



Appeal Decision

Site visit made on 7 February 2022

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th April 2022

Appeal Ref: APP/B2355/D/21/3288580

31 Station Road, Helmshore, Rossendale BB4 4NH

- 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 Shayne Ward against the decision of Rossendale Borough Council.
 - The application Ref 2021/0440, dated 16 July 2021, was refused by notice dated 19 October 2021.
 - The development proposed is a two-storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A new Rossendale Local Plan was adopted on 15 December 2021, replacing the 2011 Core Strategy referred to in the Council's decision notices. I therefore sought comments from both main parties on the relevant policies of the new Local Plan. I have referred to the 2021 policies rather than those of the 2011 Core Strategy in my reasons below.

Main Issue

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

Reasons

4. The appeal relates to a two-storey two-bedroom dwelling in the centre of a terrace of six properties on the south side of Station Road. The front of the property faces towards the River Ogden, while the rear garden is on land which rises up to the west towards Holcombe Road. The terrace as a whole is modest in scale and traditional in appearance; these characteristics are emphasised at the back of the block by the current lack of rear extensions.
5. The proposed development is the erection of a two-storey rear extension, creating an enlarged kitchen/dining room on the ground floor and a third bedroom at first floor level. There would be patio doors on the rear elevation at ground floor level, while the new first-floor bedroom would have a Juliet balcony. The extension would project slightly under 2m from the existing rear elevation of the appeal property, and it would be a little over 4m wide; it would be set very close to the boundary with No 33 on the south side of No 31, with a

greater separation from No 29 to the north. The eaves would be around 4.35m high, just below the existing rear eaves, while the gable roof would have a ridge height of around 5.95m.

6. The Council's 2008 *Alterations and Extensions to Residential Properties* Supplementary Planning Document ("the SPD") provides guidance for domestic extensions. This includes that they should complement the original building in design, massing, bulk and detail, including reflecting original features such as doors and windows, and they should not detract from the character of neighbouring properties or the surrounding area.
7. The proposed extension would be the first two-storey rear extension on the entire terrace of six dwellings. While it would not be excessively deep when compared with the host dwelling as a whole, it would extend across a considerable part of the width of its rear elevation. Although the block is not Listed, nor within a Conservation Area, among other things it has a consistency of rhythm and scale which gives it some considerable architectural and visual quality, notwithstanding its modest size and simple "cottage" detailing. The proposed extension would be a substantial and bulky addition to the appeal property and the terraced row as a whole, which would detract from its existing coherence of scale and style.
8. The wide patio doors at ground floor level and the Juliet balcony at first floor level would also be incongruous alongside the generally much smaller window and door openings at the rear of the terrace. Taken together, the massing and detailing of the extension would not be sympathetic to the established character of the terrace. While the extension would be at the rear of the appeal property, it would be readily seen from neighbouring gardens and other properties nearby. It would also be prominent when seen from the path which passes to the south of the appeal site from Station Road via steps to Holcombe Road, and while there is no definitive information before me about the status of that route (and I note the appellant's comment about the photograph in the Council's officer report being taken from a private road) the path was used, if infrequently, by passers-by at the time of my site visit.
9. The Council considered that the principle of a rear extension would be acceptable, and that the proposed materials would match those of the host property. None of the evidence before me leads me to a different conclusion, but that the proposal would be acceptable in these respects does not outweigh the other harm I have found. I note also the appellant's comment that a Juliet balcony could be installed at first floor level without planning permission being required. While that may be so, such an alteration would not have the substantial bulk of the two-storey extension proposed in this case.
10. I therefore conclude that the proposed extension would have a harmful effect on the character and appearance of the area. It would conflict with Policies ENV1 and HS9 of the 2021 Rossendale Local Plan, which among other things together seek to ensure that new development (including house extensions) takes account of the character and appearance of the local area, including in respect of scale, siting, massing and layout. For the same reason, the proposal would conflict with the provisions of the National Planning Policy Framework which aim to achieve well-designed places, with particular reference to the requirements of Paragraph 130.

Other Matter

11. The single reason for which the Council refused planning permission did not refer to the effect of the proposed extension on neighbours' living conditions, and no objections were received on that ground from neighbouring occupiers. The Council's officer report concluded that "the extension would be compliant with the 45° rule" which is set out in paragraph 3.6 of the SPD. However, the submitted drawings show the extension projecting 1.975m from the rear elevation of the appeal property very close to the common boundary with No 33, and with reference to diagram 7 in the SPD it is in fact not at all clear to me that the extension would comply with the 45° rule. However, I have not considered this matter in more detail, nor have I sought further comment from the main parties on this point, as in view of my findings on the main issue it could not alter my overall conclusion.

Conclusion

12. The scheme conflicts with the development plan taken as a whole. There are no material considerations, including those of the Framework, which indicate that the decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

M Cryan

Inspector