of being constructed independently of the extension to the main dwelling. In these circumstances, it is appropriate for me to issue a split decision and I therefore grant planning permission for the increase in the height of the garage and the extension to it subject to conditions which are explained below.
5. The third reason for refusal relates to an absence of information in relation to the effect on trees. The appellant submitted an Arboricultural Report and Impact Assessment (June 2021) with the appeal and the Council has had an opportunity to comment on its contents. I have taken it into account in my determination of the appeal.
6. The comments from adjoining occupiers refer to the impact of the proposal on their living conditions and the appellant has had an opportunity to comment on those representations. With this background, the main issues in this case are:
 - The effect of the proposed development on the character and appearance of the host dwelling;
 - The effect on trees and hedges; and
 - The effect on the living conditions of adjoining occupiers.

Reasons

Character and appearance

7. The appeal dwelling is a detached two storey dwelling within a residential area and is located at the end of an unadopted, single track cul-de-sac. Although it has been extended to the rear and side, the dwelling's front elevation retains its traditional form, proportions, detailing and character. When approaching along Holly Mount, the dwelling is partially screened by mature trees, some located in adjoining gardens, which contribute to a sylvan character and appearance.
8. The Householder Design Guide Supplementary Planning Document (2020) (SPD) advises that it is preferable for extensions to be subordinate in scale to the original house and to allow the original building to remain dominant, with matching roof styles. Due to its length, width and height the proposed side

extension would not be subordinate in scale or form to the host dwelling and would appear as a disproportionate addition. The two storey element would project forward of the existing dwelling and the ground floor lean-to would wrap around the front elevation.

9. Although the proposed design seeks to break up the bulk and mass of the structure into different elements, the combination of different structures, roof forms and detailing would create a confused and discordant appearance. The wide span and shallow roof pitch of the two storey gable would appear as a discordant and unsympathetic feature when viewed in conjunction with the narrow gable and traditional roof pitch of the host dwelling.
10. Although new development has taken place to the west and south of the site at Brecon Rise and The Orchard, this has not changed the dwelling's immediate context when viewed from Holly Mount which retains its traditional and sylvan setting. The appellant has referred me to the extension at No 9 Holly Mount which I was able to see at my site visit, but as the form, scale and proportions of that extension more closely reflect the host dwelling, it is not comparable with the case before me. The fact that Holly Mount is not an adopted highway does not negate the need for good design in terms of paying due regard to the form, scale and proportions of the existing dwelling.
11. The height of the garage would be raised to 6.1 metres to accommodate a home office in the roofspace and would also be extended slightly to the rear to allow for an internal staircase to the first floor. Whilst this would be a similar height to a single storey dwelling, the garage's existing floor level is raised due to the fall in ground levels across the garden. The building would not appear unduly tall or bulky in relation to the host dwelling.
12. The proposed single storey extension would create a degree of visual separation between the garage and the privet hedge on the common boundary with No 2 Brecon Rise (No 2). For this reason, the garage would not appear cramped in relation to the site boundaries and due to the generous size of the rear garden, it would not appear out of scale with the plot.
13. The higher garage and adjoining extension would be viewed in conjunction with the existing dwelling and would not have an adverse impact on the surrounding area. Overall, I conclude that the increase in the height of the garage and the extension to it would not appear excessive or disproportionate in relation to the existing dwelling and in this regard would accord with the guidance in the SPD.
14. For the reasons outlined above, the proposed increase in the height of and extension to the garage would not conflict with the requirements of Policy CS28 of the Rotherham Local Plan Core Strategy (2014) (CS) and Policy SP55 of the Rotherham Local Plan Sites and Policies document (2018) (LP). Collectively, these policies require development to be responsive to its context and visually attractive as a result of good architecture and to have regard to the setting of the site including the grain of surrounding development. It would also accord with the advice in the SPD and the Framework's requirement that development should be of high quality design and sympathetic to local character.
15. However, the proposed extension to the host dwelling would be harmful to its character and appearance, in conflict with CS Policy CS28 and LP SP55. The Framework makes clear that development that is not well designed should be refused, especially where it fails to reflect local design policies.

