

Appendix A

Appeal by Mr Neil Rush

Single storey side extension/garage at 17 Bellhouse Lane,
Staveley, Chesterfield.

CHE/22/00005/FUL

1. Planning permission was refused on 24th June 2022 for a single storey side extension/garage at 17 Bellhouse Lane. The reasons for refusal were:

The height of the proposed extension reaching the cill level of the upper floor windows, without any set back to the frontage and with the side elevation being of blockwork is considered overall to be a poor response to the character of the existing dwelling. The finished height, which is defined by the width and design, overall results in an unduly prominent addition to the property. The side wall being of blockwork is harmful to the character of the existing dwelling and surroundings. As such the proposal is contrary to the Council's residential SPD, Policy CLP20 of the Adopted Local Plan and National Guidance in part 12, para 30 of the NPPF promote good design with para 134 noting that development that is not well designed should be refused..

2. An appeal against the decision has been determined by the written representation appeal method and has been allowed.
3. The main issue in this appeal was the effect of the development on the character and appearance of the area. The appeal property is a two-storey semi-detached dwelling located within a mixed residential area. The property has been the subject of previous extensions. The appeal proposal seeks to add a single storey side extension to the property. At approximately 8.4m long it would be the same length of the house, a width of 3.5m up to the side boundary, with an indicated eaves height of 2.3m and ridge height of 3.4m. It would be constructed of matching brick and tiles, but with blockwork construction to the side.
4. The extension would be flush with the front elevation, and the Council requested a set-back. Having reviewed the evidence of both parties regarding the nature of the extensions to other properties and the inspectors observations at the site visit, there is no consistency achieved in the use of set-backs so as

a result, they do not form part of the intrinsic character of the area when it comes to the addition of extensions to dwellings.

5. With regard to the height of the extension, a reduction was achieved during negotiation within the application process, and the inspector found that the reduction would ensure that the extension is not dominant with regard to the appeal property and the wider locality and would not look out of place in relation to other extensions.
6. The Council commented with regard to the use of blockwork on the side elevation and an amendment was suggested to ensure brick was used above the fence line to ensure that blockwork was not visible. No response was received from the appellant, but I consider this to be an acceptable solution which appears to have been suggested by the neighbour. A condition would be added to ensure compliance.
7. Overall the inspector found that the proposal would not cause material harm to the character and appearance of the area and as such, the inspector did not find conflict with policy CLP20 of the Chesterfield Borough Local Plan (2020) which expects development to promote good design and respect the character form and setting of the site. The inspector also found no conflict with the design guidance set out in the Councils Residential Supplementary Planning Document and the National Planning Policy Framework.
8. **Conditions**
 - 1) The development hereby approved shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted, with the exception of the side elevation, shall match those used in the existing building.
 - 3) The side elevation of the extension hereby permitted shall be constructed of blockwork to a height not more than 20cm (200mm) lower than the boundary fence to that side and constructed above that level in materials to match the external surfaces of the property.
 - 4) The development hereby permitted shall be carried out in accordance with the approved plans.

5) Within 2 months of the commencement of the development hereby approved, the scheme for biodiversity and ecological enhancement measures (bird box) shall be installed/integrated into the development/planted on site.

The ecological enhancement measures shall thereafter be retained and maintained throughout the life of the development.