



Appeal Decision

Site visit made on 21 June 2022 by T Bennett BA (Hons) MSc

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2022

Appeal Ref: APP/A1015/D/22/3295668

1 Oakfield House, Oakfield Avenue, Somersall, Chesterfield, Derbyshire, S40 3LE

- 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 Ian Hooper against the decision of Chesterfield Borough Council.
 - The application Ref CHE/21/00909/FUL, dated 7 December 2021, was refused by notice dated 4 February 2022.
 - The development proposed is the erection of a detached garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The description of development has been modified from that on the planning application form and appeal form for the purposes of clarity. This simplified description is detailed in the banner heading above.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons for the Recommendation

5. The appeal property is a large, detached, cream rendered two storey property. Although the appeal property contributes to the varied design character of the wider area, like many of the detached properties in the vicinity, it is set back from the highway with hard surfacing to the front and side along with a front lawned area. This, combined with the tree lined street and the park adjacent to the appeal property gives the area a verdant and spacious feel at this prominent location opposite the junction of Oakfield Avenue and Linden Avenue.
6. The proposed double garage would be positioned to the front of the property on an existing area of lawn. The gable end of the garage would face the street with the two garage doors positioned on the western elevation. Whilst I

recognise that the proposal has been reduced in size from a previous application, it would still remain large and appear prominently in this location, reducing the openness currently experienced at the front of this property. Furthermore, there is a strong building line to the four properties adjacent to the appeal site, with no buildings or garages forward of the principal elevation. This sense of space at the front of dwellings is a prevailing characteristic of the area, which would be eroded by the proposal, detracting from the character and appearance of the area at this spacious location.

7. I acknowledge that the building line on the same side of the road as the appeal site has been disrupted by a large, detached garage prominently positioned at the front of number 17 Oakfield Avenue. Whilst there are some design similarities between this and the proposal, I am not persuaded that this example, which is one of seven examples of garages to the front of properties, along or off from Oakfield Avenue that the appellant has directed me towards, serves to justify the proposal.
8. Regarding the other examples, I consider these to be more of an exception to the prevailing character of the vicinity rather than the norm. Of the further six highlighted, two of them are on a cul-de-sac off Oakfield Avenue, some distance from the appeal property where the character of the properties are different and it is not in as prominent a location, whilst another is set back considerably from Oakfield Avenue and not readily visible in the streetscene. Number 21 Oakfield Avenue is an integral garage as part of a bungalow, marginally protruding from the front elevation and another is a single garage at number 4A Oakfield Avenue, and therefore these are not comparable in scale or design to the appeal proposal. The example at number 6 Oakfield Avenue, whilst sharing some design similarities with the appeal, I find does not justify the proposal, nor is it in as prominent location as the appeal proposal before me.
9. I recognise that the potential for a replacement tree would assist in screening the proposal, however this would only provide partial visual mitigation, and it would still in all probability be more visible during the winter months in particular, if the tree sheds its leaves. Screening from the tree would not be permanent and therefore would not mitigate against the visual harm of the garage.
10. For the reasons outlined above, I find the proposal would have an adverse impact on the character and appearance of the surrounding area and consequently fails to accord with Policy CLP20 of the Chesterfield Borough Local Plan (2020) which seeks to ensure that development respects the character and appearance of the area.

Other Matters

11. No concerns were raised by the Council in relation to the living conditions of the occupiers of the neighbouring property. From the evidence before me and my observations on site, as a result of its siting and the existing boundary treatment I have no reason to disagree with this conclusion. However, this does not outweigh the harm that I have already identified.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR