



Appeal Decision

Site visit made on 10 October 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 October 2017

Appeal Ref: APP/P4225/D/17/3180197

3 Johnston Avenue, Littleborough OL15 8RD

- 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 Mrs Louise Hollis against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 17/00404/HOUS, dated 8 April 2017, was refused by notice dated 19 June 2017.
 - The development proposed is a two storey extension to the existing residential dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey extension to the existing residential dwelling at 3 Johnston Avenue, Littleborough OL15 8RD in accordance with the terms of the application, Ref 17/00404/HOUS, dated 8 April 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 03, 04 Rev A, 05 and 06.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs was made by Mrs Louise Hollis against the decision of Rochdale Metropolitan Borough Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are the effect on the character and appearance of the area and the living conditions of the occupants of adjoining residential properties with particular reference to outlook.

Reasons

Character and appearance

4. The appeal property is a two storey residential dwelling situated on a corner plot adjacent to the junction of Johnston Avenue and Fairfax Drive in a mainly residential part of Littleborough. The property is in a residential estate which

features mainly similar semi-detached dwellings. The appeal site backs onto open fields.

5. The appeal property has a steeply pitched roof with flat roof dormers to the front and rear and has a lean to single storey garage which occupies the space between the side elevation of the main dwelling and the boundary with Fairfax Drive. The proposal would involve the demolition of the garage and its replacement with a two storey side extension featuring extended front and rear dormers.
6. The existing single storey garage to the side encloses the space between the main two storey part of the dwelling and Fairfax Drive. The proposed extension would extend the two storey part towards Fairfax Drive to the back of the pavement. Consequently, at first floor level the space adjacent to the existing built form on the site would be further enclosed.
7. The space around properties is an important feature of corner plots in this residential area and at my site visit I did not see any extensions similar to the current proposal on corner plots. Nonetheless, Johnston Avenue is a particularly short link road between two other residential streets and the arrangement of residential properties is somewhat unusual, there being only one pair of semi-detached properties on either side of the street with generous space either side. Consequently, I consider that there is capacity within the street scene for a two storey extension without there being harm to a strongly established uniform pattern of development.
8. The Council's Guidelines and Standards for Residential Development SPD Adopted June 2016 (the SPD) recognises that side extensions to dwellings on corner plots can be harmful to the street scene by eroding the space around buildings and creating a hard edge to the highway. In this particular case the space to the side of the property has been eroded by the single storey lean to garage which creates a hard edge to the adjacent highway. The overall scale and design of the proposal is sensitive to the existing property and others in the immediate vicinity. Furthermore the extension has been designed as a continuation of the existing property, including its height, roof pitch and dormers and would be read as such without being visually intrusive, prominent or over dominant within the street scene.
9. I acknowledge that it would enclose the existing space at first floor level but I do not consider that the additional degree of enclosure would be unacceptably harmful or negatively impact on the character and appearance of the area given the particular situation of the host property in an open part of the street with open countryside to the rear. The loss of spaciousness on this particular corner plot would not result in an incongruous form of development in its spatial context.
10. Therefore, on this issue I conclude that the proposal would not be harmful to the character and appearance of the area. As such it would not conflict with Policies DM1 and P3 of the Rochdale Adopted Core Strategy October 2016 (the CS), the SPD and the National Planning Policy Framework (the Framework). Among other objectives these seek to ensure that all development proposals are of high quality and enhance the quality of the area.

Living conditions

11. The SPD states that all new development should avoid causing significant loss of privacy and/or light for occupiers of existing dwellings. In order to achieve this there should be 14 metres between a principal window and any directly facing two storey elevation which does not include a principal window to a habitable room. Exceptions to these standards may be acceptable in some circumstances and applications will be considered on their own merits.
12. The front elevations of Nos 26 and 28 Fairfax Drive containing principal windows of habitable rooms face towards the side elevation of the proposed extension at a distance of between 12 and 14 metres. The Council concludes that the proposal would not result in any undue impact on privacy for the occupants of Nos 26 and 28 nor would there be a loss of light. However, the Council has found there would be harm in terms of visual intrusion and loss of outlook resulting from the massing, height and projection of the extension and its proximity to the front elevation of No 26 Fairfax Drive.
13. The extension would encroach towards No 26 which at present enjoys a relatively open outlook from the windows in the front elevation. The extension would be within 14 metres of the ground floor front elevation of No 26, but a greater distance from the first floor windows which are set back into the roof. However, having regard to the specific circumstances of the appeal site and its relationship with No 26 I consider that No 26 would continue to enjoy an open aspect and this combined with the relatively slender triangular profile of the proposed side elevation of the extension which would match the existing profile of the host property leads me to conclude that the outlook would be only marginally affected by the proposal.
14. Furthermore, it seems to me that the key objective of the separation distances set out in the SPD is to protect neighbouring properties in terms of privacy and light rather than specifically outlook. Whilst also recognising that wider planning policy objectives do seek to protect the amenities enjoyed by existing residential occupants, in this particular case I do not consider that the effect on outlook would be significant enough to warrant withholding permission.
15. Therefore, on balance I conclude that the proposal would not have a harmful effect on the living conditions of the occupants of adjoining residential properties with particular reference to outlook. As such I find there to be no conflict with the overall objectives of Policy DM1 of the CS and the SPD.

Conditions

16. I have specified the approved plans as this provides certainty. In the interests of the character and appearance of the area I have also imposed a condition requiring matching materials.

Conclusion

17. Therefore, for the reasons given above and taking into account other matters raised I conclude that the proposal is in accordance with the development plan taken as a whole and that the appeal should be allowed.

Alastair Phillips

INSPECTOR