



Appeal Decision

Site visit made on 17 May 2022 by Darren Ellis MPlan

Decision by S R G Baird BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 September 2022

Appeal Ref: APP/P4415/D/22/3294134

3 Gorse Close, Brampton Bierlow, Rotherham, South Yorkshire S65 6HW

- 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 Ricky Kniveton against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2021/1785, dated 23 November 2020, was refused by notice dated 8 December 2021.
 - The development proposed is ground floor rear, two storey side/front extension, attached 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.

Background and Main Issue

3. The appeal proposal is a resubmission of a previous planning application for a ground floor rear and two storey side/front extension and an attached garage¹. Planning permission was previously granted for the rear and side/front extensions. This appeal will focus solely on the proposed attached garage.
4. The main issue therefore is the effect of the garage on the character and appearance of the appeal site and the street scene.

Reasons for the Recommendation

5. The appeal property is a two-storey detached dwelling. The properties in the street are set back from the road with modest front gardens and driveways, and the buildings follow a strongly defined building line. Many of the front boundaries in the street have no boundary treatments, while others have landscaping and fences of modest heights. Overall, the street has a pleasant and spacious character.
6. The front garden area of No 3 contributes positively to the spacious character of the area. The proposed garage would be adjacent to the detached single garage at No 1, however the existing garage is of a modest size and largely follows the predominant building line of the street and is set back from the

¹ Planning application ref. RB2020/1913

road. The proposed garage would be set substantially forwards of the building line, would only have a small set back from the road, and would be significantly larger than the garage at No 1. As such the proposed garage would add clutter to the street scene and would therefore be an unsympathetic addition to the street scene. Furthermore, it would be at odds with the prevailing character due to its scale and position forward of the established building line. Consequently, the structure would fail to respond to its context and would detract from the appearance of the appeal site and the spacious character of the street.

7. The appellant refers to other properties in the estate that have extensions to the front of the properties and would be similar in appearance to the proposed garage, however no substantive details of these extensions or any planning permissions for these extensions have been provided. Moreover, these other extensions in the estate have no impact on the street scene at the appeal site or character of Gorse Close.
8. For the reasons given, the proposed garage would cause harm to the character and appearance of the appeal site and street scene. The proposal would therefore be contrary to Policy CS28 of the Rotherham Local Plan Core Strategy (September 2014) and Policy SP55 of the Rotherham Local Plan Sites and Policies (June 2018), which both require, amongst other things, for new development to be responsive to its context and to positively contribute to the local character. The proposal would also fail to comply with paragraph 130 (a) and (c) of the National Planning Policy Framework, which requires development to add to the overall quality of the area and to be sympathetic to local character. The proposal also conflicts with the guidance in section 2.7 of the Rotherham Local Plan Householder Design Guide Supplementary Planning Document, which states that garages in front gardens will not be supported unless it can be demonstrated that no harm to the street scene will occur.

Other matters

9. The Council's delegated report states that the proposal would have a negative detrimental impact on residential amenity of neighbouring properties. However, no policy conflict was identified, and this matter has not been included on the decision notice as a reason for refusal. However, as I am dismissing the appeal for other reasons this matter is not determinative.
10. I acknowledge that no objections to the proposal were raised by neighbours, however this carries neutral weight in this case.
11. Although the appellant has suggested that they are willing to amend the proposed development to address concerns raised, the appeal process is not the place to evolve proposals. An appeal should be determined on the basis of plans submitted and considered by the Council at the application stage. Any concern about the Council's processing of the application proposals is a matter for the appellant to take up with the Council.
12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance with the development plan.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

George Baird

INSPECTOR