The Planning Inspectorate

Appeal Decision

Site visit made on 22 August 2023

by P. D. Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th September 2023

Appeal Ref: APP/N4205/D/23/3324809
529 Darwen Road, Bromley Cross, Bolton BL7 9EB.

- 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 Rollinson against the decision of Bolton Council.
- The application 14773/22, dated 7 October 2022, was refused by notice dated 21 June 2023.
- The development proposed is attic conversion including the construction of a dormer to the rear of the property.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling, the adjacent terraced properties and on the Dunscar Fold Conservation Area.

Reasons

3. The appeal property sits on the south west side of Darwen Road and is a mid-terrace house in stone and slate. The north western end of the terrace, containing the appeal property, is two storey whilst the south eastern section has accommodation in the roof space lit by small, traditional front dormers. The terrace is adjacent to a more recently built terrace to the south east which again has traditionally-scaled and designed dormers to front and rear, lighting roof level accommodation.

4. To the rear of the terrace containing the appeal property the rear elevation has a largely uniform appearance with an unaltered roof slope apart from the introduction of tiling rather than slate on the rear roof pitch of the appeal property and No 523. There are no rear flat roof dormer extensions and the only significant alteration to the rear elevation is the introduction of a gabled rear extension to No 523.

5. The appeal property lies within the Dunscar Fold Conservation Area which is centred on Dunscar House and the development around it but includes the grouped frontage development onto Darwen Road either side of the access road to Dunscar House and Dunscar Square. The Conservation Area includes an extensive open landscaped area to the north and west of Dunscar House and a smaller open area to its east, the backdrop to which is the rear of the properties lining Darwen Road. These open areas form a visually important part of the character to the Conservation Area.

6. I have been referred to other dormer roof extensions locally, although not within the Conservation Area which the appellant considers justifies the appeal proposal. However, from my observations on site, whilst the modern houses to the south east as noted have small, traditionally-scaled, pitched roof dormers, the only property with a flat roof dormer in the immediate vicinity and within the Conservation Area is a modern, detached single storey property close to Dunscar House. Inasmuch as that house is detached and the dormer entirely subordinate to the roofscape in terms of its scale and positioning I am not persuaded it has any similarity to the appeal proposal. Although the appellant has also referred to the extension to the rear of No 523 Darwen Road, this is sited on the end of the terrace and a completely different type of alteration to that proposed on the appeal property. I will therefore determine the appeal proposal on its own merits.

7. The construction of the dormer would occupy virtually the full width and height of the roof slope extending from the eaves line to slightly above the ridge line. It would add excessive scale and mass to the rear elevation of the property at a high level which would appear top heavy and incongruous in the prevailing pattern of development and would not be subservient to the unaltered roof slope. The Council has produced the *House Extensions Supplementary Planning Document* (SPD) which includes advice on dormer roof extensions and which makes clear at paragraphs 3.10 and 3.11 that rear dormers should not occupy the whole rear roof slope.

8. I have been invited to conclude that the scale of dormer proposed is necessary in response to building regulation requirements. However, the detrimental impact of the dormer on the character and appearance of the terrace would be primarily a function of seeking to insert too large a floorspace into the attic space available.

9. Because the dormer extension would completely dominate the rear elevation of the terrace the impact it would have on important views from the open land to the west and from along the drive to Dunscar House of the eastern part of the Conservation Area would be significant and adverse. Whilst it has been put to me that the more modern terraced properties with their dormers are equally visible, as already stated, these dormers are pitch roofed and traditionally-scaled and an established feature of the roofscape which would not be the case with the appeal proposal.

10. It has been put to me that the reason for refusal demonstrates an inability to support good contemporary design and that the BCS policies and SPD are being applied inconsistently. However, not only would this proposal be an oversized insertion into the original roof slope it would also be a fairly basic, flat roof, box dormer design which I am not persuaded could be considered attractive contemporary design as the appellant suggests.

11. The *National Planning Policy Framework* (the Framework) at paragraph 130 requires that developments must be sympathetic to local character to create high quality buildings and spaces amongst other things and in these respects the proposal would fail. Policy CG3 of the *Bolton Local Development Framework Core Strategy* (BCS) reflects the Framework in requiring development to have regard to the overall built character and to be compatible to the surrounding area in terms of scale, massing, grain, form and architecture amongst other things. For the above reasons i.e. the positioning, scale, massing and design of the rear dormer, the proposal would have an unacceptable impact on the established character and appearance of the terrace and constitute harm to the Conservation Area.

12. As such the requirements of the Framework at paragraph 199 would not be met. I accept that the harm to the Conservation Area would be less than substantial and

in these circumstances the Framework at paragraph 202 allows for any public benefits of the proposal to be taken into consideration. In this case the appellant has presented no public benefits. Any benefit from the dormer extension would be a largely private benefit to the owners of the property as a result of the extended accommodation. As such the harm to the Conservation Area would not be outweighed. The extension would also be in conflict with BCS Policy CG3 which at Section 4 seeks to conserve and enhance the significance of heritage assets and heritage areas. In this case the proposal would introduce a visually damaging extension to the Conservation Area and would fail to at least preserve it.

Other Matters

13. I understand the appellant's wish to increase the available accommodation for their family and thereby make sustainable and effective use of housing land, an objective which is encouraged by the Framework in Section 11. However, paragraph 124 in the same section of the Framework states that this should not be at the expense of maintaining an area's prevailing character and setting. Sustainable and effective use of the dwelling to provide additional accommodation at roof level would not therefore outweigh the harm to the character and appearance of the terrace and to the Conservation Area as a result of the proposal.

C**onclusion**

14. In reaching my decision I have had regard to the matters before me but for the reasons above the appeal should be dismissed.

P. D. Biggers

INSPECTOR