



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: 8 September 2020

Appeal Ref: APP/P4225/D/19/3244001

23 Tarnside Close, Rochdale, Lancashire OL16 2QD

- 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 James Parker against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 19/00949/HOUS, dated 12 August 2019, was refused by notice dated 7 October 2019.
 - The development proposed is a two-storey side and single storey front extension and replacement window on front elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the host property and the area; and
 - Living conditions for occupiers of the neighbouring property at 25 Tarnside Close.

Reasons

Character and appearance

3. 23 Tarnside Close is a two-storey modern detached dwelling, set on a wedge-shaped plot which narrows from front to rear but which provides reasonably spacious front and rear gardens. It sits within a development characterised by detached houses broadly similar in style and which are comparable or slightly larger in size, although within this similarity there is some variety in materials, finishes and detailing.
4. The proposal is to erect a two-storey side extension with a single storey front extension, which would extend for the full depth of the existing house at the right-hand side as viewed from the street. It would be approximately 4.2m wide at the front, but the final part at the rear would be tapered to run parallel with the boundary with No 25.
5. The proposed extension would have a front gable at first floor level which, would be the same depth as, but somewhat wider than, an existing gable at the left-hand side of the house. Because of the variety of detailing found

throughout the estate, the introduction of a second gable would not necessarily of itself be detrimental to the appearance of the host property. However, rather than leading to greater symmetry, the difference in proportions in this case would lead to a degree of disharmony between the two gables. This would make the dwelling unbalanced and, in appearance, at odds both within itself and with its surroundings. The proposed full-height front window at ground floor level would also be an incongruous feature which, in appearance and function, would more usually be expected to be found on a rear elevation. The combined effect of these aspects of the extension would be to give the appeal property an unusual appearance in the context of the surrounding area.

6. Given the variety in scale of dwellings within the surrounding estate, when the extended appeal property would not appear unusually or disproportionately large. Its size would not dominate the street, and so there would be no unacceptable harm in this regard. Furthermore, because of the shape of the appeal site and the curve of Tarnside Close, No 23 is well-separated from No 25 to the south, which also sits a considerable way forward of No 23 and is angled to a different alignment. As a consequence, there would be no terracing effect, and indeed the gap which would remain between Nos 23 and 25 which would be wider than those between many of the other neighbour pairs within the estate. In terms of materials, roof design and ridge heights, the extension would be in keeping with the appearance of the host property. However, a lack of harm in these matters does not outweigh the other harm which I have found to the character and appearance of the host property and the area.
7. The appellant has drawn my attention to three planning permissions which have been granted for extensions to the adjacent neighbouring property at 21 Tarnside Close, but from the limited information before me it is not clear that any of these have had, or would have, a significant visual impact on the street scene. None of those proposals therefore appears to be comparable to the case before me in this regard.
8. I conclude that, because of the scale of the front gable and the design of its fenestration, the extension would be detrimental to the character and appearance of the host property and the area. The proposal would therefore conflict with Policies P1, P3 and DM1 of the 2016 Rochdale Core Strategy (the RCS), as well as the advice set out in the 2016 'Guidelines & Standards for Residential Development' Supplementary Planning Document (the SPD), which together seek to ensure that development, including domestic extensions, is well-designed, and protects and enhance the borough's character. For the same reasons it would conflict with the provisions of the National Planning Policy Framework (the Framework) in respect of design, in particular paragraphs 127 and 130.

Living conditions

9. The tapered part of the extension would be around 0.85m from the shared boundary between the appeal site and Nos 25 and 29 Tarnside Close. As a result of the angled relationship between the appeal property and No 25, as well as the different degrees to which they are set back in their plots, the extension would breach the 30 degree reference line which the SPD describes and which is intended to ensure that extensions are not overbearing when seen from the rear windows or gardens of neighbouring properties. While the current owners of No 25 have indicated their support for the proposal, it is nonetheless

- necessary to consider the extension in neutral terms, including its effects on the living conditions of as-yet-unknown potential future occupiers.
10. The height of the two-storey flank gable wall of the extension and the close proximity of the tapered rear section to shared boundary mean that it would constrain the outlook from the rear windows of No 25 and dominate the nearest part of the neighbouring rear garden. The extension would therefore be detrimental to the living conditions for the occupiers of that house, notwithstanding the comments of the current owners.
 11. As a result of the angle between Nos 23 and 25, for the most part the proposed extension would be seen from No 25 against the existing bulk of the appeal property. The impact of the additional built mass on the outlook from the rear windows and much of the rear garden of No 25 would therefore be small, and the harm would be limited. Although the extension would not comply with all of the guidance set out in the SPD, in my view it is only the proximity to the boundary of the tapered part of the extension which would cause unacceptable harm to living conditions for the occupiers of No 25. The appellant has indicated that he would be willing to increase the distance between the edge of the extension and the boundary. Given the limited and localised nature of the harm I have found in this regard, if the proposal had been acceptable in all other respects this matter could have been addressed by a condition requiring the submission of amended plans. However, this would not resolve the other harm which I have found in respect of character and appearance.
 12. The appellant has also drawn my attention to the 'side to rear' relationship between Nos 12 and 14 Tarnside Close a short distance from the appeal site. This appears to stem from the original development of the estate rather than any subsequent extensions. However, from the limited information before me and what I saw at the time of my site visit the two properties are angled away from each other at the rear and there is therefore a different spatial relationship in the rear gardens. Appeal decisions in respect of 959 Oldham Road to which the Council have referred relate to a site some distance from the appeal site, and again, on the basis of the information before me, the relationship between neighbouring plots in that case also appears to be different to the circumstances of this appeal. I have in any event of course reached my conclusion on the basis of the evidence before me.
 13. The Council did not identify any harm in respect of the neighbouring dwelling at No 29 Tarnside Close. The proposed extension would come close to the appeal property's shared boundary with the garden of that dwelling. However, because of the relationship between the two houses the extension would principally be set against the existing mass of No 23, and the effects on outlook from No 29 and its garden would be minimal. Consequently, none of the evidence before me leads me to a different view from the Council in respect of No 29.
 14. I conclude however that the proposal would, because of its scale and position, have an overbearing impact on the rear garden of the neighbouring property at No 25 Tarnside Close, and so would be harmful to the living conditions of the occupiers of that property. It would therefore conflict with Policy DM1 of the RCS, as well as guidance in the SPD, which seek to ensure that developments, including extensions, do not have an adverse effect on neighbours' living conditions. For the same reason it would conflict with the provisions of the

Framework, in particular paragraph 127 which seeks to create places which have a high standard of amenity for existing and future users.

Conclusion

15. For the reasons given above the appeal is dismissed.

M Cryan

Inspector