
Appeal Decision

Site visit made on 20 December 2019

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 January 2020

Appeal Ref: APP/P4225/D/19/3233572

54 Pennine Drive, Milnrow, Rochdale

- 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 Connor Karran against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 19/00244/HOUS, dated 2 March 2019, was refused by notice dated 29 April 2019.
 - The development proposed is front and rear dormers creating 1 x master bedroom, 1 x bedroom with shared bathroom and 1 x guest bedroom/study.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I could see from my site visit that the rear dormer had already been erected in accordance with the submitted plans. No front dormer had been erected. I have therefore determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal property and the surrounding area.

Reasons

4. The appeal property is semi-detached and sited on corner plot at the junction of Pennine Drive and Cleveland Drive. The surrounding area is characterised by residential properties that are typically either two storeys high or a dormer bungalow. Nearby properties are characterised by dormers to the front and rear roof planes. There is some variety in the size and style of these, though flat-roofed dormers are fairly common. Notably, front dormers are generally sited towards the top of the front roof plane and proportionate to it.
5. Policy DM1 of the Rochdale Adopted Core Strategy (CS) states that all development proposals, including extensions and alterations, will be expected to demonstrate that they: are of high quality design and take the opportunity to enhance the quality of the area. CS Policy P3 also seeks a high standard of design that enhances the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, massing, height and materials of surrounding buildings and areas in general; and seeking to ensure that buildings contribute positively to the townscape and are well proportioned. The Council's Guidelines and Standards for Residential Development Supplementary Planning Document (SPD) offers detailed guidance in respect of

dormer extensions as they can be visually prominent, particularly where they can be seen from the public highway, and therefore it is important that they are carefully designed and sited. Dormers to the front elevation will not normally be permitted. Rear dormers should be modest in size and not occupy a disproportionately large portion of the roof.

6. Given the front dormers in the local area, it would be appropriate in my view to relax the SPD's starting point of dormers to the front elevation not normally being permitted. The use of a flat roof would respond to the character and appearance of the area. The submitted plans also show that the front dormer would be: sited below the ridge line; set back from the eaves; set in from the party/side walls; and use matching materials. There is some inconsistency in terms of the windows in the front dormer lining up vertically with the existing ground floor windows. That said, the scale and bulk of the proposed front dormer would not be well proportioned in relation to the front roof plane and thus not respect the site's local context.
7. Three examples of front dormers have been cited at 19 Townley Road, 80 Pennine Drive and 2 Pennine Drive. Although the Officer Report and approved plans in respect of No 2, which is on a corner plot, are before me, this scheme was considered before the adoption of the CS and SPD and against different development plan policies which I do not have copies of to know whether the circumstances are directly comparable. The examples at Nos 19 and 80 were considered against the CS and SPD, but notably the front dormer extensions in these schemes were smaller and positioned higher up the front roof plane than the appeal scheme. As such, they are not directly comparable to the proposal.
8. In terms of the rear dormer, a flat roof is a suitable design response for the area. The materials used are also acceptable, but I agree with the parties' that the proposed windows would not line up vertically with the ground floor openings. The rear dormer would be set slightly below the property's ridge line, in from the eaves and in from the party/side walls. However, as a result, the rear dormer is not modest in size and occupies nearly all the property's rear roof plane.
9. I note the appellant's points about the rear dormer and Class B permitted development rights. However, the proposal includes a front dormer that would extend beyond the plane of any existing roof slope which forms the principal elevation of the dwelling house and fronts a highway. That said, it is open to the appellant to apply for a determination under section 191 of the Act and my determination of this appeal under s78 does not affect the issuing of a determination under s191 regardless of the outcome of the appeal.
10. However, even if I were to consider the rear dormer to be permitted development and a fallback position to exist, it would not be, based on the scheme before me, clearly severable from the front dormer, which I have found to be harmful in any event, as there would be a physical and functional link between the two. In these circumstances, I attach no weight to the appellant's point about the rear dormer being permitted development.
11. The rear dormer at No 19 is, unlike the appeal scheme, set a good way back from the eaves and is more proportionate to the property's rear roof plane. The rear dormer at No 80 also differs from the rear dormer erected at the appeal property in that the sloping roof used reduces the scale and massing of the dormer. Nevertheless, as the windows at Nos 19 and 80 do not line up

vertically this offers justification in favour of the appeal scheme in this regard. However, these examples do not justify the rear dormer of the scale and proportion on the appeal property.

12. There are properties on corner plots in the surrounding area with front and rear dormers, but many of the photographs provided show the dormers set further down from the ridge line than the appeal scheme. In any event, I do not have the full details or circumstances of every example cited to explain what led to these dormers existing. As I explained earlier, the dormers at No 2 were considered before the CS and SPD were adopted and against development plan policies which I do not have copies of to know whether the circumstances are directly comparable. Thus, the examples referred to do not outweigh my concerns about the appeal scheme, which would not, despite the materials used and proposed, be of a high standard of design that is well proportioned and respectful of local context. The effect of the front and rear dormers is and would be significant given the appeal property's prominent corner plot location.
13. I conclude that the proposal has and would have a significant harmful effect on the character and appearance of the appeal property and the surrounding area. As such, the appeal scheme would not enhance the borough's sense of place and the proposal does not accord with CS policies DM1 and P3 and the SPD. Jointly these seek, among other things, dormer extensions to be of a high standard of design that respects local context, having regard to the scale, massing and proportion of buildings.

Other matters

14. I understand the purpose behind the appellant's proposal, but these matters do not outweigh the harm that I have identified through the main issue. The Council have also indicated that some 'very minor alterations' to the front and rear dormer extensions would be acceptable in their view. While the appellant says that these would be drastic and go to the heart of the reason for the appeal scheme, there are no details of any potential alterations before me. That said, they should be considered by the Council in the first instance. It is also open to the appellant to look at alternative designs with a view to finding a solution to achieve the introduction of front and rear dormers that would, in their view, be a worthwhile and viable proposition.
15. The appellant refers to the use of permitted development rights for side or rear extensions to the property. There are no details of any such extensions before me and while they might be theoretically possible, they would be a different form of development to the appeal scheme. While the appellant states that such extensions would increase on-street parking, there are no parking restrictions on nearby roads to prevent this in any event.
16. I consider that the proposal would not result in undue harm to the living conditions of neighbouring occupants given the existing layout of properties and the orientation of the appeal property. Despite the lack of objections from neighbours, I have determined the appeal in accordance with the development plan, unless material considerations have indicated otherwise.

Conclusion

17. For these reasons set out above, I conclude that the appeal is dismissed.

Andrew McGlone

INSPECTOR