

Appeal Decision

Site visit made on 16 November 2021

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2021

Appeal Ref: APP/W4325/D/21/3283529 32 Grange Road, Heswall CH60 7RZ

- 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 and Mrs Eveleigh against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/21/00815, dated 19 April 2021, was refused by notice dated 12 July 2021
 - The development proposed is a front dormer extension.
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Decision

1. The appeal is dismissed.

Background

2. Planning permission has been granted¹ for a large rear dormer. The property also benefits from a lawful development certificate² for a proposed hip-to-gable roof conversion. Neither have yet been implemented.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is a semi-detached, hipped-roof, bungalow located in a predominantly residential area. It is one of four pairs of similar bungalows aligned in a row together. The row of bungalows are set down lower than the road such that their roofs are especially prominent when viewed in either direction along Grange Road. Whilst I saw one of the nearby bungalows has solar panels on its roof and a number have small rooflights, there are no other dormers on the front roof slopes of the row of bungalows. As a result, together they present a relatively uniform, unaltered and prominent roofscape in the street scene. Along the rest of Grange Road there are a mixture of detached and semi-detached dwellings and bungalows of different sizes, design and styles, with varying roof designs. Some properties have flat-roof front dormer windows. The variety and detailing of the properties positively contributes to the character and appearance of Grange Road, as does the uniform roofscape of the row of bungalows.

¹ LPA ref: APP/21/00276 granted 14 April 2021

² LPA ref: LDP/20/01077 granted 30 September 2020

5. The proposed development would involve the erection of a flat-roof dormer to the front roof slope. The dormer would be set in a small distance from the shared boundary with the attached adjacent bungalow, and set in a larger distance from the end of the property. The base of the dormer would be some distance away from the eaves of the main roof and the flat roof of the dormer would be set down lower than the roof of the bungalow. As a result, the dormer window would not be centrally positioned within the roof slope, although the existing shared bay windows to the front elevation would help retain some unity of appearance.
6. Whilst the dormer would be smaller than the one shown for the rear on the submitted plans, it would nonetheless represent a sizeable projecting structure on the front roof slope of the property. I find that by reason of its size, design and location the dormer window would be visually discordant and detract from the relatively unaltered roofscape of the appeal property and the larger roofscape of the row of which it forms part of. Consequently, the proposed dormer would harm the character and appearance of the property and Grange Road. Tiling the walls and cheeks of the dormer to match the existing roof would not, in my view, sufficiently mitigate the harm caused.
7. There is no requirement for pairs of semi-detached properties to be extended symmetrically or in tandem. Nonetheless, any proposal needs to be considered in the overall context of the property it would be added to and the street scene within which it would sit.
8. The appellant refers to the nearby commercial premises on Pensby Road and a number of other dormer windows along Grange Road. I saw that dormers were of differing styles and sizes and on different types of properties. However, none were on a similar stretch of relatively uniform roofscape, like the row of bungalows in which the appeal property sits. The property opposite (37 Grange Road) is one half of a pair of semi-detached bungalows that face the road on a short stretch of Grange Road between the corner of Brackenside and the larger and more secluded properties beyond. It does not therefore present the same extended roofscape context of the appeal property. Furthermore, these properties are higher than the road such that their roof slopes are not as visually prominent. I find these factors combine to offset any disruption to the symmetry of the semi-detached properties. The appellant's dormer examples are therefore not directly comparable to the appeal proposal, which I must consider on its own merits.
9. The Unitary Development Plan³ (the 'UDP') pre-dates the first publication of the National Planning Policy Framework (the 'Framework') in 2012. The revised⁴ Framework continues to offer general design guidance at a national level. The importance of good design has been further elevated by the government's publication of the National Design Guide⁵. Nonetheless, by its nature the Framework is not prescriptive about individual types of extensions in different locations across England – that is a matter for local councils to attend to.
10. Pursuing good design and respecting the context in which proposed development is to be sited is not a new concept, as UDP Policy HS11 illustrates. It refers to house extensions in general, with criterion (iv) specifically relating

³ Adopted February 2000

⁴ Published 20 July 2021

⁵ Published October 2019

to dormer windows, stating they should be restricted to the rear. I note the proposed dormer accords with the other policy requirements as it does not project above the ridge and does not occupy the full width of the roof. Nonetheless Policy HS11 still requires extensions, including dormer windows, to be designed so as not to adversely affect the appearance of the property or the area in general.

11. In addition, the Council's Supplementary Planning Guidance for House Extensions⁶ (the 'House Extensions SPG') provides additional design advice. This states that front dormers will not be allowed where they would have an adverse impact on the character of the street scene or on the appearance of the dwelling.
12. Whilst these publications are of some age now, I find they are still broadly consistent with the Framework, which states at paragraph 134 that development that is not well designed should be refused, especially where it fails to reflect local design policies taking into account any local design guidance and supplementary planning documents.
13. Whilst Policy HS11 may relate to some types of extensions that may now be allowed under the amended GPDO⁷, neither party is arguing that the proposed front dormer window is permitted development. Hence, the proposal falls to be considered under Policy HS11.
14. The grant of a certificate of lawful use or development (LDC) for the proposed hip-to-gable roof extension would, if implemented, unbalance the pair of semi-detached bungalows to some degree and this is a material consideration. The purpose of an LDC application is to determine whether specified uses or operations would have been lawful on the date the application was made - they are not planning applications and so the planning merits of the proposed development do not fall to be considered. Nonetheless, any imbalance that would be caused by the hip-to-gable roof works would be significantly worsened by the proposed front dormer, which I have already found would cause harm to the character and appearance of the area on its own.
15. I am sympathetic to the appellant's need for the dormer extension for improved home-working and home-schooling, arising from the various government COVID-19 restrictions. However, that is not a justification to allow development that is harmful. Moreover, the evidence presented does not suggest that the proposed dormer is the only way of extending the property to meet the appellant's needs. The Council raises no concerns about issues of amenity for neighbouring occupiers, parking, ecology or other planning matters. I have no reason to come to a different conclusion, but a lack of harm is a neutral factor in my considerations.
16. For the reasons above, I conclude that the proposed development would be harmful to the character and appearance of the property and the area. Accordingly, it would therefore be contrary to UDP Policy HS11, whose aims are outlined above. It would also be contrary to the Framework and the advice in the House Extensions SPG, which are also described above.

⁶ Amended following public consultation – 1 July 2004

⁷ Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Conclusion

17. The proposed development would not accord with the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

K. Stephens
INSPECTOR