



Appeal Decision

Site visit made on 27 March 2025

by L Gardner MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2025

Appeal Ref: APP/Q4245/D/25/3359291

133 Park Road, Timperley, Trafford WA15 6QQ

- 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 Chand Sharma & Mrs Reena Sharma against the decision of Trafford Metropolitan Borough Council.
 - The application ref is 114944/HHA/24.
 - The development proposed is demolition of an existing shed and erection of a garden room at rear of property and rear dormer including external alterations.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal, specifically the proposed rear dormer, on the character and appearance of the host building and the wider area.

Reasons

3. The appeal property is one of two back land plots accessed via a shared drive from Park Road. Due to the set back from the road, the appeal property has a limited impact on the immediate street scene.
4. The appeal site sits within a primarily residential area. Properties fronting Park Road are generally detached dwellings in spacious plots, although some plots have been divided to create back land developments. There is a wide variation within the street scene of property size and design. This varies between modest single storey bungalows with simple pitched roofs, to large three storey properties with ornate detailing. Roof dormers do feature in the surrounding area, but they are not a defining characteristic of the area.
5. The appeal proposal relates to various elements including the demolition of an existing shed and erection of garden room in the rear garden, alterations to the roof including formation of a rear dormer and rooflights and associated external alterations including a canopy over the front door. The Council's concerns relate to the proposed roof dormer which would be positioned on the eastern roof slope.
6. The Council's Supplementary Planning Document 4 provides design advice for householder extensions and alterations. In relation to dormer windows and roof alterations, it is stated amongst other points, that dormer windows should not appear dominant or top heavy or sit too close to the edges of the main roof. Flat roofs are also discouraged.

7. The proposed roof dormer would have a boxy flat roof design which would occupy most of the roof slope in which it would be sited. It would be constructed of grey cladding, but the contrasting materials would not in isolation be harmful given the use of cladding elsewhere on the dwelling. Whilst there would be a gap between the dormer cheek and the existing edge of the roof, the roof of the dormer would overhang the cheek and align with the edge of the dwelling, leaving little to no gap in between.
8. The roof dormer would be wide, as well as tall giving both a vertical and horizontal emphasis, the combination of which would leave little of the roof slope unaffected by the development. The proposed roof dormer would therefore dominate the eastern elevation of the dwelling to a degree which would be materially harmful to the character and appearance of the host building.
9. The fenestration proposed within the roof dormer would be of similar proportions to the existing and proposed bi-folding doors on the ground floor. I disagree that this would help integrate the tall dormer windows, instead it would result in the roof dormer appearing top heavy and disproportionately large to the roof slope in which it would sit. The appellant has referred to the sizes of fenestration at an infill development to the rear of 119 Park Road. Whilst I did observe that this development has tall windows, they are not within roof dormers and read as a planned part of the design for that development. I therefore do not consider the windows at 119A to 119D Park Road to be equivalent to the design of the appeal proposal.
10. The nearest neighbouring property no 135 has numerous roof dormers, however their design is materially different to that proposed through the appeal scheme, being smaller with pitched roofs. I therefore do not find the roof dormers at the neighbouring property to be directly comparable to a degree which would justify the development proposed. The appellant has referred to various other examples of roof dormers in the surrounding area. The majority of these are referenced through aerial images without a wider context of the surrounding area. I do not know the circumstances under which they were constructed or their status with regard to planning permission and therefore cannot draw any direct comparison with the appeal proposal that would weigh in its favour.
11. During my site visit, I observed the roof dormers at 125 Park Road. No 125 has two large box dormers on either side of the roof slope. Nevertheless, the key difference to the appeal scheme before me is that the dormers at no 125 have a distinct horizontal emphasis (as opposed to a horizontal and vertical emphasis), with the lower roof still being notably visible. As a result, the dormers at no 125 are more in proportion to the roof slope within which they sit, and I do not find that their presence justifies the design of the appeal scheme before me.
12. Policy JP-P1 of the Places for Everyone Development Plan Document (PfEDPD) (2024) seeks for development to have a distinctive, clear identity which respects the character of the locality. It is acknowledged that due to the back land nature of the plot, and the limited visibility in the street scene, the sensitivity to change at the appeal site is lessened. The impact of the development on the character and appearance of the wider area would be modest due to the positioning of the development. However, the proposed roof dormer would still be visible to neighbouring properties and a lack of wider visibility or impact does not provide sufficient justification for allowing poor design.

13. Consequently, whilst I have found modest harm to the character and appearance of the wider area, I find that the proposal, specifically the proposed rear dormer, would harm the character and appearance of the host building. This would be contrary to Policy JP-P1 of the PfEDPD when considered in the context of the immediate locality of the appeal site.

Other Matters

14. With reference to a previous appeal decision at the appeal site, APP/Q4245/C/24/3338157 (which was linked with APP/Q4245/C/24/3338156), I agree that this proposal would also not impose material harm to the living conditions of neighbouring parties. Nevertheless, a lack of harm in this respect does not outweigh the harm I have identified to the character and appearance of the host building and the wider area.
15. The appellant's statement also refers to an appeal nearby in Sale, reference APP/Q4245/D/24/3346882. In this decision, the Inspector concluded that a proposed rear dormer would not cause harm to the character and appearance of the area. However, no further details have been provided to demonstrate that the appeal scheme is directly comparable in design or context and therefore I have attached very little weight to this decision.
16. I acknowledge the appellant's concerns over the Council's handling of the application in respect to a lack of engagement throughout the application process. However, this is not a matter that I can consider in the appeal before me and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.
17. My attention has been drawn to the potential allowances for roof dormer extensions through the General Permitted Development Order 2015 (as amended). Nevertheless, these do not apply to the appeal site given that permitted development rights have been removed. I have little evidence before me to suggest that neighbouring properties which do benefit from permitted development rights intend to develop a similar form of development as proposed. I therefore disagree that this constitutes a fall back position and I have attached little weight to this suggestion in my decision.
18. The appellant contends that the development would minimise the perception of overlooking to the host dwellings rear garden from the neighbouring roof dormer. Whilst I agree that this, and the additional internal space which would be gained from the proposed development, would be a minor personal benefit of the proposal, they do not outweigh the overall harm that I have identified.

Conclusion

19. For the reasons given above, I find that the proposed development would conflict with the development plan, read as a whole. No other material considerations, individually or cumulatively, outweigh the identified harm and associated development plan conflict. Therefore, the appeal is dismissed.

L Gardner

INSPECTOR