
Appeal Decision

Site visit made on 8 March 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 23rd March 2022

Appeal Ref: APP/M9496/D/21/3286390

High Roding, Coggers Lane, Hathersage S32 1AL

- 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 Jonny Elvidge against the decision of the Peak District National Park Authority.
 - The application Ref NP/DDD/0221/0219, dated 16 February 2021, was refused by notice dated 28 October 2021.
 - The development proposed is building over a garage, rear extension, roof windows, work to garden and boundaries.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Prior to the determination of the appeal application the Authority received amended drawings but they were not used as the basis for assessing and determining the application. The Authority has acknowledged that the amended drawings, which would have addressed some of the concerns raised in the reasons for refusal, should have been assessed. These concerns included the deletion of the proposed dormer and flue and a change to the external render of the proposed extension.
3. No objection has been raised by the Authority to these amended drawings being considered as part of this appeal. Although these amended drawings may not have been the subject of consultation, because they were seeking to address some of the concerns raised by the Authority and others prior to the determination of the application, no prejudice would be caused to any other party if they now provide the basis for the determination of this appeal.

Main Issues

4. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the host property and the surrounding area and (b) the living conditions of the occupiers of Chatel.

Reasons

Character and Appearance

5. The appeal property is a detached 2-storey dwelling with a single storey mono-pitched side garage. As described by the appellant, the property has the design and appearance of a post war suburban dwelling which is similar in age

and character to other dwellings within the surrounding area. By reason of the topography, there is a stepped siting of the dwellings fronting the western side of Coggers Lane with the property possessing a lower ground level than Chatel which is a bungalow sited to the north. There are variations in the gaps between the dwellings fronting the road with the size being dependent upon whether the properties have been altered.

6. As shown on the amended drawings, the proposed development includes a 2-storey side extension which would replace the existing garage. Although its front elevation would align with the host property's, rather than dominate the original building because of its width and lower ridge the proposed extension would appear a subservient addition when viewed from the road. This approach reflects the guidance for extensions contained in the Authority's *Design Guidance*.
7. Capable of being secured by condition, the use of matching external render and roof tiles would assist the extended property's integration into the streetscene. Accordingly, the proposed extension would not detract from the character and appearance of the host property and, as such, there would not be a conflict with the Policies DMH7(A)(i) and (ii) and DMC3(vi) of the Development Management Policies: Part 2 of the Local Plan for the Peak District National Park (DMP).
8. The size of the plot is such that the resulting property would not appear a cramped form of development and there would remain a gap between the proposed side elevation of the extension and the flank wall of Chatel. The width of the gap would be similar to the existing gap between the property and Ash House to the south. The spaciousness of the streetscene would be retained because this is particularly attributable to the front gardens, which are landscaped and used for parking, and the open countryside on the opposite side of the road.
9. For the reasons given, the proposed development would not cause unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it would not conflict with the relevant high quality design requirements for all developments, including extensions, contained in Policies GSP1 and GSP2 of the Core Strategy Development Plan Document (CS) and DMP Policies DMC3 (A) and (B)(i), (ii) and (vi) and DMH7(i), (ii) and (iv). Further, the scale, form and design of the proposed development would preserve the landscape and scenic beauty of the National Park.

Living Conditions

10. Within the south facing side wall of Chatel are 2 windows which serve habitable rooms. These rooms also have other windows which either face the front or rear gardens of this neighbouring property. During the morning site visit it was evident that these side facing windows are a source of both sun and daylight for the rooms they serve and also provide an outlook for the occupiers of Chatel.
11. The existing 2-storey side elevation of the appeal property is well set back from the shared boundary with Chatel. Instead, it is the flank wall of the single storey garage which is sited closest to the boundary with its mono pitched roof sloping away from the boundary. The 2-storey side elevation of the proposed

extension would be sited in a similar location to the existing garage's flank wall. By reason of siting and height, the outlook from the side windows would be dominated by the proposed extension's flank wall and, as such, it would represent an unacceptably overbearing form of development to the occupiers of Chatel.

12. Although the comments of the neighbouring occupier have been carefully considered, by reason of there being other windows serving the habitable rooms the loss of day and sun light associated with the height and siting of the proposed extension would not alone be a reason for this appeal to fail. No issues of loss of privacy have been identified because the appeal scheme does not include openings which would overlook Chatel. However, these matters do not outweigh the unacceptable harm which has been identified.
13. On this issue it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of Chatel and, as such, there would be a conflict with CS Policy GSP3(F) and DMP Policy DMC3(B)(vii) which seek to protect the amenities of other properties from the impacts of development.

Conclusion

14. Although the proposed development would not cause unacceptable harm to the character and appearance of the host property and surrounding area, this matter is demonstrably outweighed by the unacceptable harm which would be caused to the living conditions of the occupiers of Chatel. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR