
Appeal Decision

Site visit made on 31 May 2022

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS
an Inspector appointed by the Secretary of State.

Decision date: 16th June 2022

Appeal Ref: APP/P4415/D/22/3297209
11 Moorhouse Lane, Whiston, Rotherham S60 4NQ

- 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. Bray against the decision of Rotherham Municipal Borough Council.
 - The application Ref RB2022/0317, dated 23 February 2022, was refused by notice dated 29 March 2022.
 - The development proposed is the erection of a new single garage with a new front boundary wall and gates.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a new single garage with a new front boundary wall and gates at 11 Moorhouse Lane, Whiston, Rotherham, S60 4NQ in accordance with the terms of the application RB2022/0317, dated 23 February 2022, subject to the following conditions:
 - i. The development hereby permitted shall begin no later than three years from the date of this decision.
 - ii. The development hereby permitted shall be carried out in accordance with the following approved plans: 20-024-PL.05 – Site Context Plan; 20-024-PL.00A – Proposed Location/Site Plan and 20-024-PL.04C – Proposed Elevations & Street scene.
 - iii. Prior to construction work being undertaken above foundation level for the proposed garage, samples of the external materials for the walls and roof shall be submitted to and approved in writing by the local planning authority. The garage shall be constructed in accordance with approved materials.
 - iv. The boundary wall shall be constructed with natural coursed sandstone to a height of 0.9 metres with wrought iron railings above taking the total height to 1.5 metres.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Whiston Conservation Area (CA).

Reasons

3. The appeal site lies at the eastern end of the CA with the historic core being to the west. The eastern area comprises housing development mainly constructed from the twentieth century onwards, though there are pockets of earlier housing, including properties close to the west of the appeal site. There is a mix of design styles in a landscaped setting. The area to the south of the appeal site is open land.
4. Some of the properties in the area are set back from the road, though others are sited very close to the road itself, including the properties close to the west of the appeal site.
5. The host property itself is set back from the road and with a driveway and a lawned amenity space leading to it. The boundaries to the property widen away from the road. The dwelling has an open vista with an absence of vegetation cover along the boundary with the road.
6. The open boundary to the front of the host building is not a characteristic of the CA at this point. In fact, its open vista is an anomaly which disturbs the continuity to either side provided by boundary walls and vegetation cover.
7. The local planning authority (LPA) raises no objections to the proposed boundary walling and fencing and I have no reason to disagree. It would help with the continuity of the border treatment to either side.
8. The proposed garage would be set within the front amenity space, behind and close to the proposed boundary walling and railings alongside of the road. Its height and scale would be modest.
9. The Council's Householder Design Guide Supplementary Planning Document 2020 (SPD) states that garages in front gardens will not be supported unless it can be demonstrated that no harm to the street scene will occur. However, in this instance, because the garage would be sited behind a proposed boundary walling/fencing and with intervening proposed landscaping, I consider that there would be no such harm to the street scene or the CA. In addition, the garage would only be seen at the entrance to the host property itself and hardly from along the approach road and where there are other buildings sited close to the road.
10. The appellant has included examples of other garages built close to the road, sited in front amenity spaces. While I am not aware of the circumstances relating to them, they do add to the pattern of development in the immediate area of buildings, including outbuildings, in similar positions to the proposed development. In particular, on my site visit I was able to observe the detached garage in the front amenity space of the adjoining dwelling.
11. The National Planning Policy Framework 2021 (the Framework) states that when considering the impact of a proposed development upon the significance

of a designated heritage asset, great weight should be given to the asset's conservation.

12. In this instance I conclude that, for the above reasons, the proposal would preserve the character of the CA and would comply with the Rotherham Local Plan policies CS23, CS28 and SP41, and policy SP55 of the SPD which aim to enhance the character and appearance of conservation areas, reinforce local distinctiveness and provide high standards of design. For the foregoing reasons, no conflict arises with the relevant provisions of the Framework or expectations of statute with regard to seeking to preserve heritage assets.

Conditions

13. I have imposed the standard time condition and a condition to ensure the development is in accordance with the approved plans in the interests of certainty.
14. In addition, I have imposed a condition requiring the submission and approval of samples for the external walls and roof of the proposed garage and a condition relating to the boundary, to protect the character and appearance of the CA.

Conclusion

15. For the above reasons, I conclude that the appeal should be allowed.

Steven Hartley

INSPECTOR