
Appeal Decision

Site visit made on 25 January 2022

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH February 2022

Appeal Ref: APP/P4415/D/21/3281843

3 Fulmar Way, Thorpe Hesley, Rotherham S61 2PE

- 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 David Shepherd against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref: RB2021/0567, dated 15 March 2021, was refused by notice dated 24 June 2021.
 - The development proposed was originally described as 'to create a second floor extension above a garage.'
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 3 Fulmar Way, Thorpe Hesley, Rotherham S61 2PE in accordance with the terms of the application, Ref: RB2021/0567, dated 15 March 2021, 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: Site Location Plan Scale 1:1250, Block Plan Scale 1:100 Date March 2021, Proposed extension above the existing garage Rev A (set back) Scale 1;50 & 1;100 Date 18/06/2021.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The name of the appellant in the banner heading above is taken from the applicant details that are set out on the planning application form. The appeal form included different appellant details, although this was subsequently confirmed as an error. Ordinarily, the name of the person making the appeal must appear as an applicant on the planning application form. The appeal therefore proceeds in the name of the applicant.
3. The description of development in the banner heading above is also taken from the planning application form. I have utilised the description that is set out in the Council's decision notice in my decision paragraph because it more accurately describes the proposal as a first floor side extension.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the building and the area.

Reasons

5. The appeal property is a modest sized semi-detached house that has an attached garage to the side. The width of the garage on the front of the property is slightly greater than that of the main house. The site boundary adjacent to the garage is tapered. As a result, the garage narrows to the rear where its width is less than that of the main house. The garage is also set at a lower ground level.
6. The attached semi is similar in size and appearance to the appeal property. It does not though have an attached garage. Past the site, Fulmar Way rises and the road curves away. An approximate building line follows this alignment. On this side of the road, the house types are similar although there is more variation throughout the area which comprises a modern housing development that is set out in a planned layout.
7. The Council's Rotherham Local Plan Householder Design Guide Supplementary Planning Document (2020) (SPD) states that the size and design of extensions should be subsidiary to the existing dwelling and allow the original building to remain dominant. It does not provide particular guidance on first floor extensions. However, guidance is provided on 2 storey side extensions where issues may reasonably be similar.
8. In this regard, the SPD states that the Council will be critical of excessive width. It further sets out that any such extension should not exceed more than half the width of the original house and where the existing house is narrow or this would result in an impractical extension it may be acceptable to have an extension slightly more than half the width of the house but this should be offset with a greater set back at the first floor to a minimum of 0.5 metre (m).
9. The proposal would be sited over the garage and would exceed more than half the width of the original house. Any such exceedance would though be considerably diminished on the rear elevation due to the tapered form of the site. The existing house is clearly narrow and it would be impractical for the proposal as it would contain living accommodation to not exceed more than half of its width. The proposal would also make use of the existing built footprint and the set-back would be greater than 0.5m.
10. Moreover, deciding on the merits of the width of the proposal and whether it would be subsidiary needs to be based on a broader assessment of character and appearance. As well as being set back from the front elevation, the ridge height of the proposal would be set at a lower height than the existing roofline. When these considerations are taken together, it would be an appropriate addition that would not appear over dominant. It would be subservient and the width would not be excessive.
11. Similar considerations apply with regard to the effect on the pair of semi-detached properties. It would not unbalance the properties because the front elevation would be set back, the roof ridge height would be set down and because it would be at a lower ground level and noticeably so from its attached neighbour.

12. This subservient appearance of the proposal would also be evident from the streetscene and it would not be out of keeping. In addition, it would not be unduly prominent as it would respect the approximate building line and the associated pattern of development. Nor would the width detract from the planned layout of the estate. Where other extensions have taken place on this housing development, they do not alter my view because the proposal would not appreciably change the overall character.
13. I conclude that the proposal would not have an unacceptable effect on the character and appearance of the building and the area. As such, it would comply with both Policy CS28 of the Local Plan Core Strategy 2013 – 2028 (2014) and Policy SP55 of the Local Plan Sites and Policies (2018) where they state that proposals should respect and enhance the distinctive features of Rotherham, be responsive to their context and be visually attractive, that all forms of development are required to be of high quality, incorporate inclusive design principles and positively contribute to the local character and distinctiveness of an area and the way it functions, amongst other matters.
14. The proposal would also comply with the SPD as it would not detract from the host property and the street scene. It would also accord with the National Planning Policy Framework where it confirms that good design is a key aspect of sustainable development and nor would it be a development that is not well designed and so should be refused.

Conditions

15. In addition to the timescale for implementation, I have imposed a condition concerning the approved plans. This condition is imposed for the purposes of certainty. I have also imposed a condition by way of the external materials to match the existing building. This is in order to protect the character and appearance of the building and the area.

Conclusion

16. For the reasons set out above and having regard to all matters that have been raised, the appeal should be allowed subject to the conditions.

Darren Hendley

INSPECTOR