



Appeal Decision

Site visit made on 8 August 2025

by N Duff BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2025

Appeal Ref: APP/P4225/D/25/3364160

19 Birch Road, Wardle, Rochdale OL12 9QQ

- 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 Ms Misbha Riaz against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is 24/00863/HOUS.
 - The development proposed is multiple extensions to side and rear of host dwelling and erection of outbuilding annexe.
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Ms Misbha Riaz against Rochdale Metropolitan Borough Council. This application is subject of a separate decision.

Preliminary Matters

3. The appellant has set out that they wish to amend the scheme to reduce the size of the proposed extensions together with the omission of the proposed electric sliding gates and has provided plans to that effect. Whilst I sympathise with the appellant in seeking to make amendments to the scheme, the Council's evidence indicates that they did not form part of the Council's decision. Therefore, I have no evidence to demonstrate that any amendments have been subject to public consultation, and to consider such modifications would be a substantive difference and procedurally could prejudice interested parties by depriving those who should have been consulted on the amendments the opportunity of such consultation. Furthermore, the procedural guide for planning appeals¹ advises that it is not for the appeal process to evolve a scheme. This is best achieved through the submission of revised planning applications. For this reason, I have not considered references elsewhere in the appellant's evidence regarding the amendments and I have determined the appeal based on the plans that were before the Council when it made its decision.
4. Notwithstanding the description of development as set out above, which is taken from the application form, it is clear from the plans and accompanying documents that the development comprises extensions, annexe, landscaping and boundary treatments including the installation of sliding gates. The Council dealt with the proposal on this basis and so shall I.

¹ Procedural Guide: Planning appeals – England

Main Issues

5. The main issues of the appeal are:

- The effect of the proposed development on the character and appearance of the area.
- Whether the proposed development would provide acceptable living conditions for existing and future occupiers with regard to the provision of outdoor space.
- The effect of the proposed development on highway safety.

Reasons

Character and appearance

6. The appeal site is a semi-detached property on Birch Road near to the junction with Thimble Close. The property has a large side garden which is enclosed by a mature hedge and includes a driveway area. A public footpath runs alongside the side and rear of the garden between the appeal site and the neighbouring property. The garden immediately behind the property has a modest depth and is roughly triangular. A bus stop is located to the front of the property.
7. The proposal seeks a two-storey side extension to extend living accommodation, with attached single storey extension to provide a garage, together with a single storey rear extension, resulting in a large family home. The proposal also includes the construction of a separate annexe building within the side garden and electronic sliding gates across the vehicular access.
8. The proposed two storey side extension would appear to have a similar width to the main dwelling which is a modest semi-detached property. This together with the single storey garage addition would effectively increase the width of the property significantly. The roofline is proposed to be set down a small amount together with a small set back from the front elevation of the existing property. Notwithstanding this, the proposed two storey side extension, together with the single storey garage element would have a significant bulk, massing and width across the site. In addition, the first-floor element of the proposals including the use of a different colour of roof tile from the host dwelling, would be particularly prominent from Birch Road. For these reasons I find that the proposed side extensions would appear at odds with the host dwelling and would unbalance the semi-detached pair of dwellings, harming the character of the building, and would appear incongruous in the street scene which would harm the character and appearance of the area.
9. The proposed sliding gate due to its solid construction would fully enclose the site and is not a common feature in the area. Many nearby properties have maintained gaps along the frontages, especially between hedgerows contributing to an open character. Therefore, I find that the proposed solid gate would appear harsh and discordant in the street scene, harmful to the character and appearance of the area.
10. Having regard to the proposed single storey rear extension, due to the juxtaposition of the dwelling together with it being enclosed from views from the

public realm together with its low height, would not cause harm to the character of the host building or the area.

11. The proposed single storey annexe would be located in the large side garden of the property. Due to its height and the strong boundary treatment around the site, it would be concealed from view, so it would not harm the character and appearance of the area.
12. For the above reasons, and despite my findings in relation to the single storey rear extension and the annexe, I conclude that the proposed side extensions together with the proposed access gate would have a harmful effect on the character and appearance of the area, therefore the proposal would conflict with Policies P3 and DM1 of the adopted Rochdale Core Strategy (RCS) insofar as they relate to character and appearance which between them seek to ensure that buildings contribute positively to the townscape and are well proportioned, and to ensure that extensions are of a high quality design and take the opportunity to enhance the quality of the area. The proposal would also be contrary to policy JP-P1 of the adopted Places for Everyone Joint Development Plan (JDP) insofar as it relates to character and appearance which requires development to respect and acknowledge the character and identity of the locality in terms of design, siting, scale and materials.

Living conditions

13. The existing rear garden has a very short depth due to the irregular shape of the appeal site. The proposed development in its entirety, due to its scale would take up a large area, and would fill most of the usable garden space to the side and rear. In particular, the proposed rear extension, due to its depth would take up most of the existing rear garden, leaving a very narrow strip of land to the rear.
14. The proposed annexe would take up most of the generous side garden, and in addition to the annexe, due to the provision of the driveway and the large side extension, the majority of the usable side garden would be lost with only small sections remaining. Therefore, due to the proposed loss of rear garden area together with the side garden, there would be insufficient private garden space retained for the purposes of sitting out, drying clothes or for children to play, in what would result in a large family home. This would be contrary to the advice contained within the Council's Guidelines and Standards for Residential Development Supplementary Planning Document (SPD). The proposed development would therefore not provide sufficient garden space for such a resultantly large dwelling in combination with the proposed annexe. Accordingly, this would have an unacceptable effect on the living conditions of existing and future occupants.
15. I note that the front garden would remain, however much of this would be occupied by the proposed driveway area, therefore, in my view, would be unlikely to provide the functional private garden space required for a proposal of this size.
16. For the above reasons, I conclude that the proposed development would not provide acceptable living conditions for existing and future occupiers of the development with regard to the provision of outdoor space and would therefore fail to accord with policy DM1 of the RCS insofar as it relates to living conditions, which requires developments to have an acceptable effect on the amenities of existing and future residents.

Highway Safety

17. The property is located off Birch Road, which is a wide suburban road with other estate roads leading off it, and has a bus stop immediately in front. The road is described as a high-trafficked route in the Council's evidence, and based on my observations, which were a snapshot in time, the road was generally busy.
18. The property has a high hedge enclosing it, save for the gap providing current vehicular access, which at present, does not provide ideal visibility for pedestrians or vehicles using the access. Part of the hedge would need to be removed, and the access widened to accommodate the proposed sliding gates, which would be sited in line with the hedge, close to back edge of the pavement. Consequently, whilst waiting for the gates to open, vehicles turning into the site would obstruct the highway for other vehicles and for pedestrians using the pavement. Which could result in pedestrians having to enter the carriageway to navigate around the vehicle, which would be a safety concern.
19. Therefore, for the above reasons, I conclude that the proposed development would have an unacceptable effect on highway safety and would therefore fail to accord with policies T2 and DM1 of the RCS insofar as they relate to highway safety which between them seek to ensure that safety for those who live in the area including residential areas will have priority and provide satisfactory vehicular access arrangements taking into account the proposed use and location.

Other Matters

20. The appellant has expressed general dissatisfaction with the Council's handling of the application, particularly regarding engagement with the appellant, and the approach to decision taking as set out in the National Planning Policy Framework. I deal with this in the application for costs, but it has no bearing on my determination of the appeal here.

Conclusion

21. 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. Thus, having had regard to all other matters raised and for the reasons given above the appeal is dismissed.

N Duff

INSPECTOR