



Appeal Decision

Site visit made on 19 April 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2023.

Appeal Ref: APP/A1015/D/23/3314688 26 Netherthorpe Close, Staveley, S43 3PX

- 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 Miss Stephanie McManus and Dale Hill against the decision of Chesterfield Borough Council.
 - The application Ref CHE/22/00742/FUL, dated 16 October 2022, was refused by notice dated 6 January 2023.
 - The development proposed is a two-storey extension to the side of the house with garage on the ground floor and bedroom with en-suite on the top floor.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are, the effect of the proposal on the character and appearance of the existing dwelling and the streetscene; and the effect on the living conditions of the occupants of the neighbouring dwelling at number 25 Netherthorpe Close (number 25), with regard to outlook.

Reasons

3. The appeal property is a semi-detached two storey dwelling, which is situated in a residential cul-de-sac. Other properties in Netherthorpe Close are of a similar scale and appearance, although some have been altered and extended over the years. These extensions mainly include single storey additions on the sides of the houses, although there are also two-storey side and front extensions. I also note that the appeal property has a single-storey addition at the rear. Notwithstanding the presence of other extensions, a distinctive characteristic of the streetscene is the relatively wide gaps between properties at first-floor level. These gaps provide a degree of spaciousness to the streetscene.
4. The appeal proposal is to construct a two-storey side extension, with a hipped roof, that would cover the width of the existing driveway and extend the full length of the dwelling. The extension would add significantly to the mass of the property and it would narrow the width of the existing gap between it and number 25, notwithstanding the fact that number 25 is positioned further back and is more in line with the rear wall of the appeal dwelling. In my opinion, the extension would have an unacceptably harmful effect on both the existing dwelling and the streetscene, because of its dominant appearance and the absence of any relief between it and original property.

5. Policy CLP20 of the Chesterfield Borough Local Plan 2018-2035 (LP) seeks to ensure (amongst other things) that all new development responds positively to the character of the site and surroundings. This is consistent with Paragraph 130 of The National Planning Policy Framework 2021. In addition, the Council's Supplementary Planning Document – Successful Places reflects this requirement, although the guidance appears to be directed more at larger developments.
6. For the reasons given above, I consider that on this issue, the proposal is unacceptable and conflicts with Policy CLP20 of the LP.

Living Conditions

7. Policies CLP14 and CLP20 of the LP both require new developments to have an acceptable impact on the amenity of neighbours. The Council contends that the proposed extension would have an overbearing impact on number 25, because the outlook from the front windows of number 25 would be towards the two-storey side wall of the extension.
8. Whilst the side of the extension would be prominent when viewed from the windows of number 25, it would be separated by the driveway of the neighbouring property. Given this separation and the angular relationship between the front windows of number 25 and the proposed extension, I am not persuaded that the proposal would be unacceptably harmful. Consequently, I do not find against the proposal on this issue.

Other Matters

9. In reaching my decision, I have considered and acknowledge the benefits to the appellants in providing additional accommodation for the family. I have also noted that they have suggested an amended design, which would result in the extension being set-back of 2.5m at first-floor level.
10. In my opinion, it may be possible to design an extension that would both benefit the appellants and address the Council's concerns. However, that would require the submission of a new planning application and it is a matter between the two parties.

Conclusion

11. For the above reasons in relation to character and appearance, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR