



Appeal Decision

Site visit made on 9 March 2022

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17TH March 2022

Appeal Ref: APP/A1015/D/21/3285644

45 Rother Avenue, Brimington, Derbyshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph AA.2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Browett against the decision of Chesterfield Borough Council.
 - The application Ref CHE/21/00421/PA, dated 26 May 2021, was refused by notice dated 11 October 2021.
 - The development proposed is raising height of roof to create bedrooms above.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse by the construction of additional storeys subject to limitations and conditions, including a requirement to submit an application for prior approval.
3. Paragraph AA.2.3(a) to Part 1 requires the local planning authority to assess the impact of the proposed development in a number of respects, including in terms of the impact on the external appearance of the dwellinghouse.

Main Issue

4. The main issue is the impact of the proposed development on the external appearance of the dwellinghouse.

Reasons

5. The appeal property is a semi-detached dwelling located within a residential housing estate. It is positioned in a short row of similar semi-detached properties and next to a bungalow. Dwellings on this side of Rother Avenue are arranged in a linear form fronting onto the public highway. There are a mix of dwelling styles in the surrounding area, including bungalows, dormer bungalows, semi-detached and detached dwellings. Dwelling heights in the vicinity are exclusively either single storey, one and a half storey or two storeys. These factors contribute positively to the character and appearance of the area and to how the appeal dwelling sits within it.

6. The proposal would introduce one additional storey to the appeal dwelling. As the property forms part of a pair of semi-detached dwellings, this would lead to half of the building being a storey higher than the other half. It would also result in the appeal dwelling being substantially higher than the bungalow adjacent to it to the other side boundary. These relationships would be visually jarring both individually and when taken together, they would disrupt the relative uniformity and consistency of the street scene and they would result in a development that would as a whole appear incongruous within its surroundings. This would cause significant harm to the external appearance of the dwellinghouse.
7. Reference has been made to the ridge heights of the existing dwellings at 1 and 3 Totley Mount in comparison to the ridge height of the appeal proposal. However, any similarity in height would arise because those dwellings are sited on a higher ground level due to the topography of the surrounding area and not because the dwellings themselves would be of an equivalent height above their respective ground levels. No 1 and No 3 also have a consistent ridge height extending across the building. The impact arising from those dwellings is therefore not comparable to the impact that would arise from the appeal proposal.
8. The appeal site is located within an established urban area and the proposal could potentially contribute to reducing pressure to provide additional living spaces in less preferable locations, including the Green Belt. However, I am required to make my assessment as to whether or not prior approval should be granted on the basis that is set out in the GDPO. That is therefore the approach that I have taken in determining the appeal.
9. For the above reasons, I conclude that the proposal would cause significant harm to the external appearance of the dwellinghouse. In reaching this conclusion I have had regard to the National Planning Policy Framework and find that the proposal would fail to achieve well-designed places and to ensure that upward extensions would be consistent with the prevailing height and form of neighbouring properties and the overall street scene. Consequently, prior approval should be refused.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR