



Appeal Decision

Site visit made on 21 February 2024

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 07.03.2024

Appeal Ref: APP/T4210/D/23/3334811

46 Oak Lane, Whitefield, Bury, Lancs, M45 8ET

- 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 Craig Timbrell against the decision of Bury Metropolitan Borough Council.
 - The application Ref. 69882 dated 10 July 2023, was refused by notice dated 9 October 2023.
 - The development proposed is a hip to gable roof extension at side and loft conversion with rear dormer.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. In December 2023 the Government published its revised National Planning Policy Framework (the Framework). In this instance the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework and that no party would be disadvantaged by such a cause of action.
3. The Council changed the description of the development and I note that this description was used by the appellant in the appeal form. I have accordingly used this description.

Main Issue

4. The main issue in the appeal is the effect of the proposed development on the character and appearance of the host dwelling and the area.

Reasons

5. No 46 Oak Lane, the appeal property, is a semi-detached property situated in a residential street. On this part of Oak Lane properties are similar in size and scale. On my site visit I did not observe any rear dormers nor any hip to gable roof extensions, and the dwellings generally retain the style and appearance of the original built development. There was a strong sense of uniformity and coherence to the pattern of development in this area.
6. The proposed rear dormer extension would be built across much of the full width of the roof slope and its ridge height would project some 300mm above

the existing ridge line of the dwelling. The Council's Supplementary Planning Document 6: Alterations and Extensions to Residential Properties (adopted 2004 and updated 2010) (SPD6) provides that in the case of dormer extensions, dormers with pitched roofs should not project beyond the original ridge line and in all other cases the roof of the dormer should be 0.5 metres or more below the main ridge line.

7. The proposal would accordingly exceed the height recommended in SPD6 and would by reason of its height be an incongruous addition to the dwelling. It would introduce a form of roof design which would be at odds with that of its attached neighbouring property and unreflective of the area as a whole. As such it would cause unacceptable harm to the character and appearance of the dwelling and the area.
8. The Council raises no concern with regard to the residential amenity of the occupiers of neighbouring properties and having regard to the juxtaposition of the properties, I see no reason to disagree with this view. Nor are any concerns raised in relation to parking. However the absence of harm in these respects does not weigh in favour of the proposal.
9. Therefore, the proposal would cause unacceptable harm to the character and appearance of the host dwelling and the area. As such it would conflict with Saved Policy H2/3 of the Bury Unitary Development Plan (1997) which seeks to ensure that development is sympathetic in nature with the original building and surrounding area by reason of design, form and size. It would also fail to comply with guidance as to the design of dormer/roof extensions within SPD6.

Other Matter

10. Reference has been made to the personal circumstances of the family in seeking larger family accommodation to meet their needs. However limited information is before me as to those circumstances and as to how the needs of the appellant and his family could only be met by the construction of an extension of the size and scale now proposed. Nor am I convinced that this scheme is the only practical option for extending this property. I do not therefore find that the personal circumstances of the appellant outweigh the harm I have found to the character and appearance of the host dwelling and the area.

Conclusion

11. The proposal would have a harmful effect on the host dwelling and the character and appearance of the area. There are no other considerations which would outweigh these findings nor the conflict with the Development Plan. Accordingly I dismiss the appeal.

K Winnard

INSPECTOR