



Appeal Decision

Site visit made on 20 September 2022

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2022

Appeal Ref: APP/P4415/W/22/3297784

37 Hoades Avenue, Woodsetts, Rotherham, South Yorkshire S81 8QQ

- 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 Bob Hallows against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2022/0195, dated 7 February 2022, was refused by notice dated 25 March 2022.
 - The development proposed is described as 'construction of a detached 2 bedroom bungalow with associated car parking space and driveway on land adjacent 37 Hoades Avenue, Woodsetts, S81 8QQ.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effects of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of the occupants of 35 Dinnington Road, with particular regard to outlook and sunlight.

Reasons

Character and appearance of the area

3. Whilst there is some variation to the dwelling types on Hoades Avenue, the predominant character in the vicinity of the site is that of pitched roof bungalows of similar proportions. They are set back from the road with modest front gardens and have a generally consistent building line.
4. The appeal site is a corner plot, which forms part of the overgrown side garden of 37 Hoades Avenue. It adjoins the side boundary of 35 Dinnington Road, tapering to a narrower width as it joins Dinnington Road. The appeal site is currently enclosed on its front boundary by a dwarf stone wall with either hedge or fence behind. Despite this enclosure the appeal site, together with the similar side garden opposite, offers visual relief from its more built-up surroundings, providing a break in the frontage and an open and landscaped entrance to Hoades Avenue that positively contributes to the character of the area.

5. The proposed bungalow, other than having a hipped roof, would broadly take the prevailing form and facing materials of the locality. I also note that a smaller landscape area would be retained at the junction with Dinnington Road. Nevertheless, given the small size of the site and the siting of the bungalow forward of the building line, in a position close to the footpath, it would appear unusually cramped relative to its plot and to the size of the surrounding plots. It would not sit well with the established pattern of development of the area and would appear as an intrusive and discordant addition to the street scene to its detriment.
6. I find therefore that the proposal would harm the character and appearance of the area. As such, it would be contrary to Policy CS28 of the Rotherham Local Plan Core Strategy 2013-2028, and Policies SP12 and SP55 of the Rotherham Local Plan Sites and Policies 2018 which seek to ensure development is responsive to its context, is visually attractive and does not harm the character of the area. In addition, I also find conflict with the design aims of the National Planning Policy Framework.

Living conditions

7. The proposed bungalow would be sited close to the side boundary with 35 Dinnington Road, extending forward of the carport and outbuilding within the garden of that property to a position relatively close to its rear elevation. Whilst the hipped roof of the proposed bungalow would pitch away from the shared boundary, thereby reducing its bulk and massing when viewed from No 35, it would cause further enclosure of this garden space along a significant proportion of its side boundary. Consequently, the proposal would create an unacceptable visual intrusion which would be detrimental to the enjoyment of the rear garden of this property and unacceptably affect the outlook from its rear windows.
8. With regards to overshadowing and loss of sunlight, the shadow cast would be predominantly away from the rear garden of No 35, given the orientation. There might be a small loss of light due to the greater height and massing of the proposed bungalow when compared to that arising from the existing garage to 37 Hoades Avenue and the carport and outbuilding of No 35. However, this would not be to the extent where unacceptable harm to the living conditions of the occupants of that property would occur.
9. Accordingly, the proposal would cause harm to the living conditions of the occupants of 35 Dinnington Road due to the unacceptable impact on outlook. As such, it would be contrary to the aims of the National Planning Policy Framework to promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

10. My attention has been drawn to a development that has been granted planning permission in the area comprising two detached bungalows on land adjacent 2A Worksop Road, Woodsetts. I noted on my visit that whilst it also involved the development of a side garden the site did not contribute to the open character of Worksop Road in the same way that the appeal site does on Hoades Avenue. An area of open space adjoining Worksop Road close to No 2A continues to provide a significant break in the built frontage. Given that difference, I have

given the Worksop Road development little weight and have considered this appeal on its own merits in light of the evidence before me.

Conclusion

11. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
12. I hereby dismiss this appeal.

Elaine Moulton

INSPECTOR