

Planning Appeals Update

Planning Committee

Report of Head of Planning and Infrastructure

DATE OF COMMITTEE

February 2020

PLANNING APPEALS

WRITTEN REPRESENTATION

HEARINGS

HOUSE HOLDER

ADVERTISEMENTS

APPEAL DECISIONS

HH/343875/19 – 4 Birks Avenue, Lees, Oldham OL4 3PR – Dismissed

RECOMMENDATION - That the report be noted.

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information as defined by that Act.

Files held in the Development Control Section

The above papers and documents can be inspected from 08.40am to 4.30pm on level 4, Civic Centre, West Street, Oldham.



Appeal Decision

Site visit made on 21 January 2020

by **Sarah Manchester BSc MSc PhD MIEnvSc**

an Inspector appointed by the Secretary of State

Decision date: 27th January 2020

Appeal Ref: APP/W4223/D/19/3240038

4 Birks Avenue, Lees, Oldham OL4 3PR

- 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 & Mrs John Cheetham against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/343875/19, dated 06 September 2019, was refused by notice dated 18 October 2019.
 - The development proposed is single storey dining room extension to front of property.
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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 area.

Reasons

3. No 4 is part of a group of matching semi-detached properties on this side of the street that have single storey front elevations, with single width garage extensions flush with their side elevations. The garage extensions have dual pitch gable roofs set well below the ridgelines of the dwellings. Notwithstanding modest flat roof porch extensions to the front of several properties, the group appears substantially as built. Consequently, there is a coherent and harmonious character and appearance to this part of the street scene.
4. The proposed extension would be single storey with a dual pitch roof. In this respect, it would mirror and match the garage extension. However, the resulting front elevation, with extensions at either side linked by the intervening flat roof porch feature, would be markedly dissimilar to the adjoining property. The proposal would be an incongruous and prominent addition that would not relate well to the original dwellings. It would be a discordant feature that would unbalance the pair of semi-detached properties and it would disrupt the regularity and consistency of the otherwise coherent group of properties. Consequently, it would not make a positive contribution to local distinctiveness or sense of place.
5. I appreciate that away from the immediate area, there are different sizes and styles of property in the street. My attention has also been drawn to extensions elsewhere, although full details of those schemes have not been provided. On the basis of the evidence before me, dormer extensions to 2 storey properties,

detached garages and varying styles of modest porch extensions are not directly comparable to the appeal scheme. Moreover, they do not provide a visual context for the proposal. Furthermore, I cannot be certain that those schemes benefit from planning permission or that they were considered in the same policy context. Therefore, they do not provide a justification for the appeal scheme, which must be considered on its own merits.

6. Therefore, the proposed development would result in significant harm to the character and appearance of the area. It would conflict with Policy 20 of Oldham Local Development Framework Development Plan Document – Joint Core Strategy and Development Management Policies Adopted November 2011. This requires that development, among other things, is of high quality design, reflecting the character and distinctiveness of the area and reinforcing local identity. It would also conflict with policies in the National Planning Policy Framework that require development to be sympathetic to the surrounding built environment and to maintain a strong sense of place.

Conclusion

7. I have concluded that the proposal would conflict with the development plan and there are no other considerations that outweigh that conflict. For this reason, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR

343875



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