

Appendix D

Appeal by Miss Georgia Smart

Orangery to side of 2 Tansley Way, Inkersall, Chesterfield.

CHE/22/00076/FUL

1. Planning permission was refused on 13<sup>th</sup> April 2022 for an orangery extension to the side of 2 Tansley Way. The reasons for refusal were:

*This proposal is considered to be an inappropriate development due to its width, roof design and positioning to the front corner of the site in a visually prominent location. The proposal would thereby appear out of keeping in the area which would be incongruous in the street scene and appear harmful to visual amenity, which is contrary to the Council's Supplementary Planning Document 'Successful Places' (section 3.16 Building Design), Policy CLP20 of the Chesterfield Borough Local Plan and paragraph 130 of the revised National Planning Policy Framework.*

2. An appeal against the decision has been determined by the written representation appeal method and has been dismissed.
3. The main issue in this case was the effect of the proposal on the character and appearance of the host dwelling and the street scene within which it sits.
4. The appeal relates to a semi-detached bungalow which enjoys an elevated and prominent corner position within Tansley Way. Tansley Way is home to a mix of semi-detached and detached bungalows of a broadly similar design and their largely open frontages are a noticeable and positive element of the street scene.
5. The appeal dwelling currently has a modest conservatory added to its side elevation, set back from the front elevation. Given the limited depth of this addition, it sits comfortably alongside the dwelling and does not appear overly prominent within the street scene. The proposal seeks to replace this conservatory with a deeper and more substantial structure which would protrude slightly forward of the principal elevation of the host dwelling.

6. The inspector was mindful that the planning application did not generate any formal objections from nearby residents or Ward Members. Nevertheless, given the additional depth, the greater proportion of brickwork and the fact that the extension would protrude beyond the principal elevation of the host dwelling, the inspector considered that it would be a significantly more substantial structure and it would appear as a somewhat awkward and disjointed addition.
7. Bearing in mind the exposed corner position of the host dwelling, the inspector considered that the adverse visual effect would appear overly dominant within the street scene, thereby harming its well ordered character and appearance.
8. The Appellant asserted that the arrangement of the dwelling would be reconfigured by wrapping fencing from the driveway to the boundary line. However, the principal elevation of the dwelling would still read as it does now and the fencing would not adequately mitigate the visual harm the inspector described, not least because the extension would be readily visible above it.
9. The Appellant referred to other extensions within the local area and specifically to one at No. 6 Tansley Way. A single storey extension has been added to the front of this property, but it sits between other dwellings. It does not enjoy a prominent corner position and therefore this extension and its setting is not directly comparable to the proposal which the inspector considered on its individual merits.
10. The inspector concluded that the proposed orangery would harm the character and appearance of the host dwelling and the street scene within which it sits. In such terms, it conflicts with policy CLP20 of the adopted Chesterfield Borough Local Plan and the Council's adopted Supplementary Planning Document titled '*Successful Places*' which promote high quality design that responds positively to the character of the site and its surroundings. The arguments advanced by the Appellant did not outweigh the visual harm and the associated policy conflict.