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# Appeal Decision

Site visit made on 4 January 2022

**by Diane Cragg Dip TP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 11 January 2022**

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**Appeal Ref: APP/A1015/D/21/3281277**

**18 Dorset Drive, Brimington S43 1DS**

- 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 Mrs Alison Booth against the decision of Chesterfield Borough Council.
  - The application Ref CHE/21/00311/FUL, dated 18 April 2021, was refused by notice dated 13 July 2021.
  - The development proposed is side extension to existing dwelling, consisting of ground floor garage and first floor bedroom with en-suite.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021 and I have had regard to it in reaching my decision.

## Main Issues

3. The main issues are the effect of the development on:
  - (i) the living conditions of the neighbouring property No 20 Dorset Drive, and
  - (ii) the character and appearance of the area.

## Reasons

### *Living conditions*

4. No 18 Dorset Drive is one of a group of properties that face a small green space. As the end property facing the space it has a vehicular access from Dorset Drive serving a detached double garage to the side of the dwelling. The side boundary of the property is angled to accommodate a driveway to a pair of semi-detached houses set back from the road frontage.
5. No 20 Dorset Drive is partly behind and to the north of the appeal site and set at a lower level. The front elevation of No 20 with entrance door, living room window and two first floor bedroom windows within it, faces the appeal site at relatively close proximity.

6. The proposed extension would project at two storeys from the gable elevation of the appeal property covering a similar footprint to the existing garage. It would significantly increase the bulk of the building close to the joint boundary. Whilst I note the appellant's comments in respect of daylight and sunlight, due to the location and size of the first floor of the proposed extension and because of the orientation of the properties sunlight and daylight would be restricted into the front of No 20. The reduction in daylight and sunlight would be particularly notable in the first-floor bedrooms of No 20 which are lit by single front facing windows.
7. In addition, because of its size, siting, and the change in land level between the two properties, the extension would appear overbearing when viewed from the bedroom and living room windows of No 20.
8. Consequently, the proposal would be detrimental to the living conditions of No 20 Dorset Drive in conflict with Policies CLP14 and CLP20 of the Chesterfield Borough Local Plan 2018-2035 (Local Plan) which seek to ensure that development has an acceptable impact on adjoining occupiers. It would also conflict with the Framework which requires development to create places that promote health and well-being with a high standard of amenity for existing and future users.

#### *Character and appearance*

9. Dorset Drive is characterised by semi-detached dwellings of a similar scale and design in relatively spacious plots. As many properties retain their original form, there is a rhythm and pattern to the street scene and a sense of spaciousness which are positive features of the area.
10. The appeal property is located on a prominent plot. Its design reflects that of most dwellings in the street and the space surrounding the dwelling contributes to the generally modest density of the estate.
11. The proposed extension would follow the ridge and eaves line of the existing roof, would have a very limited set back at first floor level and would have a width that would not be significantly less than the main house. The effect of the scale and design of the extension would be to excessively elongate the property and substantially increase the bulk of the building. The extension would fail to respect the modest scale of the original dwelling and would not be subservient to it. Consequently, the proposal would diminish the sense of space around the property and would appear as a prominent addition to the street scene that would be incongruous with its form and layout.
12. Therefore, the proposed two storey extension would cause harm to the character and appearance of the area in conflict with Policy CLP20 of the Local Plan which requires development to respond positively to the character of the site and surroundings. It would also conflict with the Framework where it seeks to ensure that development is sympathetic to local character.

#### **Other Matters**

13. I note the photograph provided of an extension to the side of a nearby property. However, at my site visit there were limited other extensions of the size proposed visible within the context of the appeal site and the photograph provided does not change my concerns about the size and prominence of the proposed development.

## **Conclusion**

14. Overall, for the reasons given above, I conclude the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

*Diane Cragg*

INSPECTOR