
Appeal Decision

Site visit made on 29 October 2024

by A Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2024

Appeal Ref: APP/W4223/D/24/3346826

15 Underwood Way, Shaw, Oldham OL2 8LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Lundy against the decision of Oldham Council.
 - The application Ref is HOU/352652/24.
 - The development proposed is 1) Raising of the roof of the property to accommodate a rear dormer. 2) 2 storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Council's decision notice as this more accurately describes the development and was used for notification purposes. It has been used by the appellant for the purposes of the appeal. I am satisfied that no party will be prejudiced by my use of it.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

4. Underwood Way is a residential street characterised by groups of similarly designed houses. The appeal property (No 15) is a two storey detached house that is set back from, and positioned at a higher land level, than Underwood Way. It is flanked by other detached houses which are staggered in their set-back from the road.
5. Views of the rear of the appeal property and other houses in the row can be glimpsed between vegetation at the corner of Underwood Way and Forrester Drive, as well as from Buckstones Primary School playing field. Due to the topography of the area and the steeply sloping rear gardens of No 15 and neighbouring properties, only the first floor and roof of these houses are visible in these views.
6. An existing conservatory at the rear of No 15 would be replaced with a two storey rear extension, the size and form of which would be acceptable, as also confirmed by the Council. However, part of the main roof of the house would be raised to accommodate a rear dormer. The increased ridge height would be modest and because of the topography of Underwood Way, the houses in the

row are stepped in height. This would lessen the prominence of the raised ridge height when seen in the context of the surrounding built form.

7. The proposed flat-roof dormer would be built off the new ridge line and sit above the two storey rear extension, extending beyond the existing main rear elevation of the house. This would exacerbate the scale of the dormer and dominate the appearance of the house when viewed from the gardens of neighbouring dwellings, the school playing fields and when glimpsed from the access into Forrester Drive.
8. Furthermore, the dormer would sit awkwardly above the hipped roof of the two storey extension and appear as a poorly proportioned addition to the roof. Due to its height and design it would appear as an incongruous adjunct that would result in a discordant mix of roof designs on the rear elevation of the appeal property. The use of matching materials would do little to mitigate the conspicuous form of the dormer and its harmful visual impact. Consequently, it would harm the character and appearance of the appeal property and the surrounding area.
9. Overall, I conclude that the proposal would have a harmful effect on the character and appearance of the host property and the area. It would conflict with Policy JP-P1 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022 to 2039, adopted March 2024, which, amongst other matters, requires that development respects the character and identity of the locality in terms of design, siting, size, scale and materials.

Other Matters

10. My attention has been drawn by the appellant to a two storey rear extension granted planning permission by the Council at 9 Underwood Way. However, that extension does not include a raised ridge line or a dormer. In addition, the gabled roof design of the extension visually harmonises with that of the original house which give it more pleasing proportions. These aspects distinguish that extension from the one at No 15. It is therefore materially different to the appeal before me.
11. The appellant has requested that consideration be given to an alternative scheme for a smaller dormer, but no plans are before me in this regard. In any event, Part 16 of the Planning Inspectorate's Procedural Guide: Planning appeals - England, September 2024, advises that the appeal process should not be used to evolve a scheme.
12. I have considered all other matters raised by interested people. However, as I have found the development to be unacceptable for the reasons given, it is not necessary for me to reach a conclusion on these matters.

Conclusion

13. For the above reasons the proposal would fail to accord with the development plan, and there are no material considerations that indicate that a determination should be made otherwise than in accordance with the plan. I therefore conclude that the appeal should be dismissed.

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