
Appeal Decision

Site visit made on 15 December 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 12th January 2021

Appeal Ref: APP/E2340/D/20/3258677

179 Chapel House Road, Nelson, Lancashire BB9 0QN

- 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 S Mehbood against the decision of Pendle Borough Council.
 - The application Ref 20/0045/HHO, dated 20 January 2020, was refused by notice dated 08 July 2020.
 - The development proposed is erection of dormer windows to front and rear roofslopes (Re-Submission).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development is described in the application form as proposed pitch dormer roof to front and flat roof dormer to rear of property. However, this appears to relate to an earlier scheme and I have therefore adopted the description of the development from the decision notice in the banner heading above.
3. At the time of my visit, the rear dormer was in the process of being constructed. I have determined the appeal accordingly.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal property is a 2 storey mid terrace dwelling in a densely developed and predominantly residential area. Chapel House Road is a long straight street characterised by modest terraced properties in matching styles and materials. Properties are set back from the footway behind small frontages with low walls. The matching frontages and simple roofscapes result in a uniform and harmonious character and appearance.
6. The front dormer extension would be a large and prominent feature that would overwhelm the roof of the appeal property. In combination with the removal of the chimney stack, the front dormer would not respect the traditional simple and unaltered roofscapes in the street and which provide the visual context for the scheme. It would be incongruous and out of keeping with its surroundings. Consequently, it would be visually obtrusive and it would disrupt the uniformity and visual harmony of the street scene.

7. The rear dormer would be seen in the context of the back of the terrace, which has a more mixed character resulting from the variation in extensions and outhouses to the rear of properties. Although it would be a large feature occupying most of the rear roof slope, it would not be visible in the Chapel House Road street scene and it would not be prominent in the wider townscape. The Council considers that the rear dormer would not harm the character and appearance of the area, and I see no reason to disagree.
8. My attention has been drawn to dormer extensions to properties elsewhere in the area. Although full details have not been provided, some of these are to the rear of properties, some are small and relatively unobtrusive features, while others are in short streets and areas with a mixed character and appearance. Some do benefit from planning permission, but several were considered in an earlier policy context. None of them form a visual context for the appeal scheme and they do not provide a justification for a scheme which must in any case be considered on its own merits.
9. Therefore, the front dormer extension would result in significant harm to the character and appearance of the area. It would conflict with the design aims of Policy ENV2 of the Local Plan for Pendle Core Strategy 2011-2030 Adopted December 2015. It would conflict with the guidance in the Design Principles Supplementary Planning Document Adopted December 2009 in relation to dormer extensions. It would also conflict with the National Planning Policy Framework in relation to development being sympathetic to local character and the surrounding built environment, taking account of local design standards and supplementary planning documents.

Other Matters

10. The application subject of the appeal is a resubmission of a previously refused application (ref 19/0808/HHO). Although the size and design of the front dormer has been amended, this has not been sufficient to overcome the harm.
11. The enhanced internal living accommodation would be a benefit for the appellant and his family. However, it has not been demonstrated that the appellant's personal circumstances outweigh the policy conflict.

Conclusion

12. For the reasons set out above, the proposed development would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR