



Appeal Decision

Site visit made on 1 November 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2022

Appeal Ref: APP/P4225/D/21/3280356

38 Brandlehow Drive, Middleton M24 4QY

- 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 Kato Tsang against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 21/00499/HOUS, dated 30 March 2021, was refused by notice dated 26 May 2021.
 - The development proposed is the erection of side double storey extension to provide additional accommodation.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the development on the living conditions of the occupiers of 42 Brandlehow Drive, and the effect on the character and appearance of the host dwelling and wider street scene.

Reasons for the Recommendation

Living conditions of the occupiers of 42 Brandlehow Drive

4. The neighbouring property at 42 Brandlehow Drive is a two-storey semi-detached dwelling which sits at right angles to No 38 such that its modest rear garden directly abuts the shared boundary to the side of the appeal property. The proposed two-storey side extension would extend up to that shared boundary and would project across almost all of the garden of No 42, adding substantial mass and bulk, in direct line of sight of rear facing windows. Furthermore, the distance between the extension and the rear elevation of No 42 would be less than the 14m required by paragraph 4.1 of the Guidelines & Standards for Residential Development SPD (June 2016) (SPD). Taking account of the modest size of the garden at No 42 and the short distance between the appeal property and the dwelling at No 42, the extension would be an obtrusive and dominant structure that would have a significant and overbearing impact when viewed from the garden of No 42 and from within the dwelling itself.
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5. Furthermore, as a result of the scale of the proposed extension and the orientation of the properties, and as evidenced by the shadow analysis submitted by the appellant, the proposed extension would result in greater overshadowing and loss of light to the garden and rear windows at No 42 and would cause harm to the users of the garden and the dwelling.
6. For these reasons, the proposal would cause significant harm to the living conditions of occupiers of No 42. Therefore, the proposal would not accord with policy DM1 of the Rochdale Adopted Core Strategy (October 2016) (CS) and the guidance of the SPD which all require, amongst other things, for development to not adversely affect the living conditions of residents. The proposal would also conflict with paragraph 130(f) of the National Planning Policy Framework, which requires development to have a high standard of amenity for existing and future users.

Character and appearance

7. Brandlehow Drive forms part of a modern housing development made up predominantly of semi-detached dwellings set out on a regulated layout with consistent spacing between dwellings. There is also a high degree of consistency in the scale and design of dwellings, with various house types, generally matching pairs with the occasional detached property. That consistency and symmetry between pairs is an integral part of the character of the area. The appeal property conforms to that pattern and forms a matching pair with No 36. Although of simple design, the symmetry in the fenestration and small projections to the front contributes to the overall character of the estate.
8. The proposed extension would be set flush with the main wall of the front elevation of the property and would continue the ridge line of the existing roof. Paragraph 5.12 of the SPD sets out the distances that a two-storey side extension should be set back from the front elevation to prevent a terracing effect. However, owing to the layout of the properties there is no risk of a terracing effect in this case. Furthermore, I note that paragraph 5.13 allows exceptions to these distances when there is little chance of a serious terracing effect occurring. Nevertheless, the absence of a terracing effect does not dictate that a two-storey side extension with no set-back from the front elevation would be acceptable in all circumstances.
9. Paragraph 5.1 of the SPD which states that extensions should generally be subservient to the host dwelling. The rationale for that in design terms is more than simply avoiding a terracing effect. Where symmetry between pairs of semi-detached houses is a particular feature, setting back a side extension from the front elevation and down from the ridgeline of the original dwelling helps to ensure that an extension has a subservient appearance, thereby retaining a degree of symmetry on the front façade and reducing the visual impact of an extension. Such an approach represents established design practice in those circumstances.
10. The side extension at 25 Brandlehow Drive, opposite the cul-de-sac, is an example of that approach. In contrast, the proposed, the extension would be flush with the front wall of the property with no set down of the ridge. It would not recognise or seek to mitigate against the loss of symmetry in the matching pair and the lack of subservience of the proposed extension would be at odds with the character and appearance of the street scene. The scale and mass

would dominate the frontage and unbalance the appearance of the pair of semi-detached properties.

11. For these reasons, the proposal would cause harm to the character and appearance of the host dwelling and wider street scene. Therefore, the proposal would not accord with policies DM1 and P3 of the CS and the guidance of the SPD which all require, amongst other things, for development to be of a high-quality design that respects the context and massing of surrounding buildings and areas in general. The proposal would also conflict with the design aims of the National Planning Policy Framework.

Conclusion

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance with the development plan.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR