



Appeal Decision

Site visit made on 20 February 2024 by Andreea Spataru BA (Hons) MA MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 April 2024

Appeal Ref: APP/R1038/D/23/3333124

92 Thanet Street, Clay Cross, Derbyshire S45 9HS

- 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 Bryn Richards against the decision of North East Derbyshire District Council.
 - The application ref is 23/00663/FLH.
 - The development proposed is a two storey side extension and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and single storey rear extension at 92 Thanet Street, Clay Cross, Derbyshire S45 9HS in accordance with the terms of application ref 23/00663/FLH and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, existing floor plans & elevations, block plan & proposed first floor plan, proposed ground floor plan, proposed elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter and Main Issue

3. The Council found the single storey rear element acceptable. There is no compelling reason for me to disagree. I have therefore focussed on the two storey side extension and the main issue which is its effect on the character and appearance of the area.

Reasons for the Recommendation

4. The semi detached appeal dwelling is well set back from and at an angle to the street and the neighbouring properties to the east. There is variety in the
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street scene in terms of dwellings' scale, materials and form. Some properties have been extended to the side in a number of ways. The diversity within the immediate area allows for some flexibility in terms of design.

5. The extension would match the materials of the host dwelling, contain a similar bay window to the front and the openings on the front and rear elevations would respect the size and alignment of the existing ones. This symmetry would complement the host dwelling, particularly its front elevation. The openings in the side elevation would add dimension to the gable elevation; they would blend in, as there is variety of openings within the street scene.
6. Whilst the roof style of the proposed extension would not match that of the host dwelling, gable features are not unusual in the street scene. Given the siting of the dwelling and that of the extension in relation to the street, the gable end would not appear out of place. The extension would be of similar scale as the two-story side extension of No 90 Thanet Street. The additional mass that the extension would add to the side of dwelling would improve the balance of the pair. Accordingly, given its siting, scale, materials and features, the proposed extension would appear subordinate to the host dwelling.
7. Whilst the extension would not follow the building line of the neighbouring properties, its context is different due to the siting of the appeal dwelling in relation to them and the street. Notwithstanding this, the extension would be sufficiently set in from the side boundary as to not interfere with the building line of Nos 94 & 96 Thanet Street. The extension would also not protrude beyond the front elevation of the host dwelling; thus, it would not reduce the space to the front of the property and not appear overly prominent.
8. The proposal would therefore be acceptable for the character and appearance of the area. Accordingly, it would comply with Policies SS7, LC5 and SDC12 of the North East Derbyshire Local Plan which collectively require developments to incorporate good design which is well-related to its site and surroundings.

Conclusion, Conditions and Recommendation

9. The standard time limit condition and approved plans need to be specified for certainty and enforcement purposes. For quality and contextual reasons, a condition requiring the materials to be used to match the dwelling is necessary. Subject to the conditions specified, I recommend the appeal should be allowed since it would comply with the development plan and there is nothing sufficiently weighty before me to indicate a decision otherwise.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is allowed, subject to the conditions set out.

John Morrison

INSPECTOR