
Appeal Decisions

Site visit made on 24 February 2022

by P. D. Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2022

Appeal A Ref: APP/P4225/D/22/3291726
23 Wood Top Avenue, Rochdale OL11 4BD.

- 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 Diggle against the decision of Rochdale Borough Council.
 - The application Ref 21/00795/HOUS, dated 27 May 2021, was refused by notice dated 26 November 2021.
 - The development proposed is erection of part two storey part single storey side extension.
-

Appeal B Ref: APP/P4225/D/22/3291727
23 Wood Top Avenue, Rochdale OL11 4BD.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr and Mrs Diggle against the decision of Rochdale Borough Council.
 - The application Ref 21/01698/HOUS, dated 2 December 2021, was refused by notice dated 26 January 2022.
 - The development proposed is erection of two storey side extension and single storey wrap around extension.
-

Decisions

Appeal A Ref: APP/P4225/D/22/3291726.

1. The appeal is dismissed.

Appeal B Ref: APP/P4225/D/22/3291727

2. The appeal is allowed and planning permission is granted for erection of two storey side extension and single storey wrap around extension at 23 Wood Top Avenue, Rochdale OL11 4BD in accordance with the terms of the application, Ref 21/01698/HOUS, dated 2 December 2021, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Procedural Matters

3. As the two appeals are essentially for very similar proposals I have linked them and determined the two together in one decision letter.
4. The application relating to Appeal A had an inaccurate description of development on the application form as it did not record the fact that part of

the side extension was single storey at front and rear. I have therefore taken the description for Appeal A from the Council's decision notice and the appeal form.

Main Issue

5. The main issue in respect of both appeals is the effect of the proposed developments on the character and appearance of the host building and its surroundings on Woodtop Avenue.

Reasons

6. Wood Top Avenue where the appeal site is located is characterised by large, mainly two storey detached and semi-detached houses constructed in brick or render under tiled roofs. The houses are set back from the road in generously sized plots but are built in a variety of styles. No 23 is characterised by hipped roofs and has had a number of extensions made to it. The neighbouring dwelling at No 25 Woodtop Avenue is a single storey bungalow and as such is one of the exceptions to the two storey form prevailing in this part of Woodtop Avenue.
7. The proposals in Appeal A and B both would involve the construction of a part two storey part single storey side extension in the existing gap between Nos 23 and 25. The difference between the proposals in A and B is that in Appeal B the side extension at first floor would be narrower, set further in from the side boundary with the single storey extension wrapping around it to the rear, side and front. Both proposals in Appeal A and B would be set down at the ridge and set back and it is not a matter of dispute between the parties that the design of either side extension would be subservient to the main house.
8. It has been put to me that both Appeal A and Appeal B extensions would result in closing the gap between No 23 and 25 Woodtop Avenue and a loss of spaciousness as a result. I acknowledge that there is an attractive treed backdrop at a higher level behind the properties on this side of Woodtop Avenue but, given the proposed set down at the ridge, the hipped roof to the side extension and existing hipped roof to No 25, a significant element of this green treed backdrop would remain clearly visible from the street. The extent of this would be enhanced as a result of the Appeal B proposal given the increased gap at first floor level over the proposal in Appeal A.
9. The visual relationship of the proposed side extension (and particularly the Appeal B version) to the main house, the neighbouring bungalow and the streetscene would be assisted by the fact that it would be set well back in the plot behind the frontage of the main house and well back from the frontage of the bungalow at No 25. As a result there would be no terracing effect and the feeling of spaciousness on the frontage would be maintained. In the approach from the north on Woodtop Avenue the extension would be largely screened from view as a result of the setback and in the approach from the south the extension would be partially screened by No 25 again because of the setback.
10. I have been invited to conclude that the resultant dwelling would be of excessive width across the frontage and would virtually fill the entire plot width which would not be in keeping with the character of the Avenue. However, from my observations on the site visit I am not persuaded that this assessment of character is accurate. Both Nos 31 and 33 at the top of the cul-de-sac are

properties at least as wide as that proposed at No 23. Moreover, in respect of the appeal property, the design of both the existing property and in its extended form, being divided into bays of varying depths, adds interest to the frontage and means that the frontage width has less impact than a flat fronted property of similar size such as No 31.

11. Furthermore, in a significant number of cases the houses in Woodtop Avenue, both detached and semi-detached, extend almost to the side boundaries either in their original forms or as extended. Again, because the Appeal B proposal increases the setback of the first floor from the side boundary to 2 metres rather than 1metre, this version of the side extension would be preferable to that in Appeal A. The total gap between No 23 and the neighbouring bungalow at first floor in the Appeal B proposal would be around 3.4 metres and at ground floor around 2.4 metres. Although the Council quotes a lesser distance, I took the opportunity to confirm the measurements on my site visit. These measurements of 3.4 metres at first floor and 2.4 metres at ground level would be sufficient side separation and the relationship between No 23 and No 25 would be better than in other cases in the Avenue because of the generous set back from the frontage that is proposed. I am therefore not persuaded by the Council's argument that the relationship of the extension with its neighbour at No 25 in Appeal B would be dominant and visually awkward.
12. The policies from the *Rochdale Core Strategy* (RCS) of relevance in this case are Policy P3 on improving design which requires development to have regard to the scale, density, massing, height and layout of surrounding buildings and areas and contribute positively to townscape by being well-proportioned. Policy DM1 of the RCS similarly requires all development including extensions to be to a high quality design taking the opportunity to enhance the quality of the area. Comparing the two appeal proposals against these policy objectives the proposal in Appeal A would have a greater degree of harm given that the side extension in that case would be closer to the side boundary at first floor level. Even though the difference would only be one metre, in the context this would be significant and it is reasonable to conclude that the proposal in Appeal B would better meet the RCS policy objectives and those of the National Planning Policy Framework seeking a high standard of design.
13. Although the Council has referred to the *Guidelines & Standards for Residential Development Supplementary Planning Document* (SPD) which it has adopted to assist the design of residential development, including extensions, the only directly relevant requirements are at paragraphs 5.1 and 5.12. Paragraph 5.1 states that extensions should be designed to be in keeping with the host property and generally should be subservient to it and paragraph 5.12 relates to avoiding a terracing effect. The criteria in the SPD would therefore be met by either design.

Conclusion and Conditions

14. I have considered the matters before me in respect of both Appeals and, for the reasons given above, I conclude that Appeal A should be dismissed due to the proposal having reduced side separation and the consequent harm to character and appearance as well as the failure to take the opportunity to enhance the quality of the area. However, as the Appeal B proposal better meets the policy objectives the appeal should be allowed and permission

granted for the two storey side extension with wrap around single storey extension subject to the conditions set out in the schedule of conditions below.

15. The Council suggested standard conditions, which I have considered in the light of the advice in the Framework and *Planning Practice Guidance*. A condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty. The Council also proposed the standard matching materials condition. This is necessary to ensure the character of the house and surrounding area is protected. The Highway Authority in its consultation response proposed that the new driveway should be constructed to meet sustainable drainage requirements. However, this is already clearly indicated as a requirement on the proposed plans and, as the extensions must be carried out in accordance with the approved plans, I consider that this is sufficient and any failure to ensure the driveway met sustainable drainage requirements could be enforced against.

P. D. Biggers

INSPECTOR

Schedule of Conditions Appeal B Ref APP/P4225/D/22/3291727

- 1) The development hereby permitted shall begin not later than three years from the date of approval.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SHF/001B and SHF/002P.
- 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing dwelling.