



Appeal Decision

Site visit made on 23 March 2025

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2025

Appeal Ref: APP/F1040/D/24/3357829

11 Spinney Hill, Melbourne, Derby DE73 8GT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Dowell against the decision of South Derbyshire District Council.
 - The application Ref is DMPA/2024/1071.
 - The development proposed is to add an additional floor and new roof to the existing bungalow.
-

Decision

1. The appeal is allowed, and planning permission is granted to add an additional floor and new roof to the existing bungalow at 11 Spinney Hill, Melbourne, Derby DE73 8GT in accordance with the terms of the application, Ref DMPA/2024/1071 and the plans submitted with it, subject to the conditions set out below:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the materials identified on the application form and approved plans: Proposed Site Plan PG NO: 01; Proposed GF Plan PG NO: 03; Proposed FF Plan PG NO: 04; Proposed Roof Plan PG NO: 05; Proposed Elevations PG NO: 07 and Location Plan PG NO: 08.
 - 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 dwelling.
 - 4) The development hereby approved shall not be occupied until the additional parking space has been provided as shown on the approved plans.

Procedural Matters

2. Amended plans were submitted during the application process which revised the design, the amended plans were considered by the Council. I have therefore considered this appeal on the basis of the revised plan.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the area and the host property itself.

Reasons

4. The appeal site is a bungalow attached to a row of two storey properties within a predominantly residential area. Whilst there are some bungalows in the area it is predominantly characterised by two-storey properties. The appeal site is bounded by two storey properties which whilst sharing a similar material palette vary in terms of design. A vehicular access bounds the side of the appeal site which leads to an area comprising residential garages to the rear of the appeal site.
5. The proposed development would increase the appeal property's footprint and change the bungalow to a two storey property. The proposed development would incorporate design features found within the area, for instance the position of windows beneath the eaves and gable details.
6. The proposed materials would be similar to that used on the existing building and the surrounding properties which would assimilate with the existing property and area in general.
7. The Council contend that the proposed development currently comprises a gradual transition within the streetscene from the single storey bungalow to two storey development further south. I do not agree. Given the two storey properties bounding the site, it is difficult to rationalise where there is a transition and why there would be a need for one.
8. The proposed development whilst larger would be in keeping with the character of the area and would not appear incongruous, given the variety of designs of properties.
9. I conclude that the development does not harm the character and appearance of the area and the host property itself. There is no conflict with Policies BNE1 and SD1 of the South Derbyshire Local Plan Part 1 (2016) and Policy H27 of the South Derbyshire Local Plan Part 2 (2017) which seek amongst other things to ensure developments are of well-designed responding to their context and in keeping with the host property.

Other Matters

10. Third party objections were received during the application process which include reference to the effect of the proposed development on highway and parking, and the loss of a bungalow. The Council did not raise concerns relating to these issues, from the information before me I do not disagree.

Conclusion and conditions

11. For the above reasons I conclude that this appeal should be allowed.
12. I have imposed a standard condition relating to the commencement of development and a condition specifying the relevant plans as this provides certainty. In order to safeguard the character and appearance of the area I have imposed a condition concerning materials.
13. In the interest of highway safety, I have imposed a condition relating to the provision of an additional parking space.

Chris Pipe

INSPECTOR