



Appeal Decision

Site visit made on 30 November 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 DECEMBER 2021

Appeal Ref: APP/R0660/W/21/3282102

11 Barwood Avenue, Church Lawton, Stoke-on-Trent ST7 3EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Adam Dale against Cheshire East Council.
 - The application Ref 21/0887C, is dated 17 February 2021.
 - The development proposed is a front/rear dormer, rear single storey extension, front porch and attached garage.
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Decision

1. The appeal is dismissed and planning permission for a front/rear dormer, rear single storey extension, front porch and attached garage is refused.

Background and Main Issue

2. The Council had not determined the planning application prior to the appeal being lodged. However, an officer report had been produced and formed the basis of the Council's appeal submission. This indicated that the Council considered the proposed front dormer would be a dominant, disproportionate, and incongruous addition to the appeal property, and so would have refused planning permission.
3. The main issue is therefore the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is a modest semi-detached bungalow which sits at the head of Barwood Avenue, a residential cul-de-sac of similar (though not identical) properties. At present there are two bedrooms at first floor level, one with a window on the side elevation and the other with a small rear dormer. The proposal is to enlarge the ground floor by building a rear extension linked to the existing dining kitchen and adding a side garage with utility room at the rear, as well as a small front porch. The first floor would be extended over the new garage and utility room with front and rear dormers, and would be reconfigured internally to provide three bedrooms, a new bathroom, and a small study.
5. The front dormer would be in two parts. The first part would occupy most of the main front roof pitch, extending from a point close to the boundary with the neighbouring attached property (No 28) to the existing side wall of the appeal

property. The second part would be set slightly behind this, occupying almost the full width of the roof above the proposed garage. Effectively, a large and staggered box dormer occupying a very significant proportion of the front roof would be created. As a result of its width and bulk it would be an overbearing, dominant and intrusive feature, entirely out of scale and sympathy with the existing modest dwelling and the prevailing character of the neighbourhood.

6. The appellant has submitted images from Google Street view of other dormers in the surrounding area. While I do not know the full circumstances in which those examples came to be, I was able to view most of them and others nearby at the time of my site visit. From everything I saw, I acknowledge that dormers, including front dormers, are an established feature in the area, although they are not so prevalent as to be a dominant characteristic.
7. However, the other dormers to which the appellant drew my attention and which I saw for myself do not appear comparable to that proposed in this case. For example, several were set higher up the roof slope than proposed here, and none appeared to extend so close to the outer side wall of the roof. Most were therefore smaller than that proposed here. Furthermore, I was not directed to any examples where dormers had been built above side extensions. Some examples which I saw were, in my view, cumbersome and intrusive, and as a result not a good advert for dormers in general; however, even the larger examples nearby were not as dominant or intrusive as would be the case here. The other examples therefore do not lend weight in support of the appeal proposal.
8. I conclude that, because of its size, siting and design, the front dormer would be a bulky and disproportionate feature which would dominate the appeal property and the surrounding street, and so would harm the character and appearance of the area. The proposal therefore conflicts with Policies SD1, SD2 and SE1 of the 2016 Cheshire East Local Plan Strategy, which together seek to ensure that development contributes positively to an area's character and identity, and is well-designed including in respect of scale, form, massing.

Other Matter

9. The appellant has referred to the Council's apparent change of heart in respect of the proposal, as the case officer had indicated that they would be recommending approval of the planning application. Be that as it may, I have reached my conclusion based on the evidence before me and the planning merits of the proposal and have found harm as I have described.

Conclusion

10. The proposal would be harmful to the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector