
Appeal Decision

Site visit made on 6 December 2017

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 22 January 2018

Appeal Ref: APP/P4225/D/17/3180640
959 Oldham Road, Rochdale OL16 4SE

- 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 Ms Emma Cooper against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 17/00376/HOUS, dated 1 April 2017, was refused by notice dated 6 June 2017.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the host building and the surrounding area;
 - the living conditions of the occupiers of 961 Oldham Road having particular regard to overshadowing of the rear elevation and amenity space.

Reasons

Character and appearance

3. The appeal site comprises a traditional two storey semi-detached dwelling with detached single storey garage. It is hipped roofed and has projecting bay windows to the front elevation at ground and first floor. The host building and its adjoining neighbour at 957 Oldham Road together with another pair of semis at Nos 953 and 955 occupy a similar position set back from the road and are of a similar design and appearance. A row of four terraced dwellings positioned closer to the road are located to the other side of the host building with more terraced dwellings on the opposite side of the road. None of the semi-detached properties near to the appeal site have two storey side extensions. A privet hedge marks the front boundary of the site to either side of the driveway and provides some screening of the front elevation of the host building.
4. The proposed two storey side extension would project forward of the existing front elevation of the host building at both ground and first floor, with the ground floor projection being significant. Though the forward projection at first floor would be less than that at ground floor and though it would be of a similar

depth to the existing bay windows, the extension would nevertheless be a large and bulky addition which would not be subordinate to the host building and would fail to respect its scale and design and that of the adjacent semis. Whilst the extension would serve to provide some screening of the existing cement blocks that form part of the neighbouring property at No 961 and whilst the visual impact of it would be partly reduced by the set-back position of the host building and existing front boundary screening, the scale and design of the extension is such that it would nevertheless be a prominent and harmful addition to the host building and would be out of keeping with the neighbouring semis. Though the host building is positioned close to the terraced dwelling at No 961, it is of a different character to that property and the fact that the extension would not result in a terracing effect does not mean that it would not be harmful.

5. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the host building and the surrounding area. It is therefore contrary to policies DM1 and P3 of the Rochdale Adopted Core Strategy (CS), guidance in the Council's Guidelines & Standards for Residential Development SPD Adopted June 2016 (SPD) and to relevant guidance in the National Planning Policy Framework (the Framework). These policies and this guidance seek, amongst other things, development of a high quality design which seeks to enhance the quality of the area.

Living conditions

6. The relationship between the host building and its neighbour at No 961 is such that the front elevation of the host building is roughly in line with the rear elevation of the ground floor of No 961 with the rear elevation of the first floor set forward of the front elevation of the host building. The rear elevation of No 961 contains a patio door at ground floor and a window at first floor close to the common side boundary with the appeal site which is currently marked by a fence and wall. No 961 has a modest sized rear garden.
7. The proposed two storey side extension would be sited close to the common side boundary and would project beyond the rear elevation of No 961 by some considerable distance and beyond the rear extent of the rear garden of that property. However notwithstanding the scale and bulk of the extension and its close proximity to the house and garden at No 961, as it would be positioned to the north of No 961 any overshadowing resulting from the extension is unlikely to be significantly harmful to the living conditions of the occupiers of No 961.
8. Whilst the proposal would be in breach of SPD guidelines regarding the rear projection of two storey rear extensions, these guidelines appear to be in place to prevent such extensions being oppressive close to a common side boundary. The guidelines do not appear to relate to overshadowing which is the focus of the Council's reason for refusal relating to living conditions.
9. Taking the above matters into consideration, I conclude that the proposal would not have a significant adverse effect on the living conditions of the occupiers of 961 Oldham Road having particular regard to overshadowing of the rear elevation and amenity space. It therefore accords with Policy DM1 of the CS insofar as it relates to overshadowing and to relevant paragraphs of the Framework which seek to ensure that the living conditions of residents are not adversely affected through overshadowing. For the reasons stated above,

whilst the proposal does not comply with the guidelines in the SPD, the guidelines are not determinative in this case.

Other Matters

10. In reaching my decision I note that the proposed extension would improve the level of accommodation at the host building and the living conditions of the appellant. However this benefit would not outweigh the harm that I have identified.

Conclusion

11. The proposal would not have a significant adverse effect on the living conditions of the occupiers of 961 Oldham Road having particular regard to overshadowing of the rear elevation and amenity space. However it would have a significant adverse effect on the character and appearance of the host building and the surrounding area and would be contrary to the development plan when taken as a whole.
12. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR