

Appendix A  
Appeal by Mrs A Booth  
Extension at 18 Dorset Drive, Brimington, Chesterfield.  
CHE/21/00311/FUL  
2/114

1. Planning permission was refused on 13<sup>th</sup> July 2021 for a side extension at 18 Dorset Drive consisting of a ground floor garage and a first floor bedroom with en-suite. The reasons for refusal were:

1 “The two storey extension due to its height and massing combined with the elevated positioning would result in an overbearing and oppressive development that is harmful to the amenity the occupants of No 20 Dorset Drive that would negatively impact the outlook achieved from the habitable rooms of no. 20 and due to orientation adversely impact the light levels and appear overbearing. As such the proposal is contrary to policies CLP14 and CLP20 of the Chesterfield Borough Local Plan 2018 - 2035, the provisions of the "Successful Places" Supplementary Planning Document (2013) and Paragraph 127 of the National Planning Policy Framework.”

2 “The proposed extension fails to be subservient to the host dwelling with the massing and scale of the proposal resulting in a terracing effect on the dwelling and its neighbour beyond the building line, which would be a harmful and prominent addition to the street scene contrary to the requirements of policy CLP20 of the Chesterfield Borough Local Plan 2018 - 2035, and Paragraph 127 of the National Planning Policy Framework.”

2. An appeal against the decision has been determined by the fast track written representation appeal method and has been dismissed.
3. The main issues are the effect of the development on the living conditions of the neighbouring property at 20 Dorset Drive and on the character and appearance of the area.

*Living conditions*

4. No 18 Dorset Drive is one of a group of properties that face a small green space. As the end property facing the space it has

a vehicular access from Dorset Drive serving a detached double garage to the side of the dwelling. The side boundary of the property is angled to accommodate a driveway to a pair of semi-detached houses set back from the road frontage. No 20 Dorset Drive is partly behind and to the north of the appeal site and set at a lower level. The front elevation of No 20 with entrance door, living room window and two first floor bedroom windows within it, faces the appeal site at relatively close proximity. The proposed extension would project at two storeys from the gable elevation of the appeal property covering a similar footprint to the existing garage. It would significantly increase the bulk of the building close to the joint boundary.

5. The inspector noted the appellant's comments in respect of daylight and sunlight, due to the location and size of the first floor of the proposed extension and because of the orientation of the properties sunlight and daylight would be restricted into the front of No 20. The reduction in daylight and sunlight would be particularly notable in the first-floor bedrooms of No 20 which are lit by single front facing windows.
7. In addition, because of its size, siting, and the change in land level between the two properties, the extension would appear overbearing when viewed from the bedroom and living room windows of No 20.
8. Consequently, the proposal would be detrimental to the living conditions of No 20 Dorset Drive in conflict with Policies CLP14 and CLP20 of the Chesterfield Borough Local Plan 2018-2035 (Local Plan) which seek to ensure that development has an acceptable impact conflict with the Framework which requires development to create places that promote health and well-being with a high standard of amenity for existing and future users.

*Character and appearance*

9. Dorset Drive is characterised by semi-detached dwellings of a similar scale and design in relatively spacious plots. As many properties retain their original form, there is a rhythm and pattern to the street scene and a sense of spaciousness which are positive features of the area.

10. The appeal property is located on a prominent plot. Its design reflects that of most dwellings in the street and the space surrounding the dwelling contributes to the generally modest density of the estate.
11. The proposed extension would follow the ridge and eaves line of the existing roof, would have a very limited set back at first floor level and would have a width that would not be significantly less than the main house. The effect of the scale and design of the extension would be to excessively elongate the property and substantially increase the bulk of the building. The extension would fail to respect the modest scale of the original dwelling and would not be subservient to it. Consequently, the proposal would diminish the sense of space around the property and would appear as a prominent addition to the street scene that would be incongruous with its form and layout.
12. Therefore, the proposed two storey extension would cause harm to the character and appearance of the area in conflict with Policy CLP20 of the Local Plan which requires development to respond positively to the character of the site and surroundings. It would also conflict with the Framework where it seeks to ensure that development is sympathetic to local character.

#### **Other Matters**

13. The inspector noted the photograph provided of an extension to the side of a nearby property. However, at the site visit there were limited other extensions of the size proposed visible within the context of the appeal site and the photograph provided did not change the inspectors concerns about the size and prominence of the proposed development.