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The Planning Inspectorate

Appeal Decision

Site visit made on 5 September 2022

by S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 28 September 2022

Appeal Ref: APP/P4225/D/22/3301822
2 Dove Street, Rochdale OL11 4EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs J Bell against the decision of Rochdale Metropolitan Borough Council.
- The application Ref: 22/00397/HOUS, dated 6 May 2022, was refused by notice dated 15 June 2022.
- The development proposed is a front and rear dormer extension on an unclassified road.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has submitted amended plans as part of the appeal in which the proposed window to the front dormer would better align with the existing windows on the floors below. This would be the only difference between the original and the amended plans. I am invited to determine the appeal based on the amended plans if it is considered to be an improved design. However, even though the appellant considers the amendment to be insignificant, the local planning authority (LPA) has had no opportunity to consider the amended plans and nor have any other consultations been carried out. Therefore, I have determined the appeal upon the originally submitted plans.

3. The appellant considers that the rear dormer is permitted development and therefore does not need planning permission. The LPA iadvises an application for a certificate of lawful development is sought so that this matter can be determined. The subject appeal is made under S78 of the Act, and it does not therefore fall to me to determine whether separate elements of the proposal would be permitted development. That would be a matter that would need to be established by means of the submission of an application to the LPA for a certificate of lawful development.

4. Some construction work has already begun. I am therefore determining this

appeal on a partly retrospective basis.

Main Issue

5. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

6. The appeal property is an end terrace of three, brick built, early twentieth century, two storey dwellings with double pitched slate roofs. Adjoining the terrace are two semi-detached dwellings of a more recent age. While the latter have a different design to the terrace, there are similarities in terms of external materials, the overall height and unbroken roofs. These elements add positively to the character and appearance of the building and the immediate area.

7. The dwellings form a short cul-de-sac with open land directly opposite. There is no public footpath beyond the cul-de -sac and the access itself is not an adopted highway.

8. The height of the proposed dormers would extend to the existing ridge of the dwelling and would be of the flat-roofed box type. They would be set in from the eaves and would not extend quite to the full width of the existing roof. However, by their height in relation to the existing ridge, their length, bulk and overall appearance with their flat roofs, the dormers would appear as a visually incongruous and dominant element and would detract unacceptably both to the character and appearance of the building and to that of the immediate street scene.

9. I appreciate that the proposed development would not be particularly visible from the public realm, but that would be no reason to depart from the requirement to achieve good design. In addition, my attention has been drawn to the many other box dormers which appear throughout the wider area, but I have no details before me as to their planning histories. In any event, I have determined the appeal based upon its individual merits and the harm that would be caused to the immediate area.

10. I appreciate that the existing internal arrangement to the dwelling, including the location of the staircase, has influenced and possibly limited the options for the proposed design. However, such considerations are insufficient to outweigh the requirement to achieve good design.

11. Therefore, I conclude that the proposed development does not accord with the Rochdale Core Strategy 2016 (CS) policy DM1 or paragraph 130 of the National Planning Policy Framework 2021, both of which lay great stress upon the need for high quality development which enhances the area. It would also fail to adhere to important parts of the Rochdale Guidelines & Standards for Residential Development Supplementary Planning Document 2016 , including that, where possible dormers should be sited below the ridge line of the dwelling, dormers with flat roofs should be avoided(unless they are considered to better respect the design of the host building and character of the area and which does not apply in this case), and that dormer windows should normally line up vertically with existing windows and/or be smaller than existing openings.

Other Matters

12. To the west of the site is Oakenrod Hall, a grade II listed building (LB) dating from the mid-17th century. There is dense vegetation separating the appeal site from it and while it is possible to glimpse the Hall from Dove Street, and possibly more so in winter when there are fewer leaves, such views are still likely to be limited.

13. Given the above, I find that the appeal proposal would preserve the setting of the LB. However, this is a matter of neutral consequence in the overall planning balance.

Conclusion

14. For the reasons given above, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S Hartley

INSPECTOR