The Planning Inspectorate

Appeal Decision

Site visit made on 21 July 2020

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2020

Appeal Ref: APP/P4225/W/20/3247472
173 Rooley Moor Road, Rochdale, Lancashire OL12 7DQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Khalid Ayub against the decision of Rochdale Metropolitan Borough Council.
- The application Ref 19/01240/FUL, dated 16 October 2019, was refused by notice dated 19 December 2019.
- The development proposed is a rear dormer and installation of rooflight to front elevation.

Decision

1. The appeal is allowed and planning permission is granted for a rear dormer and installation of rooflight to front elevation at 173 Rooley Moor Road, Rochdale, Lancashire OL12 7DQ in accordance with the terms of the application, Ref 19/01240/FUL, dated 16 October 2019, and the plans submitted with it, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: A1482/1, A1482/2, A1482/3, A1482/4, A1482/5.

    3) The external surfaces of the development hereby permitted shall be constructed in materials to match the existing building as shown on plan no. A1482/4.

Procedural Matter

2. The description of development used in the banner heading above is taken from the planning application form, although I have amended it to omit the reference to it being a resubmission of the earlier application 19/00765/FUL, as this is not descriptive of the development.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to whether it preserves the setting of the nearby Spotland Methodist Church, a Grade II Listed Building, and preserves or enhances the character or appearance of the adjacent Spotland Fold Conservation Area.

Reasons

4. 173 Rooley Moor Road is an end-terrace property which has a small convenience store on its ground floor and associated living accommodation above and in the rear of the ground floor. It has an enclosed rear and side yard, accessed from Tenby Street to the south, which provides parking and other ancillary space. The surrounding area is primarily residential, and includes some traditional cottages on the opposite side of Rooley Moor Road next to the Royds Arms pub, along with other small commercial units, a day nursery to the rear of the appeal site and, just to the south of across Tenby Street, Spotland Methodist Church.

5. The proposal is to install a dormer on the rear roof slope and a roof light on the front, to allow the conversion of an existing attic room into two new bedrooms. The dormer would be set below the main roof ridge and back from the eaves line, set in from the party and side walls of the host property slightly off centre, with a pitched roof and finished in slate to match the existing roof. It would have two windows, the larger of which would be aligned with that of the first-floor bedroom below. In these regards it would therefore comply with the advice set out in the Council's 2016 *Guidelines & Standards for Residential Development* Supplementary Planning Document.

6. The front roof light would be an unobtrusive element of the overall scheme, set off centre on the roof pitch to be aligned with the first-floor window below, which the Council considers could be installed without planning permission.

7. The appeal site falls within the setting of Spotland Methodist Church, a Grade II Listed Building. It is also on the boundary, though outside of, the Spotland Fold Conservation Area. As such I have statutory duties to have special regard to the desirability of preserving the setting of the Listed Building, and to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. As heritage assets are irreplaceable, the National Planning Policy Framework (the Framework) states that they should be conserved in a manner appropriate to their significance (paragraph 184). It goes on to advise that any harm or loss requires clear and convincing justification (paragraph 194), and that any harm that is less than substantial must be weighed against the public benefit of the proposal (paragraph 196).

8. The Church is a substantial late 19th century structure of brick with finely-dressed stone detailing. The quality of its Rooley Moor Road frontage and Tenby Street side elevation adds considerable visual and historic interest to the surrounding area. As well as being an impressive building in its own right, it is a distinctive landmark which makes a strong contribution to the character of the Conservation Area.

9. The Church is mainly appreciated either when approaching from Bentinck Street opposite, in which case both the proposed rear dormer and front rooflight would be hidden from view by the buildings on the north side of Bentinck Street, or close-up from Rooley Moor Road in front of the Church, or from Tenby Street at the side. From these points of view, because of the appeal site's location on the inside of a bend in Rooley Moor Road, the rear dormer could be seen across the side yard of No 173, although to look at it would require an observer to turn their view away from the Church. In longer views along Rooley Moor Road from the south, the dormer would largely be screened from view by trees and when visible would, because of its size,

position and materials, be only a minor part of the backdrop. From the north the rear dormer could not be seen at the same time as the Church at all. I therefore consider that the setting of the Church would be preserved.

10. The Spotland Fold Conservation Area is not large, and although many of its buildings appear to have been much altered over the years it still retains a distinctive and traditional character. I am not aware of there being a published character appraisal for the Area, but in my view it derives its significance from the townscape created by its traditional cottages, streets and houses, as well as from the presence of the Church.

11. Unlike the appeal property itself, No 173's attached neighbours Nos 175 and 177 Rooley Moor Road lie within the Conservation Area, and are considered by the Council to be Non-Designated Heritage Assets. However, the rear dormer would not be seen in longer views of the frontages of these modest brick houses. Elsewhere, other than in the views across the side yard of the appeal property from Tenby Street and Rooley Moor Road described above, the dormer would not be widely seen from within the Conservation Area. It would not obstruct the key views of the traditional cottages and houses which are characteristic of the Area, and from those places where it would be visible its size, design and choice of materials mean it would not be an unduly intrusive feature. While the appeal property does not in my view currently make a positive contribution to the Conservation Area, on the basis of the evidence submitted I do not find that the proposal would be harmful to the Area.

12. I conclude that the setting of Spotland Methodist Church would be preserved, as would the character and appearance of the Spotland Fold Conservation Area. The proposed development therefore complies with policies P1, P2, P3 and DM1 of the 2016 Rochdale Core Strategy, which together seek to ensure that development proposals are well-designed, appropriate to their context, and that heritage assets are preserved or enhanced. For the same reasons it complies with the requirements of the Framework relating to conserving and enhancing the historic environment, in particular paragraphs 192 and 193. As I do not find that the proposal would cause harm to or loss of the heritage assets, it is not necessary to apply the public benefit test set out in paragraph 196 of the Framework.

Conditions

13. In addition to the standard time limit condition I have specified the approved plans so as to provide certainty. In order to protect the character and appearance of the area I have also included a condition requiring materials to be used which match the existing building. No further conditions were suggested by the Council, nor do I consider any to be necessary myself.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed.

M Cryan

Inspector