Trees

16. The Arboricultural Report concludes that nine trees and one tree group will require removal to accommodate the proposed development. The report concludes that they are Category C trees, of low or average quality and value. The trees are garden specimens which are ornamental in appearance and their removal would not adversely affect the sylvan character of the surrounding area.
17. Beech T1 is a Category A tree in a neighbouring property and the report concludes that the crown would need to be lifted to accommodate the extension to the dwelling. Had this part of the appeal been allowed, details of a method statement and tree protection plan to safeguard the long term health of the tree could have been secured by means of a planning condition.
18. The report also concludes that the hedge on the common boundary with the dwellings on Brecon Rise (G21) would require pruning which may not be tolerated by the cypress specimens. The report concludes that this hedge is in poor condition with significant patches of dieback and deadwood. In order to ensure an effective boundary hedge is maintained, a planning condition can be used to secure further details of reinforcement planting and management of this hedge during construction works.
19. For these reasons, I find that the proposal would not conflict with LP Policy SP33 which requires development to conserve and enhance existing biodiversity features.

Living conditions

20. The balcony on the west elevation of the proposed extension to the dwelling would be located approximately 20 metres from the common boundary with Nos 4 and 6 Brecon Rise. Views from the balcony would be partially screened by the hedge on the boundary and from that distance would not result in a material loss of privacy to the occupiers of those dwellings from overlooking.
21. There would be adequate separation distance between the side wall of the extension and the hedge on the common boundary with Nos 2 and 3 The Orchard (Nos 2 and 3) to ensure that it would not appear overbearing when viewed from those dwellings. The balcony would be located approximately 8 metres from Nos 2 and 3 and as views from the side of the balcony would be partially screened by the hedge, there would be no material loss of privacy to the occupiers of those dwellings.
22. The garage and adjoining extension would be located to the east of Nos 2 and 4 Brecon Rise. Subject to a condition requiring reinforcement and maintenance of the hedge on the common boundary as discussed above, the hedge would provide a reasonable screen of the extension when viewed from the rear garden and ground floor windows of No 2. The garage gable would project above the hedge, but as it would be approximately 15 metres from No 2's rear windows it would not appear unduly overbearing or oppressive when viewed from the garden and rear windows of No 2. Any additional shadowing would be restricted to the morning period and would be likely to be cast over the garage extension so that the garden of No 2 would continue to receive adequate levels of sunlight.

23. Views from the dormer window in the garage would be towards the appeal dwelling's rear garden. Any views towards neighbouring properties on Brecon Rise would be at an oblique angle and at a distance which would not materially harm the privacy of the occupiers of those dwellings.
24. For these reasons, I find that the appeal scheme would not cause material harm to the living conditions of the occupiers of Nos 2, 4 and 6 Brecon Rise and 2 and 3 The Orchard. There would be no conflict with CS Policy SP55 which requires the design of new development to be designed so that the amenity of sensitive land uses, which include housing, are not adversely affected.

Other Matters

25. The effect of the proposed development on property values is not a planning matter that can be considered as part of this appeal.

Conclusion

26. I have found that the appeal would not cause harm to the living conditions of adjoining occupiers and, subject to the imposition of conditions, would be acceptable in terms of the impact on trees. However, this does not outweigh the harm that would be caused to the character and appearance of the host dwelling. For the reasons set out above and having had regard to all other matters raised, I conclude that the appeal should be allowed insofar as it relates to the proposed increase in the height of and extension to the garage but dismissed insofar as it relates to the extension to the host dwelling.

Conditions

27. In addition to the standard time limit condition, a condition requiring that the development is carried out in accordance with the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. A condition specifying matching materials is necessary to ensure a satisfactory appearance for the garage building. In the interests of the long term health of the hedge on the west boundary, a condition requiring further details of reinforcement planting and management during construction is required.

Sarah Housden

INSPECTOR