



Appeal Decision

Site visit made on 13 March 2025

by S Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 March 2025

Appeal Ref: APP/M9496/D/25/3358361

The Beeches, 15 Eaton Drive, Baslow, Derbyshire DE45 1SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr & Mrs Lukic against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/1024/1047.
 - The application sought planning permission for extensions and alterations to existing dwelling without complying with a condition attached to planning permission Ref NP/DDD/0522/0669, dated 30 March 2023.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plan Revision A, subject to the following further conditions and modifications.
 - The reason given for the condition is: For clarity and for the avoidance of doubt.
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations to existing dwelling, The Beeches, 15 Eaton Drive, Baslow, Derbyshire DE45 1SE in accordance with application ref: NP/DDD/1024/1047 without compliance with condition No 2 previously imposed on planning permission ref: NP/DDD/0522/0669, dated 30 March 2023, but subject to the following conditions:
 1. The development hereby permitted shall be begun within three years of the date of the original permission, 30 March 2023.
 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with Plan No 2415-02 Rev B.
 3. All new stonework and pointing shall match the existing.

Background and Main Issue

2. The various extensions and alterations to the appeal property granted planning permission in March 2023 included a first-floor extension to the front elevation and a single storey extension to the side to replace existing sunroom and breakfast room extensions. That permission was granted subject to conditions including condition 2 which specified the approved plans. The appellant is now seeking to amend those plans by altering the size and design of the single storey element of the proposal, amending some window positions and

detailing, altering the form of the gable and by retaining the existing roofing material. No objections have been raised by the Authority to these minor revisions. Furthermore, it is considered that the amended plan will not have a bearing on the living conditions of neighbouring residents. I have no reason to disagree.

3. The main issue in this case is therefore the effect of the revised proposal on the character and appearance of the host property and street scene.

Reasons

4. The appeal site lies in a suburban area on the edge of the settlement of Baslow, outside any designated conservation area. The immediate area, Eaton Drive, comprises a limited number of individually designed bungalows and two storey houses set in generous plots. No 15 is a non-listed 20th century stone-built house with a concrete tiled roof, set towards the head of the cul-de-sac. The house sits to the rear of its plot with the majority of the garden to the side. It has an asymmetric design with a split gable to the front, a catslide roof to the north side, flat roofed double garage and store and a flat roofed two-storey extension to the rear. The south side elevation has a more regular horizontal form with the addition of two single-storey lean-to additions, one of which is largely glazed, and a timber pergola attached to the building. The house lies in an elevated position and the south elevation is visible in public views from the highway, albeit partially concealed from view by mature vegetation at close range. There is no evidence to suggest the house is unduly prominent from a wider area.
5. Similar to the approved extension, the single storey extension now proposed would span the whole south elevation, albeit slightly inset from the ends of the property. However, it would be narrower and would have a flat roof with overhanging eaves rather than the approved double gabled roof form. The extension would have a glazed frontage with large glazing panels.
6. The Building Design Guide 1987 and the Alterations and Extensions Supplementary Planning Document advise that flat roofs are not a traditional feature, are often visually unsatisfactory and are rarely acceptable. Indeed, the two-storey flat roof at the rear of the property lacks cohesion with the host dwelling. However, the proposed extension would be subordinate to the host building in terms of its height, size and massing. Its horizontal emphasis would reflect that of the south elevation of the building and its simple, glazed appearance would be uncluttered. In that respect, to my mind, it would be a significant improvement over the mix of additions currently in existence. Moreover, the extension considered as a whole would have a contemporary character that would not be at odds with the suburban appearance of the existing house. As such, the extension would complement rather than compete with the character and appearance of the building.
7. I noted at my site visit that a flat roofed glazed extension exists on a property to the rear of the site and that several other properties in the road have undergone remodelling or modernisation in the form of, for example, the installation of dark window frames, modern doors and external timber detailing, such that the immediately surrounding area has a mixed but nevertheless contemporary appearance. In that context, the proposed development would not be inappropriate.

8. The approved scheme incorporated changes to the building, including the replacement of the roof tiles, to improve its appearance and introduce more traditional features. On that basis the Authority, on balance, considered the single storey addition to be acceptable. However, there was nothing to secure those alterations separately from the side extension. Accordingly, the matter can have little bearing on my consideration of this appeal, which I have treated on its own merits.
9. For the reasons set out above the proposal would not harm the character or appearance of the host dwelling or street scene and as such it would be in accordance with Policies DMC3 and DMH7 of the Development Management Policies Development Plan Document 2019, which require the detailed treatment of a development to be of a high standard that is appropriate in its context, respects the character and appearance of the original building, its setting and neighbouring buildings; and Policy GSP3 of the Core Strategy DPD 2011 which requires development to respect conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal.
10. I am also satisfied, for the same reasons, that the proposal will not undermine the statutory purposes of the National Park.
11. On that basis, the appeal is allowed and condition No 2 is varied to refer to the new plan. As this will be, in effect, a new planning permission, conditions relating to the standard time limit, materials and window detailing, are necessary in the interests of proper planning, and to provide certainty, and to preserve the character and appearance of the property and surrounding area.
12. The original permission also required all coped gables to be topped with sawn stone copings, new rooflights to be fitted flush with the roof slope and windows and doors to be recessed. However, given the design changes in the amended plan, and moreover, the age and design of the original property, such conditions are not necessary to make the proposal acceptable.

S Ashworth

INSPECTOR