
Appeal Decision

Site visit made on 20 February 2017

by Matthew Birkinshaw BA(Hons) Msc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28th February 2017

Appeal Ref: APP/W4223/D/16/3166344
26 Rushbury Drive, Royton, OL2 6LE

- 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 Winstanley against the decision of Oldham Metropolitan Borough Council.
 - The application Ref HH/339323/16, dated 30 October 2016, was refused by notice dated 20 December 2016.
 - The development proposed is a first floor side extension and garage conversion.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the streetscene within Rushbury Drive.

Reasons

3. Rushbury Drive is a relatively modern cul-de-sac characterised by a mix of detached houses. Due to the layout of the street the majority of properties are situated relatively close together. Where properties benefit from attached garages the space above provides an important visual break in the streetscene.
 4. By extending above the garage flush with the front elevation the appeal proposal would significantly reduce the gap between nos.26 and 24 at first floor level. The adjacent 2-storey houses would only be separated by roughly the width of the footpath running down the side of the appeal property. Because of this proximity I consider that the scale and massing of the extension would lead to a cramped and uncomfortable relationship with no.24. The extension would erode the regular spacing along Rushbury Drive, and when viewed in the context of its surroundings would detract from the suburban streetscene.
 5. In reaching this view I have taken into account that the proposal would share the same footprint as the existing garage, and would replace the over-hanging soffit. However, whilst the garage is already situated close to the boundary with no.24, it is only single storey. Introducing development above, flush with the front elevation would increase the bulk of development at first floor level and lead to a cramped form of development. Based on the submitted drawings this would not be mitigated by replacing the over-hanging soffit.
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6. In support of the proposal the appellant has referred to other properties that have been extended at first floor level in the surrounding area. However, no specific examples have been provided to enable any meaningful comparison with the appeal scheme. Although there is a property that has been extended at first floor level on the same side of Rushbury Drive, it does not sit flush with the front elevation. The circumstances are therefore materially different.
7. It is also appreciated that the extension would create additional living space for the appellant and his family. In particular, it would allow his children to have separate bedrooms. Although this would be of significant benefit, it does not justify granting planning permission given the harm that has been identified.
8. I therefore conclude that by reason of its scale, massing, siting and design the proposal would result in a cramped form of development that would have a significant adverse impact on the streetscene within Rushbury Drive. As a result, it conflicts with Policy 9 of the *Oldham Development Plan Document – Joint Core Strategy and Development Management Policies*. Of the policies referred to by the Council this is the most relevant and seeks to ensure that development does not have a significant adverse impact on the visual amenity of the surrounding area. It is also contrary to one of the Core Planning Principles of the National Planning Policy Framework which states that planning should always seek to secure high quality design.

Other Matters

9. The Council has not raised any concerns regarding the conversion of the garage. Based on the evidence provided I find no reasons to disagree. However, the appellant has not indicated that they would wish to implement this aspect of the scheme in isolation from the first floor extension, or that they are severable from one another. I have therefore determined the appeal on this basis.

Conclusion

10. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR