



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: 28 March 2025

Appeal Ref: APP/C1055/D/25/3358401

21 Peach Street, Derby, DE22 3EQ

- 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 J Frew against the decision of Derby City Council.
 - The application Ref is 24/01333/FUL.
 - The development is installation of a dormer to the rear elevation.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council changed the description of development from that stated on the application form in the interests of clarity. I consider that an amended description accurately describes the appeal scheme and accordingly I have adopted an amended description in the heading above.
3. Since the submission of the appeal the National Planning Policy Framework (2023) has been superseded by the National Planning Policy Framework (2024) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.
4. At the time of my site visit, I saw that the development was in situ. The application has been submitted retrospectively; I have dealt with the appeal on this basis.

Main Issue

5. 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

6. The appeal site is a mid-terraced property within a predominantly residential area characterised by predominantly traditional two-storey properties. Properties in the area are unified in terms of design. Notwithstanding this some properties in the area have been extended or altered.
7. The L-shaped dormer is large, covering the rear roof plane, including that of the two storey outrigger. The dormer changes the mono-pitch outrigger, which is a harmonious feature on properties in the area, to a flat roof additional storey. I

observed during my site visit that the dormer is clearly viewed from Stables Street and by the surrounding properties. The dormer dominates the rear elevation.

8. The mass of the dormer is substantial in scale and is not subordinated to the host property. Overall, the dormer is a discordant disproportionate addition, incongruous to the existing property and the area in general.
9. The cladding used for the dormer introduces a different material to the built form of the property and area. The dark cladding further emphasises the imposing top-heavy addition to the property. Whilst the cladding could be changed through the imposition of a planning condition, I am not persuaded that another material would mitigate the domineering effect of the development.
10. I find that the development would harm the character and appearance of the area and the host property itself.
11. There is conflict with saved Policies CP3 and CP4 of the Derby City Local Plan Part 1: Core Strategy (2017) and Policy H16 of the Derby City Local Plan Review (2006) which seek amongst other things to ensure developments are well designed responding to their context and in keeping with the host property.
12. There is also conflict with the Framework which seeks to ensure developments are of good design appropriate and sympathetic to their surroundings.

Other Matters

13. The appellant contends that a slightly smaller dormer could be progressed under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Whilst this maybe the case I have not been provided with substantive evidence to allow me to compare any development which could be permitted development, for instance in the form of a certificate of lawful development to allow me to consider such as development as a reasonable fallback scheme. I therefore give this limited weight.

Conclusion

14. For the above reasons I conclude that this appeal should be dismissed.

Chris Pipe

INSPECTOR