



Appeal Decision

Site visit made on 27 March 2017

by Peter D Biggers BSc Hons MRTPI

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

Decision date: 13 April 2017

Appeal Ref: APP/W4223/D/17/3168863
24 Heather Way, Diggle, Oldham OL3 5PZ

- 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 Mrs Margaret Gregory against the decision of Oldham Council.
 - The application Ref HH/339220/16, dated 28 September 2016, was refused by notice dated 9 January 2017.
 - The development proposed is new front porch with ground floor disabled toilet facility.
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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 host dwelling and the surroundings in Heather Way.

Reasons

3. Heather Way is a modern cul-de-sac of semi-detached, 2 storey houses in stone and slate. No 24 forms the left hand house of a semi-detached pair with No 22 and the detailing is the same on both houses. In keeping with the rest of Heather Way the properties have simple over door storm canopies. This is a common feature in the cul-de-sac with only the semi-detached pair at Nos 10 and 12 having a different approach in combination with side extensions. There is therefore an attractive uniformity to the front elevations of the properties in Heather Way.
 4. I have been referred to a number of extensions in Sam Road and Heather Way, in particular the front extension at No 10 Heather Way, which the appellant considers justifies the proposed front porch extension in the case of No 24. However the front extension at No 10 is the smaller element of a larger extension to the side and does not extend out to the front as far as would be the case with No 24. The extensions to it and No 12 are the exceptions to the rule as otherwise all the houses between No 6 and No 32 have only simple canopies over the door and very simple front elevations with no front extensions. Given this continuing uniformity of character within the street I am not persuaded by the appellant's argument that the original uniform design has been eroded. Further front extensions would therefore be detrimental. The extension referred to in Sam Road given its mass and scale on the frontage simply illustrates the difficulties involved in ensuring a front extension complements the character and appearance of the streetscene. As such I will determine the appeal on its own merits.
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5. I acknowledge that in the context of the No 24 itself the extension would be modest, would share the materials palette of the main house and has been kept to the minimum size necessary to accommodate a downstairs toilet. Nevertheless the house is one of a pair with a simply designed frontage and the porch would unbalance that uniform design.
6. It has been put to me that because of the stepped building line on the south side of Heather Way and the fact that the proposed extension would not step forwards of the pair of houses at Nos 18 and 20 that it would not be overly intrusive in the streetscene. The proposed depth of the porch however is such that it would impact on views along the street and appear incongruous and out of keeping with the established character.
7. The *National Planning Policy Framework* (the Framework) attaches great importance to seeking a high quality of design. At Paragraph 64 it states that “...*permission should be refused for development of poor design that fails to take the opportunities available to improve the character and quality of an area*”. Policy 9 of the *Oldham Council Joint Core Strategy and Development Management Policies DPD* (JCS DMP) is consistent with the Framework in ensuring development does not have a significant adverse impact on visual amenity of the surrounding area. Moreover JCS DMP policy 20 requires that development takes into account local character and the need for well-designed buildings.
8. For the reasons above these policy objectives would not be met by the proposal. Although I accept the actual scale of the porch would be small, its impact, because of the location on the house and positioning in the cul-de-sac, would be significant in that it would continue to erode the simply designed character of Heather Way. It would therefore have an adverse effect on the character and appearance of the host property and the surroundings on Heather Way and would be contrary to the Framework and JCS DMP policies 9 and 20.
9. I understand that the appellant is seeking to make sustainable and effective use of an existing home, an objective which is encouraged by the Framework. However, even if such a social benefit would be secured, the Framework adopts a wide definition of sustainability. Indeed, it makes clear at paragraph 6 that regard must be had to the document as a whole in determining what the concept means in practice. Paragraph 8 of the Framework states that all economic, social and environmental gains should be sought jointly. In terms of paragraph 9 of the Framework, and for the reasons given above, the front extension would not be a positive improvement in the quality of the built environment. In this case, the proposal would not be sustainable development in the terms of the Framework and the presumption in favour should not apply.

Conclusion

10. I have carefully considered the matters before me but for the reasons given the appeal should be dismissed.

P. D. Biggers

INSPECTOR