



Appeal Decision

Site visit made on 23 April 2025

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st May 2025

Appeal Ref: APP/P4415/W/24/3355906

2 Walesmoor Avenue, Kiveton Park, Rotherham S26 5RG

- 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 Alan Preston against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref is RB2024/0953.
 - The development proposed is new dwelling and access including demolition of existing single storey building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties have had an opportunity to consider the revised Framework within the appeal timetable. The further amendment made in February 2025 does not form any change to policy and it is therefore not necessary to seek further submissions in this regard. No party's interests would be prejudiced by this approach.
3. I was not provided with the text of Policy CS28 of the Rotherham Local Plan: Core Strategy 2013-2028 (2014) (RLPCS). I have therefore relied upon this publicly available document on the Council's website and consider that no party's interests would be prejudiced by my doing so.

Main Issue

4. The Council's reason for refusal refers to car parking and various policies of the development plan. However, the Council's submissions indicate that parking is satisfactory and clarifies the development plan policies it considers the proposal would conflict with. The appellant has had an opportunity to comment on the Council's position in their final comments, which I have taken into account in my consideration of the appeal.
5. Therefore, the main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

6. No 2 Walesmoor Avenue is a semi-detached two storey dwelling occupying a large triangular shaped corner plot. The appeal scheme would subdivide the plot to erect a detached, two storey dwelling following the demolition of an

existing side extension. Subdivision of corner plots is not uncommon within the wider area as demonstrated by the examples provided by the appellant and as I saw during my visit to the area. Development in corner plots is permitted under Policy SP12 of the Rotherham Local Plan: Sites and Policies 2018 (RLPSP) where (among other things) they do not result in harm to the character and appearance of the area.

7. The appeal site benefits from planning permission Ref: B2023/0941 for a similar proposal granted in June 2024 (the approved scheme). The dispute arises from the fact that the width of the dwelling in the appeal scheme would be 0.5m wider than the approved scheme. The appellant contends that the approved scheme results in a cramped internal layout. For the avoidance of doubt, there is no compelling evidence to suggest that the approved scheme or the appeal scheme would not meet any prescribed internal space standards.
8. The proposed dwelling would be sited such that its front elevation would be angled away from the host property. This angled building line is the same as that in the approved scheme. Although the increase in dwelling width would seem small in relation to the approved scheme, it would result in the rear corner of the proposed dwelling being positioned on the shared boundary to No 2. The position of the other rear corner in relation to the detached garage serving the neighbouring property at the corner of Sycamore Avenue would be about the same.
9. Even though the gap between the front corner of the proposed dwelling and the flank of No 2 would be about 1.6m, the angled nature of the building line is such that there would be a narrow tapering gap between the flank of the proposed dwelling and the shared boundary to No 2. This would be in prominent view within the street scene. The proposed dwelling would therefore appear to occupy the full width of the plot, resulting in an unacceptably cramped appearance amounting to overdevelopment within the plot.
10. The appellant draws my attention to the four detached dwellings opposite the appeal site, which have a narrow side space. However, their main elevations are parallel to the street, such that a consistent gap width is maintained between each dwelling, which is visible within the street scene.
11. Whether or not the width of dwellings (extended or otherwise) varies within the wider area, it is the combination of the scale, width, and angled siting of the proposed dwelling in relation to the neighbouring built form at No 2 that is the determining matter in this case. The examples referred to by the appellant do not display the same relationship of angled built form within a corner plot that meets the shared boundary with such a narrow tapering gap. Even if the proposed frontage is wider than other plots in the area, this would not overcome the harm that I have found.
12. For the reasons above, I conclude that the proposal would unacceptably harm the character and appearance of the area. The proposal conflicts with RLPSP Policies SP12 and SP55; and RLPCS Policy CS28. Taken together, these policies seek to ensure that development is of sustainable and high-quality design that respects and enhances the distinctive features of Rotherham, and

the character and appearance of an area, with reference to various factors including but not limited to the setting of the site, size, scale, and orientation of surrounding development. The proposal would also conflict with the Framework's objective to ensure well designed places.

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Moore

INSPECTOR